

COMMISSION IMPLEMENTING REGULATION (EU) 2021/2070**of 25 November 2021****amending Regulation (EC) No 474/2006 as regards the list of air carriers banned from operating or subject to operational restrictions within the Union****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EC) No 2111/2005 of the European Parliament and of the Council of 14 December 2005 on the establishment of a Community list of air carriers subject to an operating ban within the Community and on informing air transport passengers of the identity of the operating carrier, and repealing Article 9 of Directive 2004/36/EC ⁽¹⁾, and in particular Article 4(2) thereof,

Whereas:

- (1) Commission Regulation (EC) No 474/2006 ⁽²⁾ establishes the list of air carriers, which are subject to an operating ban within the Union.
- (2) Certain Member States and the European Union Aviation Safety Agency ('the Agency') communicated to the Commission, pursuant to Article 4(3) of Regulation (EC) No 2111/2005, information that is relevant for updating that list. Third countries and international organisations also provided relevant information. On the basis of the information provided, the list should be updated.
- (3) The Commission informed all air carriers concerned, either directly or through the authorities responsible for their regulatory oversight, about the essential facts and considerations which would form the basis of a decision to impose an operating ban on them within the Union or to modify the conditions of an operating ban imposed on an air carrier, which is included in the list in Annex A or B to Regulation (EC) No 474/2006.
- (4) The Commission gave the air carriers concerned the opportunity to consult all relevant documentation, to submit written comments and to make an oral presentation to the Commission and to the Committee established by Article 15 of Regulation (EC) No 2111/2005 (the 'EU Air Safety Committee').
- (5) The Commission has informed the EU Air Safety Committee about the ongoing joint consultations, within the framework of Regulation (EC) No 2111/2005 and Commission Regulation (EC) No 473/2006 ⁽³⁾, with the competent authorities and air carriers of Armenia, Comoros, Iraq, Kazakhstan, Libya, Mexico, Moldova, Pakistan, Russia and South Sudan. The Commission also informed the EU Air Safety Committee about the aviation safety situation in Congo (Brazzaville), Equatorial Guinea, Madagascar, Sudan and Suriname.
- (6) The Agency informed the Commission and the EU Air Safety Committee about the technical assessments conducted for the initial evaluation and the continuous monitoring of third country operator ('TCO') authorisations, issued pursuant to Commission Regulation (EU) No 452/2014 ⁽⁴⁾.

⁽¹⁾ OJ L 344, 27.12.2005, p. 15.

⁽²⁾ Commission Regulation (EC) No 474/2006 of 22 March 2006 establishing the Community list of air carriers which are subject to an operating ban within the Community referred to in Chapter II of Regulation (EC) No 2111/2005 of the European Parliament and of the Council (OJ L 84, 23.3.2006, p. 14).

⁽³⁾ Commission Regulation (EC) No 473/2006 of 22 March 2006 laying down implementing rules for the Community list of air carriers which are subject to an operating ban within the Community referred to in Chapter II of Regulation (EC) No 2111/2005 of the European Parliament and of the Council (OJ L 84, 23.3.2006, p. 8).

⁽⁴⁾ Commission Regulation (EU) No 452/2014 of 29 April 2014 laying down technical requirements and administrative procedures related to air operations of third country operators pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council (OJ L 133, 6.5.2014, p. 12).

- (7) The Agency also informed the Commission and the EU Air Safety Committee about the results of the analysis of ramp inspections carried out under the Safety Assessment of Foreign Aircraft programme ('SAFA'), in accordance with Commission Regulation (EU) No 965/2012 ⁽⁵⁾.
- (8) In addition, the Agency informed the Commission and the EU Air Safety Committee about the technical assistance projects carried out in third countries affected by an operating ban under Regulation (EC) No 474/2006. Furthermore, the Agency and France provided information on the plans and requests for further technical assistance and cooperation to improve the administrative and technical capability of civil aviation authorities in third countries with a view to helping them resolve non-compliance with applicable international civil aviation safety standards. Member States were invited to respond to such requests on a bilateral basis in coordination with the Commission and the Agency. In that regard, the Commission reiterated the usefulness of providing information to the international aviation community, particularly through the International Civil Aviation Organisation's ('ICAO') Aviation Safety Implementation Assistance Partnership tool, on technical assistance to third countries provided by the Union and Member States to improve aviation safety around the world.
- (9) Eurocontrol provided the Commission and the EU Air Safety Committee with an update on the status of the SAFA and TCO alarming functions, including statistics about alert messages for banned air carriers.

Union air carriers

- (10) Following the Agency's analysis of information resulting from ramp inspections carried out on the aircraft of Union air carriers, as well as standardisation inspections carried out by the Agency, complemented also with information stemming from specific inspections and audits carried out by national aviation authorities, several Member States and the Agency, acting as competent authority, have taken certain corrective and enforcement measures and informed the Commission and the EU Air Safety Committee about those measures.
- (11) Member States and the Agency, acting as competent authority, reiterated their readiness to act, as necessary, in the event that pertinent safety information indicates imminent safety risks resulting from non-compliance by Union air carriers with the relevant safety standards.

Air carriers from Armenia

- (12) In June 2020, air carriers from Armenia were included in Annex A to Regulation (EC) No 474/2006, by Commission Implementing Regulation (EU) 2020/736 ⁽⁶⁾.
- (13) On 3 November 2021, the Commission, the Agency, Member States and the Civil Aviation Committee of Armenia ('CAC') held a technical meeting, during which CAC provided an update regarding the actions taken since the technical meeting held on 15 April 2021 to address the identified safety deficiencies. CAC provided an overview of the latest developments regarding the civil aviation legislative framework in Armenia, information about the further development of CAC's department/section functions and responsibilities, and the Human Resources Manual.
- (14) CAC also informed the Commission about the newly developed Safety Management Manual and about the Safety Management System (SMS) trainings followed by CAC staff.

⁽⁵⁾ Commission Regulation (EU) No 965/2012 of 5 October 2012 laying down technical requirements and administrative procedures related to air operations pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council (OJ L 296, 25.10.2012, p. 1).

⁽⁶⁾ Commission Implementing Regulation (EU) 2020/736 of 2 June 2020 amending Regulation (EC) No 474/2006 as regards the list of air carriers banned from operating or subject to operational restrictions within the Union (OJ L 172, 3.6.2020, p. 7).

- (15) Furthermore, CAC informed the Commission that the Air Operator Certificates ('AOC') of the air carriers *Atlantis Armenian Airlines* and *Fly Armenia Airways* have been revoked, and that a new air carrier *Flyone Armenia* (AOC No 074) has been certified. Since CAC has not demonstrated a sufficient ability to implement and enforce the relevant safety standards, the issuance of an AOC to this new air carrier does not guarantee sufficient compliance with international safety standards.
- (16) The Commission takes note of the progress made by CAC in addressing the aviation safety concerns that in June 2020 led to the inclusion of air carriers certified in Armenia in Annex A to Regulation (EC) No 474/2006. From the information and documentation provided by CAC, there is however not enough evidence that the safety deficiencies identified during the 2020 Union on-site assessment visit have been effectively addressed to ensure compliance with international safety standards. The Commission will continue to engage with CAC and monitor the further measures adopted and activities undertaken to address those safety deficiencies, including CAC's safety oversight capabilities. In this context, it was noted that the Agency will manage a technical assistance project to support CAC in their efforts to enhance the aviation safety oversight in Armenia.
- (17) In accordance with the common criteria set out in the Annex to Regulation (EC) No 2111/2005, the Commission considers that with respect to air carriers from Armenia, the list of air carriers which are subject to an operating ban within the Union should be amended to include *Flyone Armenia* in Annex A to Regulation (EC) No 474/2006, and to remove *Atlantis Armenian Airlines* and *Fly Armenia Airways* from that Annex.
- (18) Member States should continue verifying the effective compliance of air carriers certified in Armenia with the relevant international safety standards through prioritisation of ramp inspections of those air carriers, pursuant to Regulation (EU) No 965/2012.

Air carriers from Comoros

- (19) The air carrier *Air Service Comores* was included in Annex A to Regulation (EC) No 474/2006 on 22 March 2006.
- (20) On 12 October 2006, the air carrier *Air Service Comores* was moved from Annex A to Annex B to Regulation (EC) No 474/2006, by Commission Regulation (EC) No 1543/2006 ⁽⁷⁾.
- (21) As part of its continuous monitoring activities, the Commission requested the Agence Nationale de l'Aviation Civile et de la Météorologie de l'Union des Comores ('ANACM') to provide a list of all AOC holders certified in the Comoros.
- (22) On 15 July 2021, ANACM confirmed in writing the cessation of activities by the air carrier *Air Service Comores*.
- (23) In accordance with the common criteria set out in the Annex to Regulation (EC) No 2111/2005, the Commission considers that the list of air carriers, which are subject to an operating ban within the Union, should be amended to remove the air carrier *Air Service Comores* from Annex B to Regulation (EC) No 474/2006.
- (24) Member States should continue verifying the effective compliance of air carriers certified in Comoros with the relevant international safety standards through prioritisation of ramp inspections of those air carriers, pursuant to Regulation (EU) No 965/2012.
- (25) Where any relevant safety information reveals imminent safety risks resulting from non-compliance with international safety standards, further action by the Commission can become necessary, in accordance with Regulation (EC) No 2111/2005.

⁽⁷⁾ Commission Regulation (EC) No 1543/2006 of 12 October 2006 amending Regulation (EC) No 474/2006 establishing the Community list of air carriers which are subject to an operating ban within the Community referred to in Chapter II of Regulation (EC) No 2111/2005 of the European Parliament and of the Council and as amended by Regulation (EC) No 910/2006 (OJ L 283, 14.10.2006, p. 27).

Air carriers from Iraq

- (26) In December 2015, the air carrier *Iraqi Airways* was included in Annex A to Regulation (EC) No 474/2006, by Commission Implementing Regulation (EU) 2015/2322 ⁽⁸⁾.
- (27) On 17 June 2021, at Iraq's request and as part of the continuous monitoring activities of the Commission, the Commission, the Agency, Member States, and the Iraqi Civil Aviation Authority ('ICAA') held a technical meeting. During that meeting, ICAA provided an update regarding the actions taken since *Iraqi Airways* was included in Annex A to Regulation (EC) No 474/2006, as well as information regarding the status of the completion of the ICAO Universal Safety Oversight Audit Programme Continuous Monitoring Approach ('USOAP CMA') Desk Audit.
- (28) Furthermore, ICAA indicated to the Commission that all the recommendations resulting from the technical assistance project to ICAA, provided by the Agency in 2017, had been addressed and implemented. As a complement to information provided ahead of the technical meeting, ICAA committed to providing further evidence to demonstrate the progress mentioned. During the second part of that meeting, at the specific request of Iraq, the Commission and the Agency provided clarifications with respect to the TCO authorisation process, in view of a future application for TCO authorisations by *Iraqi Airways* or other air carriers certified in Iraq.
- (29) The Commission, during the meeting held on 17 June 2021, specified that it could consider removing *Iraqi Airways* from Annex A to Regulation (EC) No 474/2006 when information, including through a Union on-site assessment visit, confirms Iraq's compliance with ICAO certification and oversight standards, and *Iraqi Airways* demonstrates to the Agency and the Commission that the reasons leading to the negative TCO decision in 2015 have been resolved.
- (30) In accordance with the common criteria set out in the Annex to Regulation (EC) No 2111/2005, the Commission considers that at this time there are no grounds for amending the list of air carriers which are subject to an operating ban within the Union with respect to air carriers from Iraq.
- (31) Member States should continue verifying the effective compliance of air carriers certified in Iraq with the relevant international safety standards through prioritisation of ramp inspections of those air carriers, pursuant to Regulation (EU) No 965/2012.

Air carriers from Kazakhstan

- (32) In December 2016, air carriers from Kazakhstan were removed from Annex A to Regulation (EC) No 474/2006, by Commission Implementing Regulation (EU) 2016/2214 ⁽⁹⁾.
- (33) In February 2020, as part of the continuous monitoring of the safety oversight system in Kazakhstan, formal consultations were opened with the competent authorities of Kazakhstan. In that context, at the occasion of its meeting in May 2021, the EU Air Safety Committee was provided with an overview of the safety oversight situation in Kazakhstan.
- (34) As a follow up to the May 2021 EU Air Safety Committee deliberations, experts from the Commission, the Agency and Member States conducted a Union on-site assessment visit in Kazakhstan between 11 and 15 October 2021 at the Civil Aviation Committee of Kazakhstan ('CAC KZ') and at the Aviation Administration of Kazakhstan Joint Stock Company ('AAK'), as well as a sample of three air carriers certified in Kazakhstan, namely *Air Astana*, *Jupiter Jet* and *Qazaq Air*.

⁽⁸⁾ Commission Implementing Regulation (EU) 2015/2322 of 10 December 2015 amending Regulation (EC) No 474/2006 establishing the Community list of air carriers which are subject to an operating ban within the Community (OJ L 328, 12.12.2015, p. 67).

⁽⁹⁾ Commission Implementing Regulation (EU) 2016/2214 of 8 December 2016 amending Regulation (EC) No 474/2006 as regards the list of air carriers which are subject to an operating ban within the Union (OJ L 334, 9.12.2016, p. 6).

- (35) The assessment visit focused its activities on AAK in view of the latter's predominant role and responsibility for the oversight activities of the air carriers certified in Kazakhstan. Representatives from CAC KZ did, however, participate in all the assessment activities as a number of policy activities, such as the adoption of AAK procedures, are in their remit.
- (36) From the assessment visit, it is clear that while AAK shows strengths, there are still weaknesses, such as a non-compliance with AAK's obligations during the certification processes of the air carriers. Furthermore, the surveillance process should be adapted and where necessary strengthened to ensure that all air carriers are subject to an oversight commensurate with their size and complexity, and to ensure continued compliance with applicable international safety standards.
- (37) Moreover, greater attention should be given by CAC KZ to ensuring that the legislative framework is kept updated in terms of integrating amendments of ICAO Annexes into the Kazakh regulations. CAC KZ and AAK need to ensure the implementation of sound internal mechanisms and procedures translating the existing legal and technical framework into routine activities and procedures of the organisation. In this context, CAC KZ and AAK should improve their overall quality management functions, as well as the State Safety Programme of Kazakhstan, to ensure that potential safety risks are identified and duly mitigated in a systemic and timely manner.
- (38) With regard to the licensing activities performed by AAK, to ensure the implementation of licensing responsibilities of Kazakhstan as an ICAO Contracting State, the assessment team has identified areas needing improvement, in particular, inspectors' procedures, the flight crew's theoretical examinations system, and the procedures to enable a standardised approach to flight examiners' qualification and the supervision thereof.
- (39) The airworthiness staff has a good knowledge of the procedures in force within AAK. However, further improvements are necessary, notably in the field of recurrent and specialised training to guarantee the required qualifications of the inspectors. Sampling of activities carried out by airworthiness staff has shown deviations from the requirements, particularly in the areas of certification and surveillance of operators and maintenance organisations.
- (40) *Air Astana*, Kazakhstan's predominant passenger and cargo air carrier, was the subject of a dedicated visit by the assessment team on 13 October 2021. The air carrier has a well-functioning and solid SMS in place that generates useful data to the air carrier. Overall, based on the sample review, it was possible to confirm that a robust and functional Compliance Monitoring System (CMS) was in place. The upper management of the company have a good understanding of those systems, and use them to identify risks and take appropriate measures to mitigate the highest risks to acceptable levels.
- (41) The operations of the air carrier are supported by qualified technicians and line stations with maintenance capability. No issues or shortcomings on the airworthiness domain were identified during the visit.
- (42) The air carrier showed a robust and structured system to control the different aspects of the training for flight crew, cabin crew and flight operation officers/flight dispatchers, including instructors and flight examiners. The sampled files have demonstrated traceability of training certificates, and forms properly filled.
- (43) *Jupiter Jet* is a Kazakh cargo air carrier based in Almaty, and was the subject of a dedicated visit by the assessment team on 13 October 2021. It was founded as *Joint-Stock Company Air Company ATMA* in 1996 and then renamed in 2016. It operates ad hoc charter services with one Antonov AN-12.
- (44) While the air carrier has developed and implemented a SMS, further improvements are needed in order to achieve the system's required maturity level.
- (45) The air carrier showed a robust and structured system to control the different aspects of the continuing airworthiness.

- (46) During the visit it was determined that the Electronic Flight Bag (EFB) related procedures, as part of the Operations Manual, were very generic. Furthermore, it was also identified in the Operations Manual that some of the procedures were not up to date or fully developed, e.g. the chapter related to Traffic Collision Avoidance System (TCAS) did not include all the standard TCAS 7.1 call outs and associated procedures. The Operations Manual needs to be reviewed and checked for compliance with applicable standards.
- (47) *Qazaq Air*, established in 2015, is an inter-regional passenger and cargo air carrier, based in Nur-Sultan, and operates a fleet of five De Havilland Dash-8-Q400NG turboprop aircraft. A dedicated visit to the air carrier by the assessment team took place on 14 October 2021.
- (48) *Qazaq Air* has a SMS in place that generates useful data to the air carrier. However, during the assessment, it was identified that *Qazaq Air* did not systematically carry out all activities according to the requirements in the Safety Management Manual, e.g. no safety audits performed, and an emergency response exercise was still outstanding.
- (49) The air carrier has developed and implemented a Compliance Monitoring function, but further improvements are needed to ensure its full potential, notably as regards the closure of findings from internal audits.
- (50) During the assessment, some discrepancies have been observed with the air carrier's Operations Manual. Of specific concern is the fact that the air carrier has not established low visibility operation qualifications criteria for flight crews, even though the air carrier has been approved for low visibility operations.
- (51) *Qazaq Air* uses a computer-based crew scheduling and monitoring system for its flight crew. During the assessment of the flight dispatchers training record, it was found that a number of recurrent trainings were overdue.
- (52) Based on its deliberations, the EU Air Safety Committee came to the conclusion that particular attention should be given to the monitoring, including through a hearing of CAC KZ as well as of AAK at the next meeting of the EU Air Safety Committee, of their follow-up activities, to address the observations made during the assessment visit, and notably as regards the elaboration and effective implementation of an appropriate corrective actions plan.
- (53) In accordance with the common criteria set out in the Annex to Regulation (EC) No 2111/2005, the Commission considers that at this time there are no grounds for amending the list of air carriers, which are subject to an operating ban within the Union with respect to air carriers from Kazakhstan.
- (54) Member States should continue verifying the effective compliance of air carriers certified in Kazakhstan with the relevant international safety standards through prioritisation of ramp inspections of those air carriers, pursuant to Regulation (EU) No 965/2012.
- (55) Where any relevant safety information reveals imminent safety risks resulting from non-compliance with international safety standards, further action by the Commission may become necessary, in accordance with Regulation (EC) No 2111/2005.

Air carriers from Libya

- (56) In December 2014, air carriers from Libya were included in Annex A to Regulation (EC) No 474/2006, by Commission Implementing Regulation (EU) No 1318/2014 ⁽¹⁰⁾.
- (57) By letter of 2 June 2021, the Libyan Civil Aviation Authority ('LYCAA') provided information concerning its structure, oversight system and activities, including internal inspector procedure manuals, instructions to the civil aviation organisations, forms for aviation professionals and organisations, enforcement measures taken since 2019, as well as the current list of AOC holders and registered aircraft.

⁽¹⁰⁾ Commission Implementing Regulation (EU) No 1318/2014 of 11 December 2014 amending Regulation (EC) No 474/2006 establishing the Community list of air carriers which are subject to an operating ban within the Community (OJ L 355, 12.12.2014, p. 8).

- (58) The information provided indicates that LYCAA certified two new air carriers, namely *Berniq Airways* (AOC 032/21) and *Hala Airlines* (AOC 033/21), and that *Global Aviation and Services* changed its name into *Global Air Transport*. Since LYCAA has not demonstrated that it had a sufficient ability to implement and enforce the relevant safety standards, the issuance of an AOC to those two new air carriers does not guarantee sufficient compliance with international safety standards.
- (59) On 1 September 2021, at Libya's request and as part of continuous monitoring activities, the Commission, the Agency, Member States, and representatives of LYCAA held a technical meeting. During that meeting, LYCAA provided an overview of its organisation and functions, including the basic principles of its conduct of safety oversight. Other information provided by LYCAA included an updated overview of developments and state-of-play of their actions addressing the recommendations resulting from the technical assistance project to LYCAA, provided by the Agency in 2019. LYCAA also provided information regarding the results of the ICAO USOAP CMA Desk Audit, which was conducted in 2020.
- (60) Whereas LYCAA has demonstrated limited progress in the implementation of international safety standards, the Commission and the EU Air Safety Committee concluded, on the basis of the information and documentation provided by LYCAA, including the information provided by LYCAA at the technical meeting of 1 September 2021, that LYCAA has not been able to demonstrate an effective compliance with and implementation of the relevant international safety standards.
- (61) In accordance with the common criteria set out in the Annex to Regulation (EC) No 2111/2005, the Commission considers that the list of air carriers from Libya, which are subject to an operating ban within the Union, should be amended to include *Berniq Airways* and *Hala Airlines* in Annex A to Regulation (EC) No 474/2006.
- (62) Member States should continue verifying the effective compliance of air carriers certified in Libya with the relevant international safety standards through prioritisation of ramp inspections of those air carriers, pursuant to Regulation (EU) No 965/2012.

Air carriers from Mexico

- (63) Air carriers from Mexico have never been included in Annex A or B to Regulation (EC) No 474/2006.
- (64) Following a fatal accident of Mexican air carrier *Global Air (Aerolíneas Damojh, S.A. de C.V.)* in Cuba on 18 May 2018, the Commission contacted the *Dirección General de Aeronáutica Civil* of Mexico ('DGAC Mexico') requesting detailed information. On 16 October 2018 the Commission, the Agency, and DGAC Mexico opened formal consultations, including a technical meeting.
- (65) Based on the consultations held, the information provided and the data from the EU's SAFA and TCO programmes, which at that time did not show serious or systemic problems, the Commission considered that the situation of aviation safety in Mexico did not raise urgent safety concerns.
- (66) On 25 May 2021, the United States Federal Aviation Administration ('FAA') gave a Category 2 rating to the DGAC Mexico in the framework of its International Aviation Safety Assessment ('IASA') programme, since it considered that DGAC Mexico did not meet international safety standards.
- (67) On 23 June 2021, the Commission sent a letter to DGAC Mexico expressing concerns raised by the decision taken by FAA, and requested any relevant information that would indicate the extent of the safety concern established by FAA.
- (68) On 20 September 2021, DGAC Mexico provided the Commission with information on the shortcomings identified by FAA relative to the ICAO Critical Elements and on the technical assistance programmes and activities undertaken to address those issues properly.

- (69) Based on available information, including information provided by DGAC Mexico in its letter of 20 September 2021, the Commission considers that at this stage DGAC Mexico has the necessary ability and willingness to address safety deficiencies when identified.
- (70) In accordance with the common criteria set out in the Annex to Regulation (EC) No 2111/2005, the Commission considers that at this time there are no grounds for amending the list of air carriers, which are subject to an operating ban within the Union with respect to air carriers from Mexico.
- (71) Member States should continue verifying the effective compliance of air carriers certified in Mexico with the relevant international safety standards through prioritisation of ramp inspections of those air carriers, pursuant to Regulation (EU) No 965/2012.
- (72) Where any relevant safety information reveals imminent safety risks resulting from non-compliance with international safety standards, further action by the Commission can become necessary, in accordance with Regulation (EC) No 2111/2005.

Air carriers from Moldova

- (73) In April 2019, all air carriers from Moldova, except for *Air Moldova*, *Fly One* and *Aerotranscargo*, were included in Annex A to Regulation (EC) No 474/2006 by Commission Implementing Regulation (EU) 2019/618 ⁽¹⁾.
- (74) As a follow-up to the May 2021 EU Air Safety Committee deliberations, experts from the Commission, the Agency, and Member States conducted a Union on-site assessment visit in Moldova from 20 to 24 September 2021 at the Civil Aviation Authority of Moldova ('CAAM') and a sample of three air carriers certified in Moldova, namely *Terra Avia*, *Fly Pro* and *HiSky*.
- (75) The assessment visit report indicates that CAAM has made considerable improvements in a number of areas since the 2019 Union on-site assessment visit. Of particular relevance was the stability reached by CAAM in terms of drafting national aviation regulations and the maturity presented to conduct a proper and effective oversight. It was noted that CAAM had made considerable efforts to update the majority of the national regulations, and to develop new ones. CAAM is working on producing adequate guidance material to support its staff in its oversight tasks.
- (76) CAAM has developed a strong Quality Management System. The audit plan for 2021 was followed, and audits and inspections were carried out according to the schedule. Findings raised as a result of this activity have been, or are being, addressed by the responsible staff.
- (77) The licensing activities are performed by CAAM in accordance with the international safety standards. However, the assessment team determined areas where further improvements were needed, in particular the finalisation of the theoretical examinations system for private pilots and designated medical examiners, and the strengthening of flight examiners' supervision by a CAAM inspector.
- (78) The continuous oversight programme is comprehensive in terms of areas and number of audits, and the qualification and experience of the inspectors is duly catered for in the existing and future planned trainings. Performed audits are duly documented and monitored, notably in terms of actions taken by the air carriers, including corrective actions and root-cause analysis. However, some further standardisation of inspection procedures is needed, especially with respect to recording of findings made during inspection activities.
- (79) CAAM is able to attract sufficient staff, commensurate to the current size and scope of the aviation industry on which oversight is performed. All the interviewed staff was qualified and knowledgeable. Theoretical training programmes and plans were appropriate.

⁽¹⁾ Commission Implementing Regulation (EU) 2019/618 of 15 April 2019 amending Regulation (EC) No 474/2006 as regards the list of air carriers which are banned from operating or are subject to operational restrictions within the Union (OJ L 106, 17.4.2019, p. 1).

- (80) The team concluded that CAAM has the capabilities to oversee the aviation activities in Moldova, maintain a sound regulatory system, implement and enforce the existing aviation regulations in order to address arising safety deficiencies. The safety oversight system is well established in Moldova, although there are still some ongoing activities aimed at further improving the system and remaining up-to-date with recent amendments to the international safety standards.
- (81) *Terra Avia* was established in 2005 as a private air carrier, and is operating a Boeing 747 for scheduled cargo flights and an Airbus A320 aircraft for passenger charter flights. The air carrier has a functioning CMS and a SMS. During the assessment of the air carrier's SMS, the team identified some areas, which require further improvements. The air carrier showed a very positive attitude towards further enhancement of the safety systems.
- (82) The Continuing Airworthiness management is carried out by two different structures: one located in Moldova and the second one in Sharjah (UAE). The assessment team concluded that the air carrier needed to improve its record keeping system of the different maintenance activities carried out in the different locations pertaining to its aircraft.
- (83) *Terra Avia's* Operations Manual is reflective of the performed operations, and is drafted in conformity with the applicable regulations in Moldova, although an update is warranted for it to include a dangerous goods policy.
- (84) *Fly Pro* operates two Boeing 747 freighters. The CMS and SMS are fully developed and implemented, although the Safety Management Manual and the Compliance Monitoring Manual should be amended in order to align the accountabilities and responsibilities of the Safety Manager and the Compliance Monitoring Manager. In the area of flight data monitoring, *Fly Pro* has a well-established programme, which includes an active feedback system.
- (85) *Fly Pro* has a robust system in place for continuing airworthiness, and acts confidently in its different roles, although the documentation process of the activities performed could be improved.
- (86) The *Fly Pro* Operations Manual reflects the operations performed, and is drafted in conformity with the applicable regulations in Moldova. The air carrier should improve the administrative methodology, whereby it records all flight related activities, such as the journey log books. Furthermore, the air carrier's Minimum Equipment List should be better customised for the aircraft to which it applies, and should be the subject of regular and appropriate control.
- (87) *HiSky* was founded in September 2019, and operates one Airbus A319 aircraft in its own right, while equally having one aircraft available under a wet lease arrangement with the air carrier *HiSky Europe* certified in Romania.
- (88) *HiSky* has developed and implemented a solid SMS that generates useful data to the air carrier. The CMS is robust and functional, but slight improvements are desirable in terms of drafting of the accountabilities and responsibilities of the Safety Manager and the Compliance Monitoring Manager. The upper management of the company have a good understanding of these systems, and use them to identify risks and take appropriate measures to mitigate the highest risks to acceptable levels.
- (89) *HiSky* has developed the required manuals containing the policies and detailing the associated procedures, which are approved by CAAM. The certifying staff are properly trained on the operated types. The currently approved Operations Manual reflects the operations performed, and is drafted in conformity with the applicable regulations in Moldova.
- (90) *HiSky* operations are supported by qualified technicians and line stations with maintenance capability. The air carrier has established a system to monitor training and checking validity and to ensure traceability of training certificates and filled check forms.
- (91) On the basis of the outcome of the Union on-site assessment visit, the Commission invited CAAM and the air carriers *Terra Avia*, *Fly Pro* and *HiSky* to a hearing before the EU Air Safety Committee on 10 November 2021.

- (92) At the hearing, CAAM presented to the Commission and the EU Air Safety Committee the system put in place to ensure safety oversight of the air carriers certified in Moldova. It explained that the progress in the effective implementation of international safety standards was the result of a series of actions undertaken since 2019. Underlining its commitment for continuing improvement, CAAM provided the Commission and the EU Air Safety Committee with a comprehensive and detailed overview of the implementation of the corrective action plan developed in response to the results of the Union on-site assessment visit of September 2021. This included the strategic objectives defined for the future, such as amendments to the Moldovan legal framework, CAAM's manuals and procedures, the continuation of the improvements of the quality management system, and the further enhancement of the effective implementation of international safety standards.
- (93) In addition, CAAM informed the Commission and the EU Air Safety Committee about the corrective action plans developed by the air carriers *Terra Avia*, *Fly Pro* and *HiSky*, in response to the results of the Union on-site assessment visit of September 2021. Those corrective action plans were coordinated with and approved by CAAM, and were integrated in the oversight activities of CAAM.
- (94) During the hearing, CAAM committed to keeping the Commission informed about the further actions taken with respect to the remaining observations made during the 2021 Union on-site assessment visit. Furthermore, CAAM committed to a continued safety dialogue, including through the provision of relevant safety information and through additional meetings, if and when deemed necessary by the Commission.
- (95) The Commission stressed, and the Moldovan authorities acknowledged, the importance for them to ensure stability and continued independence for the leadership of CAAM, as it was clear that this has been an important factor in the improvements witnessed especially in the past year.
- (96) On the basis of all information available at present, including the results of the Union on-site assessment visit of September 2021 and the hearing at the EU Air Safety Committee, it is considered that there is sufficient evidence of compliance with applicable international safety standards on the part of CAAM and the air carriers certified in Moldova.
- (97) In accordance with the common criteria set out in the Annex to Regulation (EC) No 2111/2005, the Commission considers that with respect to air carriers from Moldova the list of air carriers which are subject to an operating ban within the Union set out in Annex A to Regulation (EC) No 474/2006 should be amended to remove all air carriers certified in Moldova.
- (98) Member States should continue verifying the effective compliance of air carriers certified in Moldova with the relevant international safety standards through prioritisation of ramp inspections of those air carriers, pursuant to Regulation (EU) No 965/2012.
- (99) Where any relevant safety information reveals imminent safety risks resulting from non-compliance with international safety standards, further action by the Commission can become necessary, in accordance with Regulation (EC) No 2111/2005.

Air carriers from Pakistan

- (100) In March 2007, *Pakistan International Airlines* was included in Annex B to Regulation (EC) No 474/2006 by Commission Regulation (EC) No 235/2007⁽¹²⁾, and subsequently removed from that Annex in November 2007 by Commission Regulation (EC) No 1400/2007⁽¹³⁾.

⁽¹²⁾ Commission Regulation (EC) No 235/2007 of 5 March 2007 amending Regulation (EC) No 474/2006 establishing the Community list of air carriers which are subject to an operating ban within the Community (OJ L 66, 6.3.2007, p. 3).

⁽¹³⁾ Commission Regulation (EC) No 1400/2007 of 28 November 2007 amending Regulation (EC) No 474/2006 establishing the Community list of air carriers which are subject to an operating ban within the Community (OJ L 311, 29.11.2007, p. 12).

- (101) On 24 June 2020, in the aftermath of the accident on 22 May 2020 involving an aircraft of *Pakistan International Airlines*, a statement from the Pakistan Federal Minister for Aviation revealed that a high number of flight crew licenses, issued by the Pakistan Civil Aviation Authority ('PCAA'), were obtained by fraudulent means.
- (102) That event, and the apparent lack of effective safety oversight by PCAA, led the Agency to suspend the TCO authorisations of *Pakistan International Airlines* and *Vision Air* with effect from 1 July 2020. This situation persists, as, at this moment, the Agency considers that not all conditions required to lift the suspension are met.
- (103) Other international aviation safety organisations have also reacted to this situation in Pakistan. On 15 July 2020, FAA downgraded Pakistan to a Category 2 rating under its IASA programme. In February 2021, ICAO posted a Significant Safety Concern (SSC) in the area of personnel licensing and training in relation to the licensing process for flight crew in Pakistan.
- (104) On 1 July 2020, the Commission opened consultations with PCAA pursuant to Article 3(2) of Regulation (EC) No 473/2006. In that context, the Commission, in cooperation with the Agency and Member States, has organised a number of technical meetings with PCAA on 9 July and 25 September 2020, 15 and 16 March 2021, and on 15 October 2021.
- (105) During those meetings, various issues were discussed, in particular the oversight of Pakistan-certified air carriers, including their SMS. The Commission requested information and evidence to verify whether a similar situation is not prevalent in other domains also subject to PCAA safety oversight, such as cabin crew certification, the licensing of maintenance engineers, or the certification of air carriers.
- (106) PCAA provided information that has been assessed by the Commission and the Agency experts. During the meeting on 15 October 2021, PCAA informed of the further actions taken to address the concerns identified by the Commission. These deficiencies include quality management deficiencies of the documented procedures, lack of guidance for the inspectors, a non-compliant Airline Transport Pilot License ('ATPL') qualification process, little or no tracking of corrective actions as a result of findings, and a lack of proper root-cause analysis capabilities. In that regard, and also mindful of the ICAO USOAP audit that has been scheduled between 29 November and 10 December 2021, PCAA informed of the extensive review of their manuals and procedures, in particular of the changes of PCAA licensing process, as well as of the internal checks to verify compliance with international safety standards and resolving the ICAO SSC.
- (107) The Commission requested PCAA to send further information concerning the changes to its licensing system, the new and/or revised manuals and procedures, the results or reports of the internal checks, and the notification of a difference to ICAO concerning the ATPL skill test.
- (108) On the basis of available information and exchanges with PCAA, the Commission acknowledges PCAA's efforts in adopting corrective actions to address the identified safety deficiencies. The Commission, with the assistance of the Agency and Member States, has not, however, been able to make a clear determination as to the effectiveness and implementation of such corrective measures to mitigate, in a sustainable manner, the identified safety deficiencies. On this basis, the Commission, for the purpose of determining whether further action is required pursuant to Regulation (EC) No 2111/2005, will continue to engage with PCAA and monitor the further measures adopted and actions taken to address the situation in Pakistan, including through the outcome of the planned ICAO USOAP audit, as well as through a Union on-site assessment visit to Pakistan.
- (109) In accordance with the common criteria set out in the Annex to Regulation (EC) No 2111/2005, the Commission considers that at this time there are no grounds for amending the list of air carriers, which are subject to an operating ban within the Union with respect to air carriers from Pakistan.
- (110) Member States should continue verifying the effective compliance of air carriers certified in Pakistan with the relevant international safety standards through prioritisation of ramp inspections of those air carriers, pursuant to Regulation (EU) No 965/2012.
- (111) Where any relevant safety information reveals imminent safety risks resulting from non-compliance with international safety standards, further action by the Commission can become necessary, in accordance with Regulation (EC) No 2111/2005.

Air carriers from Russia

- (112) The Commission, the Agency and the competent authorities of the Member States have continued to closely monitor the safety performance of air carriers certified in Russia and operating within the Union, including through prioritisation of the ramp inspections carried out on certain Russian air carriers, pursuant to Regulation (EU) No 965/2012.
- (113) On 31 August 2020, the air carrier *SKOL Airline LLC*, certified in Russia, applied to the Agency for a TCO authorisation. The Agency assessed that application in accordance with the requirements laid down in Regulation (EU) No 452/2014, and raised fundamental safety concerns regarding the failure by *SKOL Airline LLC* to demonstrate compliance with the requirements laid down in Article 3 of that Regulation, in particular the standards contained in the Annexes to the Chicago Convention on International Civil Aviation. After extensive exchanges with the Agency, *SKOL Airline LLC* decided to withdraw its application on 12 February 2021.
- (114) On 25 March 2021, the air carrier *SKOL Airline LLC* reapplied to the Agency for a TCO authorisation. The Agency assessed that application in accordance with the requirements laid down in Regulation (EU) No 452/2014, and again raised fundamental safety concerns regarding the failure by *SKOL Airline LLC* to demonstrate compliance with the applicable requirements laid down in Article 3 of that Regulation, in particular the standards contained in the Annexes to the Chicago Convention on International Civil Aviation. The Agency concluded that *SKOL Airline LLC* did not meet those requirements. Therefore, on 19 July 2021, the Agency rejected the application on safety grounds. The air carrier *SKOL Airline LLC* did not use the right to appeal against this decision in accordance with Articles 108 to 114 of Regulation (EU) 2018/1139 ⁽¹⁴⁾ of the European Parliament and of the Council.
- (115) On 20 October 2021, representatives from the Commission, the Agency and the Member States met with representatives from the Russian Federal Air Transport Agency ('FATA') to review the safety performance of air carriers certified in Russia on the basis of ramp inspection carried out in the period from 24 March 2021 to 1 October 2021, and to identify in which cases FATA should strengthen its oversight activities.
- (116) The review of the SAFA ramp inspections of air carriers certified in Russia did not reveal any significant or recurrent safety deficiency. The results of the monitoring programme implemented by the Agency in accordance with Regulation (EU) No 452/2014 of the air carriers certified in Russia, which hold a TCO authorisation, were also presented during the meeting. The Commission noted that also the results of this monitoring programme did not reveal significant or recurrent safety deficiencies.
- (117) Following the refusal on safety grounds by the Agency of the TCO application of the air carrier *SKOL Airline LLC*, the air carrier *SKOL Airline LLC* was invited on 22 October 2021 for a hearing by the Commission and the Air Safety Committee on 9 November 2021. The air carrier *SKOL Airline LLC* confirmed on 28 October 2021 its participation to the planned hearing.
- (118) On 28 October 2021, FATA informed the Commission about a ban imposed on the air carrier *SKOL Airline LLC* prohibiting the air carrier from operating flights beyond the state border of Russia and requested the Commission to reconsider the need for the hearing of the air carrier *SKOL Airline LLC* as on the basis of FATA's decision, *SKOL Airline LLC* would not be able to operate into the Union.
- (119) On 3 November 2021, the Commission informed FATA that *SKOL Airline LLC* was invited to the hearing due to its failure to demonstrate compliance with the standards contained in the Annexes to the Chicago Convention on International Civil Aviation and for that reason it maintained the invitation to the hearing.

⁽¹⁴⁾ Regulation (EU) 2018/1139 of the European Parliament and of the Council of 4 July 2018 on common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency, and amending Regulations (EC) No 2111/2005, (EC) No 1008/2008, (EU) No 996/2010, (EU) No 376/2014 and Directives 2014/30/EU and 2014/53/EU of the European Parliament and of the Council, and repealing Regulations (EC) No 552/2004 and (EC) No 216/2008 of the European Parliament and of the Council and Council Regulation (EEC) No 3922/91 (OJ L 212, 22.8.2018, p. 1).

- (120) The air carrier *SKOL Airline LLC* was heard on 9 November 2021. At its own request, FATA also attended the hearing. During that hearing, the air carrier *SKOL Airline LLC* retraced the activities related to the two applications for a TCO authorisation. It underlined the difficulties the air carrier encountered during the process to demonstrate compliance with the requirements of Regulation (EU) No 452/2014. While recognising all the findings raised by the Agency, it did not provide any information on the measures undertaken to resolve those findings. It also did not provide any evidence about the current status of the implementation of the corrective actions to those findings. Based on the information provided by the air carrier *SKOL Airline LLC* before and at the hearing, the air carrier is not able to identify non-compliances in its processes, procedures, and operational activities.
- (121) FATA stated that it had not supported the re-application of 25 March 2021 of the air carrier *SKOL Airline LLC* for a TCO authorisation. FATA also informed the Commission and the EU Air Safety Committee that it would conduct additional, ad-hoc audits on *SKOL Airline LLC* should the air carrier subsequently re-engage with the Agency for a TCO authorisation.
- (122) Based on all information available at present, including notably the refusal of the TCO application by the Agency on safety grounds on 19 July 2021, and the information provided during the hearing, the Commission and the EU Air Safety Committee concluded that the air carrier *SKOL Airline LLC* had failed to demonstrate compliance with the international safety standards.
- (123) In accordance with the common criteria set out in the Annex to Regulation (EC) No 2111/2005, the Commission considers that the list of air carriers which are subject to an operating ban within the Union should be amended to include the air carrier *SKOL Airline LLC* in Annex A to Regulation (EC) No 474/2006.
- (124) Member States should continue verifying the effective compliance of air carriers from Russia with the relevant international safety standards, through prioritisation of ramp inspections of those air carriers pursuant to Regulation (EU) No 965/2012.
- (125) Where those inspections detect an imminent safety risk resulting from non-compliance with international safety standards, the Commission can impose an operating ban on the Russian-certified air carriers concerned, and include them in Annex A or B to Regulation (EC) No 474/2006.

Air carriers from South Sudan

- (126) Air carriers from South Sudan have never been included in Annex A or B to Regulation (EC) No 474/2006.
- (127) In the last 3 years, nine accidents and serious incidents have occurred in South Sudan, including the crash, on 2 March 2021, of a Let-410 aircraft with registration HK-4274, operated by *South Sudan Supreme Airlines* and resulting in 10 fatalities, and the recent crash, on 2 November 2021, of an Antonov AN-26 aircraft with registration TR-NGT, and resulting in five fatalities. In both cases, the authenticity of the registration marks has been put into question, as they would appear to no longer be valid, and consequently might have been used as fake registration marks on the involved aircraft. The circumstances around those events raised concerns as to the South Sudan Civil Aviation Authority ('SSCAA') capabilities to conduct properly safety oversight of air carriers under its responsibility.
- (128) On 26 March 2021, the Commission addressed a letter to SSCAA expressing its concerns regarding the aviation safety situation in South Sudan, and requested documents describing SSCAA's structure and organisation, its certification and oversight system, and oversight activities conducted on air carriers certified in South Sudan. Information was also requested with regard to the status of current AOC holders, aircraft registered in South Sudan, maintenance organisations, and flight crew licences.

- (129) On 23 July 2021, SSCAA replied to the Commission's enquiry, informing that the AOC of *South Sudan Supreme Airlines* was suspended. Furthermore, it informed the Commission that, due to suspicions related to the registration of the aircraft involved in that accident, SSCAA was reviewing all aircraft operators and AOCs in the country. Also, SSCAA communicated that improvement actions were ongoing in the areas of Regulations, Manuals and Training. However, SSCAA failed to provide the requested set of documents.
- (130) On 5 October 2021, the Commission sent a further letter to SSCAA reiterating its request for the aforementioned documents to be submitted by 18 October 2021 at the latest. In the letter, the Commission also clarified that a failure to provide the requested information in a timely manner would be considered as a lack of cooperation by SSCAA, when concerns about the safety oversight system of South Sudan have been raised.
- (131) On 5 November 2021, the EU Delegation in Juba, South Sudan, met with the head of SSCAA, who confirmed that the letter of 5 October 2021 had been received. SSCAA committed to send replies to the questions by the end of November, and provided two documents that include information regarding SSCAA's Inspection, Surveillance and Audit Programme, as well as reports on reviews of certain air carriers and on foreign registered aircraft operating in South Sudan. The Commission will carefully study the documentation that will be delivered for it to decide whether SSCAA will be invited to the next meeting of the EU Air Safety Committee.
- (132) In accordance with the common criteria set out in the Annex to Regulation (EC) No 2111/2005, and in view of ongoing consultations with SSCAA instigated under Article 3 of Commission Regulation (EC) No 473/2006, the Commission considers that at this time there are no grounds for amending the list of air carriers, which are subject to an operating ban within the Union with respect to air carriers from South Sudan.
- (133) Member States should continue verifying the effective compliance of air carriers certified in South Sudan with the relevant international safety standards through prioritisation of ramp inspections of those air carriers, pursuant to Regulation (EU) No 965/2012.
- (134) Where any relevant safety information reveals imminent safety risks resulting from non-compliance with international safety standards, further action by the Commission can become necessary, in accordance with Regulation (EC) No 2111/2005.
- (135) Regulation (EC) No 474/2006 should therefore be amended accordingly.
- (136) Articles 5 and 6 of Regulation (EC) No 2111/2005 recognise the need for decisions to be taken swiftly and, where appropriate, urgently, given the safety implications. It is therefore essential, for the protection of sensitive information and the traveling public, that any decisions in the context of updating the list of air carriers which are subject to an operating ban or restriction within the Union, are published and enter into force immediately after their adoption.
- (137) The measures provided for in this Regulation are in accordance with the opinion of the EU Air Safety Committee established by Article 15 of Regulation (EC) No 2111/2005,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 474/2006 is amended as follows:

- (1) Annex A is replaced by the text in Annex I to this Regulation;
- (2) Annex B is replaced by the text in Annex II to this Regulation.

Article 2

This Regulation shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 25 November 2021.

*For the Commission,
On behalf of the President,
Adina VĂLEAN
Member of the Commission*

ANNEX I

ANNEX A

LIST OF AIR CARRIERS WHICH ARE BANNED FROM OPERATING WITHIN THE UNION, WITH EXCEPTIONS ⁽¹⁾

Name of the legal entity of the air carrier as indicated on its AOC (and its trading name, if different)	Air Operator Certificate (AOC) Number or Operating Licence Number	ICAO three letter designator	State of the Operator
AVIOR AIRLINES	ROI-RNR-011	ROI	Venezuela
BLUE WING AIRLINES	SRBWA-01/2002	BWI	Suriname
IRAN ASEMAN AIRLINES	FS-102	IRC	Iran
IRAQI AIRWAYS	001	IAW	Iraq
MED-VIEW AIRLINE	MVA/AOC/10-12/05	MEV	Nigeria
AIR ZIMBABWE (PVT)	177/04	AZW	Zimbabwe
SKOL AIRLINE LLC	228	CDV	Russia
All air carriers certified by the authorities with responsibility for regulatory oversight of Afghanistan, including			Afghanistan
ARIANA AFGHAN AIRLINES	AOC 009	AFG	Afghanistan
KAM AIR	AOC 001	KMF	Afghanistan
All air carriers certified by the authorities with responsibility for regulatory oversight of Angola, with the exception of TAAG Angola Airlines and Heli Malongo, including			Angola
AEROJET	AO-008/11-07/17 TEJ	TEJ	Angola
GUICANGO	AO-009/11-06/17 YYY	Unknown	Angola
AIR JET	AO-006/11-08/18 MBC	MBC	Angola
BESTFLYA AIRCRAFT MANAGEMENT	AO-015/15-06/17YYY	Unknown	Angola
HELIANG	AO 007/11-08/18 YYY	Unknown	Angola
SJL	AO-014/13-08/18YYY	Unknown	Angola
SONAIR	AO-002/11-08/17 SOR	SOR	Angola
All air carriers certified by the authorities with responsibility for regulatory oversight of Armenia, including			Armenia

⁽¹⁾ Air carriers listed in Annex A could be permitted to exercise traffic rights by using wet-leased aircraft of an air carrier which is not subject to an operating ban, provided that the relevant safety standards are complied with.

AIRCOMPANY ARMENIA	AM AOC 065	NGT	Armenia
ARMENIA AIRWAYS	AM AOC 063	AMW	Armenia
ARMENIAN HELICOPTERS	AM AOC 067	KAV	Armenia
FLYONE ARMENIA	AM AOC 074		Armenia
NOVAIR	AM AOC 071	NAI	Armenia
SHIRAK AVIA	AM AOC 072	SHS	Armenia
SKYBALL	AM AOC 073	N/A	Armenia
All air carriers certified by the authorities with responsibility for regulatory oversight of Congo (Brazzaville), including			Congo (Brazzaville)
CANADIAN AIRWAYS CONGO	CG-CTA 006	TWC	Congo (Brazzaville)
EQUAFLIGHT SERVICES	CG-CTA 002	EKA	Congo (Brazzaville)
EQUAJET	RAC06-007	EKJ	Congo (Brazzaville)
TRANS AIR CONGO	CG-CTA 001	TSG	Congo (Brazzaville)
SOCIETE NOUVELLE AIR CONGO	CG-CTA 004	Unknown	Congo (Brazzaville)
All air carriers certified by the authorities with responsibility for regulatory oversight of Democratic Republic of Congo (DRC), including			Democratic Republic of Congo (DRC)
AIR FAST CONGO	AAC/DG/OPS-09/03	Unknown	Democratic Republic of Congo (DRC)
AIR KATANGA	AAC/DG/OPS-09/08	Unknown	Democratic Republic of Congo (DRC)
BUSY BEE CONGO	AAC/DG/OPS-09/04	Unknown	Democratic Republic of Congo (DRC)
COMPAGNIE AFRICAINE D'AVIATION (CAA)	AAC/DG/OPS-09/02	Unknown	Democratic Republic of Congo (DRC)
CONGO AIRWAYS	AAC/DG/OPS-09/01	Unknown	Democratic Republic of Congo (DRC)
KIN AVIA	AAC/DG/OPS-09/10	Unknown	Democratic Republic of Congo (DRC)
MALU AVIATION	AAC/DG/OPS-09/05	Unknown	Democratic Republic of Congo (DRC)
SERVE AIR CARGO	AAC/DG/OPS-09/07	Unknown	Democratic Republic of Congo (DRC)
SWALA AVIATION	AAC/DG/OPS-09/06	Unknown	Democratic Republic of Congo (DRC)

MWANT JET	AAC/DG/OPS-09/09	Unknown	Democratic Republic of Congo (RDC)
All air carriers certified by the authorities with responsibility for regulatory oversight of Djibouti, including			Djibouti
DAALLO AIRLINES	Unknown	DAO	Djibouti
All air carriers certified by the authorities with responsibility for regulatory oversight of Equatorial Guinea, including			Equatorial Guinea
CEIBA INTERCONTINENTAL	2011/0001/MTTCT/DGAC/SOPS	CEL	Equatorial Guinea
Cronos AIRLINES	2011/0004/MTTCT/DGAC/SOPS	Unknown	Equatorial Guinea
All air carriers certified by the authorities with responsibility for regulatory oversight of Eritrea, including			Eritrea
ERITREAN AIRLINES	AOC No 004	ERT	Eritrea
NASAIR ERITREA	AOC No 005	NAS	Eritrea
All air carriers certified by the authorities with responsibility for regulatory oversight of Kyrgyzstan, including			Kyrgyzstan
AEROSTAN	08	BSC	Kyrgyzstan
AIR COMPANY AIR KG	50	Unknown	Kyrgyzstan
AIR MANAS	17	MBB	Kyrgyzstan
AVIA TRAFFIC COMPANY	23	AVJ	Kyrgyzstan
FLYSKY AIRLINES	53	FSQ	Kyrgyzstan
HELI SKY	47	HAC	Kyrgyzstan
KAP.KG AIRCOMPANY	52	KGS	Kyrgyzstan
SKY KG AIRLINES	41	KGK	Kyrgyzstan
TEZ JET	46	TEZ	Kyrgyzstan
VALOR AIR	07	VAC	Kyrgyzstan
All air carriers certified by the authorities with responsibility for regulatory oversight of Liberia.			Liberia

All air carriers certified by the authorities with responsibility for regulatory oversight of Libya, including			Libya
AFRIQYAH AIRWAYS	007/01	AAW	Libya
AIR LIBYA	004/01	TLR	Libya
AL MAHA AVIATION	030/18	Unknown	Libya
BERNIQ AIRWAYS	032/21	BNL	Libya
BURAQ AIR	002/01	BRQ	Libya
GLOBAL AIR TRANSPORT	008/05	GAK	Libya
HALA AIRLINES	033/21	HTP	Libya
LIBYAN AIRLINES	001/01	LAA	Libya
LIBYAN WINGS AIRLINES	029/15	LWA	Libya
PETRO AIR	025/08	PEO	Libya
All air carriers certified by the authorities with responsibility for regulatory oversight of Nepal, including			Nepal
AIR DYNASTY HELI. S.	035/2001	Unknown	Nepal
ALTITUDE AIR	085/2016	Unknown	Nepal
BUDDHA AIR	014/1996	BHA	Nepal
FISHTAIL AIR	017/2001	Unknown	Nepal
SUMMIT AIR	064/2010	Unknown	Nepal
HELI EVEREST	086/2016	Unknown	Nepal
HIMALAYA AIRLINES	084/2015	HIM	Nepal
KAILASH HELICOPTER SERVICES	087/2018	Unknown	Nepal
MAKALU AIR	057A/2009	Unknown	Nepal
MANANG AIR PVT	082/2014	Unknown	Nepal
MOUNTAIN HELICOPTERS	055/2009	Unknown	Nepal
PRABHU HELICOPTERS	081/2013	Unknown	Nepal
NEPAL AIRLINES CORPORATION	003/2000	RNA	Nepal
SAURYA AIRLINES	083/2014	Unknown	Nepal
SHREE AIRLINES	030/2002	SHA	Nepal
SIMRIK AIR	034/2000	Unknown	Nepal
SIMRIK AIRLINES	052/2009	RMK	Nepal
SITA AIR	033/2000	Unknown	Nepal
TARA AIR	053/2009	Unknown	Nepal

YETI AIRLINES	037/2004	NYT	Nepal
All air carriers certified by the authorities with responsibility for regulatory oversight of Sao Tome and Principe, including			Sao Tome and Principe
AFRICA'S CONNECTION	10/AOC/2008	ACH	Sao Tome and Principe
STP AIRWAYS	03/AOC/2006	STP	Sao Tome and Principe
All air carriers certified by the authorities with responsibility for regulatory oversight of Sierra Leone			Sierra Leone
All air carriers certified by the authorities with responsibility for regulatory oversight of Sudan, including			Sudan
ALFA AIRLINES SD	54	AAJ	Sudan
BADR AIRLINES	35	BDR	Sudan
BLUE BIRD AVIATION	11	BLB	Sudan
ELDINDER AVIATION	8	DND	Sudan
GREEN FLAG AVIATION	17	GNF	Sudan
HELEJETIC AIR	57	HJT	Sudan
KATA AIR TRANSPORT	9	KTV	Sudan
KUSH AVIATION CO.	60	KUH	Sudan
NOVA AIRWAYS	46	NOV	Sudan
SUDAN AIRWAYS CO.	1	SUD	Sudan
SUN AIR	51	SNR	Sudan
TARCO AIR	56	TRQ	Sudan'

ANNEX II

'ANNEX B

LIST OF AIR CARRIERS WHICH ARE SUBJECT TO OPERATIONAL RESTRICTIONS WITHIN THE UNION ⁽¹⁾

Name of the legal entity of the air carrier as indicated on its AOC (and its trading name, if different)	Air Operator Certificate ('AOC') Number	ICAO three letter designator	State of the Operator	Aircraft type restricted	Registration mark(s) and, when available, construction serial number(s) of restricted aircraft	State of registry
IRAN AIR	FS100	IRA	Iran	All aircraft of type Fokker F100 and of type Boeing B747	Aircraft of type Fokker F100 as mentioned on the AOC; aircraft of type Boeing B747 as mentioned on the AOC	Iran
AIR KORYO	GAC-AOC/ KOR-01	KOR	North Korea	All fleet with the exception of: 2 aircraft of type TU- 204.	All fleet with the exception of: P-632, P-633.	North Korea'

⁽¹⁾ Air carriers listed in Annex B could be permitted to exercise traffic rights by using wet-leased aircraft of an air carrier which is not subject to an operating ban, provided that the relevant safety standards are complied with.