



2024/1601

31.5.2024

**COMMISSION IMPLEMENTING REGULATION (EU) 2024/1601**

**of 30 May 2024**

**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/CE <sup>(1)</sup>, and in particular Article 4(2) thereof,

Whereas:

- (1) Commission Regulation (EC) No 474/2006 <sup>(2)</sup> 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 set out 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 consultations, within the framework of Regulation (EC) No 2111/2005 and Commission Delegated Regulation (EU) 2023/660 <sup>(3)</sup>, with the competent authorities and air carriers of Egypt, Kazakhstan, Kenya, Pakistan, São Tomé and Príncipe, and Sierra Leone. The Commission also informed the EU Air Safety Committee about the aviation safety situation in Armenia, Congo (Brazzaville), Iraq, Kyrgyzstan, Libya, Mali, Nepal and Suriname.

<sup>(1)</sup> OJ L 344, 27.12.2005, p. 15, ELI: <http://data.europa.eu/eli/reg/2005/2111/oj>.

<sup>(2)</sup> 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, ELI: <http://data.europa.eu/eli/reg/2006/474/oj>).

<sup>(3)</sup> Commission Delegated Regulation (EU) 2023/660 of 2 December 2022 laying down detailed rules for the list of air carriers banned from operating or subject to operational restrictions within the Union referred to in Chapter II of Regulation (EC) No 2111/2005 of the European Parliament and of the Council and repealing Regulation (EC) No 473/2006 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 83, 22.3.2023, p. 47, ELI: [http://data.europa.eu/eli/reg\\_del/2023/660/oj](http://data.europa.eu/eli/reg_del/2023/660/oj)).

- (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 <sup>(4)</sup>.
- (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 <sup>(5)</sup>.
- (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 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 assure 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. Eurocontrol has also provided information about planned full digitalisation on the Eurocontrol new 'iNM' platform and implementation of new EC Air Safety Listings.

#### **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, and complemented with information stemming from specific inspections and audits carried out by national aviation authorities, Member States and the Agency, acting as competent authorities, 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 authorities, 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 relevant safety standards.

#### **Air carriers from Egypt**

- (12) Air carriers certified in Egypt have never been included in Annex A or B to Regulation (EC) No 474/2006.
- (13) As part of its continuous monitoring activities, on 17 April 2024 the Commission, the Agency, Member States and representatives from the Egyptian Civil Aviation Authority ('ECAA') held a technical meeting.

<sup>(4)</sup> 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, ELI: <http://data.europa.eu/eli/reg/2014/452/oj>).

<sup>(5)</sup> 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, ELI: <http://data.europa.eu/eli/reg/2012/965/oj>).

- (14) During the meeting, representatives of the ECAA were briefed on the assessment outcome of documents previously provided to the Commission at its request. Details regarding concerns raised from the review of the submitted information were conveyed, notably as regards the lack of implementation of a State Safety Programme/National Aviation Safety Plan, the lack of verifiable numbers in terms of active Flight Operations inspectors to oversee the 16 Egyptian air operator certificate ('AOC') holders, and the issues which ECAA is facing to promote a robust safety culture among the air carriers under its safety oversight. In this context, it was also noted that no training records were available to verify the currency of inspectors' training.
- (15) Additional shortcomings identified in the review concern the lack of guidance, both at the level of the air carriers but also the ECAA, regarding the establishment of a Flight Data Analysis Programme.
- (16) The ECAA informed the meeting of the Egyptian aviation industry's current state of affairs, and safety improvement measures enacted and planned to address identified safety oversight and organisational deficiencies. It was noted that the ECAA has the full support of the Egyptian government to pursue these safety improvement initiatives.
- (17) With specific regard to the staffing capacity and capabilities of the ECAA to ensure effective safety oversight of Egypt's aviation industry, the ECAA highlighted efforts being undertaken to recruit and retain qualified experts and staff through a new financial rewarding system.
- (18) From an organisational and regulatory perspective, the ECAA indicated that a comprehensive review of its legislative and regulatory framework is being undertaken, while new Directorates for Safety, Compliance, Risk Assessment, Management of Change, and Safety Data Collection and Processing have been created. Complementary to this, the ECAA highlighted its initiative to introduce risk-based oversight.
- (19) While acknowledging that the ECAA is currently engaged in a comprehensive restructuring process, it nevertheless appears that the current focus of the ECAA is on addressing mainly visible and obvious deficiencies without sufficiently robust root cause analysis. Increased efforts are needed as regards safety oversight of Egyptian air carriers and improved safety culture, as well as proper implementation of corrective and preventive actions.
- (20) The Commission recognises the efforts made by the ECAA to improve the level of safety oversight in Egypt. However, the Commission indicated that it intends to keep the consultation process open. Regular contacts and progress reports are anticipated as part of this continuous monitoring activity, as well as the organisation of future technical meetings. The Commission will coordinate closely with the Agency considering the significant number of Egyptian air carriers that hold a TCO authorisation.
- (21) The Commission also highlighted the need for the government's continued support, as well as the importance of ensuring leadership stability within the authority as a cornerstone for a well-functioning CAA.
- (22) 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 certified in Egypt.
- (23) Member States should continue verifying the effective compliance of air carriers certified in Egypt with the relevant international safety standards through prioritisation of ramp inspections of those air carriers, pursuant to Regulation (EU) No 965/2012.
- (24) Where any pertinent safety information reveals imminent safety risks resulting from non-compliance with the relevant international safety standards, further action by the Commission may become necessary, in accordance with Regulation (EC) No 2111/2005.

**Air carriers from Kazakhstan**

- (25) In December 2016, air carriers certified in Kazakhstan were removed from Annex A to Regulation (EC) No 474/2006, by Commission Implementing Regulation (EU) 2016/2214 <sup>(6)</sup>, with the exception of *Air Astana*, which had been removed from Annex B to Regulation (EC) No 474/2006 already in 2015, by Commission Implementing Regulation (EU) 2015/2322 <sup>(7)</sup>.
- (26) As a follow up to the EU Air Safety Committee deliberations in November 2023, experts from the Commission, the Agency and Member States conducted a Union on-site assessment visit in Kazakhstan between 5 and 9 February 2024 at the Civil Aviation Committee of Kazakhstan ('CAC KZ') and the Aviation Administration of Kazakhstan Joint Stock Company ('AAK'), including a sample assessment of three air carriers certified in Kazakhstan, namely *Berkut*, *Fly Jet.KZ* and *Prime Aviation*.
- (27) The assessment visit focused its activities on AAK in view of its role and responsibility for the safety oversight activities of the air carriers certified in Kazakhstan. From the assessment visit, it is clear that AAK has made important improvements in updating its aviation legislation, including the primary aviation law and its subsequent amendments, and ensuring its effective implementation. These legislative changes have focused on enhancing airspace usage, the certification of unmanned aerial systems, improvement to de/anti-icing procedures, and the introduction of mandatory and voluntary occurrence reporting obligations. Key developments underpinning these technical elements, were the granting of additional authoritative powers to the Director General of AAK and its inspectors, as well as the modernisation of AAK's financial structure.
- (28) The AAK's actions to address Personnel Licensing observations and recommendations stemming from the October 2021 Union on-site assessment visit have led to the implementation of effective corrective measures. Nevertheless, areas necessitating additional enhancements have been identified, particularly concerning the theoretical examination system for pilots and the supervision of flight examiners.
- (29) In the area of air operations ('OPS'), AAK has provided verifiable evidence of actions taken to address identified shortcomings. However, areas that require further focus include the monitoring of compliance during certification processes and the granting of special approvals. Consequently, AAK should intensify its efforts and expedite the enhancement of the capabilities of its inspectors. Additionally, it is essential to prioritise the improvement of its internal quality and compliance systems to align the activities of the Flight Operations Department with international safety standards.
- (30) Substantial progress has been determined in the airworthiness area, with the determination that effective safety oversight is currently being ensured. Further enhancements as regards the surveillance records will contribute to a more detailed and transparent record of conducted inspections.
- (31) The assessment conducted at *Fly Jet.kz* determined that the air carrier maintains an operational Safety Management System ('sMS') and a Quality Management System ('QMS'), supported by thorough documentation, which reflects a clear commitment to international safety standards. However, efforts are required to address concerns regarding unresolved audit findings within the QMS and the absence of clear timelines for resolution. It is important that these issues be promptly addressed to further bolster the airline's safety protocols and overall effectiveness.
- (32) Adequate staffing levels and resource provision in the maintenance and airworthiness department of *Fly Jet.kz*'s enables the consistent maintenance of aircraft airworthiness. The documentation in place, inclusive of the staff records, comprehensive spare parts inventory, and diligently maintained maintenance logs, was observed to be readily accessible and appropriately managed.

<sup>(6)</sup> 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, ELI: [http://data.europa.eu/eli/reg\\_impl/2016/2214/oj](http://data.europa.eu/eli/reg_impl/2016/2214/oj)).

<sup>(7)</sup> 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, ELI: [http://data.europa.eu/eli/reg\\_impl/2015/2322/oj](http://data.europa.eu/eli/reg_impl/2015/2322/oj)).

- (33) Notwithstanding the aforementioned aspects, certain inconsistencies have been identified within the flight operations department of *Fly Jet.kz*, necessitating a closer examination of crew composition and duty time management practices, as well as discrepancies in crew qualifications and aircraft load calculations.
- (34) *Prime Aviation's* effective implementation of SMS was notably evident through detailed and well-managed documentation, as well as the company policy encouraging staff involvement in occurrence reporting. While already functional, there is room for improvement in ensuring consistent application of risk management measures. The Compliance Management System, while effective, can further enhance its impact by aligning implementation timelines with regulatory standards.
- (35) *Prime Aviation's* commitment to quality is evident in its structured personnel training framework and well-staffed airworthiness department, ensuring continuous aircraft airworthiness. Despite leveraging efficient software tools, some improvements would be warranted in the pilot qualification protocols, and the North Atlantic High Level Airspace approval procedures.
- (36) *Berkut's* SMS and QMS meet international safety standards effectively. However, opportunities for minor enhancements in both domains were identified. Additionally, the air carrier demonstrated good organisation and professionalism in its operational conduct, however, potential for further improvement was identified, particularly in enhancing the control in dispatch operations, the training syllabi definition, and the validity for special approvals.
- (37) *Berkut's* maintenance and airworthiness department is appropriately staffed, ensuring continuous aircraft airworthiness with comprehensive documentation. The maintenance facility provides an optimal environment for maintenance operations.
- (38) On the basis of the outcome of the Union on-site assessment visit, the Commission invited CAC KZ and AAK to a hearing before the EU Air Safety Committee on 15 May 2024.
- (39) During the hearing, AAK provided updates to the Commission and the EU Air Safety Committee regarding the reforms and progress in the civil aviation sector since 2021, demonstrating their commitment to enhancing safety, operational efficiency, and international collaboration. Additionally, they outlined progress in strengthening AAK's organisational structure and financial mechanisms, including the transition to a self-financing model effective from July 2023. AAK has also increased its workforce, particularly in operational departments, and has refined internal processes to enhance the quality and effectiveness of its services.
- (40) AAK has made evident steps in addressing and resolving the majority of observations and recommendations raised during the February 2024 Union on-site assessment visit. They have successfully addressed three observations and six recommendations, indicating improvements in regulatory compliance and operational standards. Improvements in inspectors' authorisation procedures, Electronic Flight Bag approvals, and Extended Diversion Time Operations have been achieved. Ongoing efforts to address the remaining observations are structured with clear deadlines set for completion by the end of 2024 and the first quarter of 2025. These activities form part of a broader strategic initiative to strengthen aviation safety, ensuring alignment with international safety standards.
- (41) During the hearing AAK also outlined the corrective actions concerning air carriers *Berkut*, *Prime Aviation* and *Fly Jet.kz*.
- (42) Furthermore, AAK outlined future development plans for 2024–2025, with a focus on developing additional international collaborations. These plans include preparations for direct flights to the USA, enhancing digital infrastructure, and continued investment in human resources.
- (43) While acknowledging the progress made since formal consultations were launched in 2020, as demonstrated by the evidence gathered during the 2024 Union on-site assessment visit, and the details provided during the hearing, the EU Air Safety Committee deliberations concluded that the formal consultations should be brought to an end, while encouraging the AAK to regularly exchange on future developments with the Commission, and to develop ways to ensure continuation of the leadership at AAK.

- (44) 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.
- (45) 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 all those carriers, pursuant to Regulation (EU) No 965/2012.
- (46) Where any relevant safety information reveals imminent safety risks resulting from non-compliance with the relevant international safety standards, further action by the Commission may become necessary, in accordance with Regulation (EC) No 2111/2005.

#### **Air carriers from Kenya**

- (47) Air carriers certified in Kenya have never been included in Annex A or B to Regulation (EC) No 474/2006.
- (48) As part of its continuous monitoring activities, on 10 April 2024 the Commission, the Agency, Member States and representatives from the Kenya Civil Aviation Authority ('KCAA') held a technical meeting.
- (49) During the meeting, representatives of KCAA were briefed on the assessment outcome of documents provided in 2023 at the Commission's request. Details regarding concerns raised from the review of the submitted information were conveyed, notably as regards insufficient number of inspecting staff compared to the volume and diversity of industry overseen. Additionally, challenges were identified in the effectiveness of planning and execution of safety oversight, especially concerning out-based operations and their auditing.
- (50) Furthermore, identified shortcomings concern lack of a fully documented and implemented internal quality process, low number of audits achieved within the Flight Operations domain, and only few ad-hoc audits performed.
- (51) During that meeting, KCAA provided general information about the aviation sector in Kenya, the staff available for the safety oversight activities, and the way such activities are conducted. The difficulties encountered with certain air carriers operating outside the country, and associated safety deficiencies were also discussed. KCAA informed the Commission about its immediate plan for a complete review of Kenya's Civil Aviation Act to enhance the safety oversight capacity of the Authority and align its provisions to the emerging legal needs. In particular, KCAA informed about the ongoing actions with respect to the amendments to the safety regulations, including the level of implementation of its State Safety Programme.
- (52) In terms of staffing, KCAA indicated that attraction and retention of duly qualified and skilled personnel has been challenging. It was noted that efforts are being undertaken to improve employment conditions with a view to recruiting and retaining such personnel, and notably qualified safety oversight inspectors.
- (53) With regard to the incidents/accidents since 2022 involving Kenyan certified air carriers operating outside of Kenya, KCAA communicated that safety oversight and enforcement activities have been instigated with a view to preventing the recurrence of such events.
- (54) The Commission indicated to the EU Air Safety Committee that it intends, with KCAA's agreement, to keep the consultation process open. Regular contacts and progress reports are anticipated as part of this continuous monitoring activity, as well as the organisation of future technical meetings.
- (55) The Commission also highlighted the need for the continued support of the government, as well as the importance of ensuring leadership stability within the authority as a cornerstone for a well-functioning Civil Aviation Authority.
- (56) 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 certified in Kenya.

- (57) Member States should continue verifying the effective compliance of air carriers certified in Kenya with the relevant international safety standards through prioritisation of ramp inspections of those air carriers, pursuant to Regulation (EU) No 965/2012.
- (58) Where any pertinent safety information reveals imminent safety risks resulting from non-compliance with the relevant international safety standards, further action by the Commission may become necessary, in accordance with Regulation (EC) No 2111/2005.

#### **Air carriers from Pakistan**

- (59) In March 2007, *Pakistan International Airlines* was included in Annex B to Regulation (EC) No 474/2006 by Commission Regulation (EC) No 235/2007<sup>(8)</sup>, and subsequently removed from that Annex in November 2007, by Commission Regulation (EC) No 1400/2007<sup>(9)</sup>.
- (60) As a follow up to the EU Air Safety Committee deliberations in November 2023, experts from the Commission, the Agency and Member States conducted a Union on-site assessment visit in Pakistan between 27 and 30 November 2023 at the Pakistan Civil Aviation Authority ('PCAA'), including sample assessments of two air carriers certified in Pakistan, namely *Fly Jinnah* and *Airblue Ltd.*
- (61) The assessment visit focused its activities on PCAA in view of its safety oversight role and responsibility for the air carriers certified in Pakistan.
- (62) It was found that PCAA has an established policy to adhere to international safety standards, and is staffed by technically skilled and professional persons. Nevertheless, common shortcomings were observed throughout the organisation, such as underscoring of non-conformities, and the lack of internal verifications. With regard to PCAA's safety oversight functions, a noticeable lack of depth of scrutiny was observed, namely as regards the closure of findings based on proposed corrective action plans instead of actual evidence provided, or a lack of proper assessment of the proposed corrective actions.
- (63) The visit revealed deviations from PCAA procedures, as evidenced by the fact that some AOCs were granted with findings open, wrongly classified, or safety oversight plans not performed as planned.
- (64) It was also evident that at the time of the visit the Flight Standards Directorate was severely understaffed in terms of sufficiently qualified personnel to perform all certification and safety oversight tasks. This situation is aggravated by the assignment of tasks that do not necessarily fall within the Flight Standards remit.
- (65) Implementation of the SMS is at the early stages and needs improvement, it is clear that root cause identification and its analysis is an area that needs to be properly implemented.
- (66) No particular concern was identified in the Airworthiness, and Personnel Licensing/ Training Organisations Directorates, and both were found to be appropriately staffed.
- (67) No significant problems were identified in the visited air carriers, albeit for *Fly Jinnah*, it was noted that the air carrier's record keeping, and management of findings should be the subject of dedicated improvement measures.
- (68) On the basis of the Union on-site assessment visit outcome, the Commission invited PCAA and *Fly Jinnah* to a hearing before the EU Air Safety Committee on 14 May 2024.

<sup>(8)</sup> 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, ELI: <http://data.europa.eu/eli/reg/2007/235/oj>).

<sup>(9)</sup> 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, ELI: <http://data.europa.eu/eli/reg/2007/1400/oj>).

- (69) At the hearing, PCAA, on the basis of a Corrective Action Plan ('CAP') submitted on 6 May 2024, addressed each observation described in the EU visit report, noting the root cause analysis underpinning all corrective measures taken or planned in the short, medium and long term. Of particular note was the effort made by PCAA to address the identified shortcomings of its safety oversight capacity and capability, notably in terms of ensuring an appropriate organisational structure, task allocation, recruitment and retention of qualified personnel, a commensurate number of qualified inspectors, and an appropriate training programme. Notably with regards to the Flight Standards Directorate, they indicated that they have increased the number of qualified inspectors from 1 to 19, which corresponds to the number required for the revised task allocation and associated safety oversight activities.
- (70) Furthermore, PCAA indicated the efforts undertaken to rectify the quality management shortcomings identified during the visit. The corrective measures presented the establishment of a Quality Control section in each department, and a central and independent Quality Assurance department for PCAA as a whole. In addition, PCAA explained its efforts undertaken to improve its regulatory and procedural framework, notably in terms of activities aimed at adapting their national aviation legislation to the EU legislation in the Flight Standards and Personnel Licensing domains, as it has already been the case in Airworthiness.
- (71) With specific regard to the SMS of the organisation, PCAA noted that efforts and ongoing development, albeit slow, are progressing, as both the regulator and the regulated entities understand the importance of gradually transitioning from a compliance-based safety oversight approach to a risk-based approach.
- (72) During the hearing, the air carrier *Fly Jinnah* gave an overview of its current fleet, routes, and of the available resources and facilities. It described a set of software tools to manage most of the main functions, such as flight planning and briefings, Flight Data Monitoring ('FDM'), crew rostering, QMS audit planning, and management of continuous airworthiness. The air carrier presented the outsourced functions such as crew training, FDM analysis, crew planning and maintenance, most of them externalised to the company *Air Arabia*. Of specific note were the proposals presented to address the observations related to the identified flaws in its QMS.
- (73) Based on its deliberations, the EU Air Safety Committee concluded that particular attention should be given to the continuous monitoring of the safety situation and developments in Pakistan, through the regular organisation of technical meetings in Brussels before each EU Air Safety Committee, and regular progress reporting from PCAA. It furthermore retained the possibility, as may be warranted, of inviting PCAA for additional hearings at future EU Air Safety Committee meetings.
- (74) The Commission also highlighted the need for the government's continued support, as well as the importance of ensuring leadership stability within the authority as a cornerstone for a well-functioning PCAA.
- (75) 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 certified in Pakistan.
- (76) 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.
- (77) Where any relevant safety information reveals imminent safety risks resulting from non-compliance with the relevant international safety standards, further action by the Commission can become necessary, in accordance with Regulation (EC) No 2111/2005.



**Air carriers from São Tomé and Príncipe**

- (78) In November 2009, air carriers certified in São Tomé and Príncipe were included in Annex A to Regulation (EC) No 474/2006, by Commission Regulation (EC) No 1144/2009 <sup>(10)</sup>.
- (79) By letter of 19 December 2023, as part of the continuous monitoring activities the Commission was informed by the *Instituto Nacional de Aviação Civil de São Tomé et Príncipe*, that the air carrier *Africa's Connection* is no longer certified in São Tomé and Príncipe.
- (80) 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 São Tomé and Príncipe, the list of air carriers, which are subject to an operating ban within the Union should be amended to remove *Africa's Connection* from Annex A to Regulation (EC) No 474/2006.
- (81) Member States should continue verifying the effective compliance of air carriers certified in São Tomé and Príncipe 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 Sierra Leone**

- (82) Air carriers from Sierra Leone were included in Annex A to Regulation (EC) No 474/2006.
- (83) Following the results of the 2006 ICAO Universal Safety Oversight Audit Programme ('USOAP') audit and based on recommendations from ICAO, Sierra Leone Civil Aviation Authority ('SLCAA') initiated a process to deregister aircraft and revoke AOCs issued to air carriers from Sierra Leone. The SLCAA informed the Commission about the completion of this process in May 2020.
- (84) On 31 January 2024, at the Commission's request, the SLCAA provided an update on the situation of the civil aviation in Sierra Leone, including details on the improvements made by the SLCAA towards compliance with international safety standards, and the ambitions to restart activities with regard to the certification and safety oversight of air carriers and aircraft.
- (85) Given the absence of aircraft on Sierra Leone's national registry and the lack of air carriers certified by the SLCAA, a meeting was convened on 25 April 2024 to discuss the SLCAA's plans, eventually with a view to supporting future developments of civil aviation in Sierra Leone. This meeting involved representatives from the Commission, the Agency, the Member States, the SLCAA, and Sierra Leone's Parliament.
- (86) During the meeting the SLCAA shared the results of the 2023 ICAO USOAP visit, outlined plans to further enhance its certification and safety oversight capabilities, and provided information about the signature in March 2024 of a Memorandum of Understanding with Italy aimed at establishing technical cooperation between Sierra Leone and Italy. The SLCAA also confirmed that it had been officially mandated to proceed with the certification of new air carriers, as well as the registration of aircraft.
- (87) The Commission acknowledges the efforts of the SLCAA to comply with international safety standards and noted the ongoing support from the Government of Sierra Leone. The Commission also recognises the SLCAA's commitment to continue to develop, with the support provided by Italy, the capabilities necessary to register aircraft, certify air carriers, and oversee the activities of the air carriers it will certify, in accordance with international safety standards.
- (88) The latest information indicates that, at this time, the SLCAA could not demonstrate the necessary capabilities to register aircraft, certify air carriers, and oversee the airworthiness and operations of air carriers, according to international safety standards. Consequently, the Commission will continue consultations with the SLCAA and monitor further actions taken by the SLCAA to address these issues. Further consideration, as appropriate, will be given for the eventual conduct of a Union on-site assessment visit when conditions are met.

<sup>(10)</sup> Commission Regulation (EC) No 1144/2009 of 26 November 2009 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 312, 27.11.2009, p. 16, ELI: <http://data.europa.eu/eli/reg/2009/1144/oj>).

- (89) 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 certified in Sierra Leone.
- (90) Member States should continue verifying the effective compliance of air carriers certified in Sierra Leone with the relevant international safety standards through prioritisation of ramp inspections of those air carriers, pursuant to Regulation (EU) No 965/2012.
- (91) Regulation (EC) No 474/2006 should therefore be amended accordingly.
- (92) 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, apply immediately after their adoption.
- (93) 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, 30 May 2024.

*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 <sup>(1)</sup>

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
AIR ZIMBABWE (PVT)	177/04	AZW	Zimbabwe
AVIOR AIRLINES	ROI-RNR-011	ROI	Venezuela
BLUE WING AIRLINES	SRBWA-01/2002	BWI	Suriname
IRAN ASEMAN AIRLINES	FS-102	IRC	Iran
FLY BAGHDAD	007	FBA	Iraq
IRAQI AIRWAYS	001	IAW	Iraq
<b>All air carriers certified by the authorities with responsibility for regulatory oversight of Afghanistan, including</b>			<b>Afghanistan</b>
ARIANA AFGHAN AIRLINES	AOC 009	AFG	Afghanistan
KAM AIR	AOC 001	KMF	Afghanistan
<b>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</b>			<b>Angola</b>
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
<b>All air carriers certified by the authorities with responsibility for regulatory oversight of Armenia, including</b>			<b>Armenia</b>
AIR DILIJANS	AM AOC 065	NGT	Armenia
ARMENIAN AIRLINES	AM AOC 076	AAG	Armenia

<sup>(1)</sup> Air carriers listed in this Annex may 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.

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
ARMENIA AIRWAYS	AM AOC 063	AMW	Armenia
ARMENIAN HELICOPTERS	AM AOC 067	KAV	Armenia
FLY ARNA	AM AOC 075	ACY	Armenia
FLYONE ARMENIA	AM AOC 074	FIE	Armenia
NOVAIR	AM AOC 071	NAI	Armenia
SHIRAK AVIA	AM AOC 072	SHS	Armenia
SKYBALL	AM AOC 073	N/A	Armenia
<b>All air carriers certified by the authorities with responsibility for regulatory oversight of Congo (Brazzaville), including</b>			<b>Congo (Brazzaville)</b>
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)
<b>All air carriers certified by the authorities with responsibility for regulatory oversight of Democratic Republic of the Congo (DRC), including</b>			<b>Democratic Republic of the Congo (DRC)</b>
AB BUSINESS	AAC/DG/OPS-09/14	Unknown	Democratic Republic of the Congo (DRC)
AIR FAST CONGO	AAC/DG/OPS-09/03	Unknown	Democratic Republic of the Congo (DRC)
AIR KASAI	AAC/DG/OPS-09/11	Unknown	Democratic Republic of the Congo (DRC)
AIR KATANGA	AAC/DG/OPS-09/08	Unknown	Democratic Republic of the Congo (DRC)
BUSY BEE CONGO	AAC/DG/OPS-09/04	Unknown	Democratic Republic of the Congo (DRC)
COMPAGNIE AFRICAINE D'AVIATION (CAA)	AAC/DG/OPS-09/02	DBP	Democratic Republic of the Congo (DRC)

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
CONGO AIRWAYS	AAC/DG/OPS-09/01	COG	Democratic Republic of the Congo (DRC)
GOMA EXPRESS	AAC/DG/OPS-09/13	Unknown	Democratic Republic of the Congo (DRC)
KIN AVIA	AAC/DG/OPS-09/10	Unknown	Democratic Republic of the Congo (DRC)
MALU AVIATION	AAC/DG/OPS-09/05	Unknown	Democratic Republic of the Congo (DRC)
SERVE AIR CARGO	AAC/DG/OPS-09/07	Unknown	Democratic Republic of the Congo (DRC)
SWALA AVIATION	AAC/DG/OPS-09/06	Unknown	Democratic Republic of the Congo (DRC)
TRACEP CONGO AVIATION	AAC/DG/OPS-09/15	Unknown	Democratic Republic of the Congo (DRC)
<b>All air carriers certified by the authorities with responsibility for regulatory oversight of Djibouti, including</b>			<b>Djibouti</b>
DAALLO AIRLINES	Unknown	DAO	Djibouti
<b>All air carriers certified by the authorities with responsibility for regulatory oversight of Equatorial Guinea, including</b>			<b>Equatorial Guinea</b>
CEIBA INTERCONTINENTAL	2011/0001/MTTCT/DGAC/SOPS	CEL	Equatorial Guinea
CRONOS AIRLINES	2011/0004/MTTCT/DGAC/SOPS	Unknown	Equatorial Guinea
<b>All air carriers certified by the authorities with responsibility for regulatory oversight of Eritrea, including</b>			<b>Eritrea</b>
ERITREAN AIRLINES	AOC No 004	ERT	Eritrea
NASAIR ERITREA	AOC No 005	NAS	Eritrea
<b>All air carriers certified by the authorities with responsibility for regulatory oversight of Kyrgyzstan, including</b>			<b>Kyrgyzstan</b>
AERO NOMAD AIRLINES	57	ANK	Kyrgyzstan
AEROSTAN	08	BSC	Kyrgyzstan

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
AIR COMPANY AIR KG	50	KGC	Kyrgyzstan
AIRCOMPANY MOALEM AVIATION	56	AMA	Kyrgyzstan
AVIA TRAFFIC COMPANY	23	AVJ	Kyrgyzstan
CENTRAL ASIAN AVIATION SERVICES	58	KAS	Kyrgyzstan
FLYSKY AIRLINES	53	FSQ	Kyrgyzstan
GLOBAL 8 AIRLINES	59	Unknown	Kyrgyzstan
HELI SKY	47	HAC	Kyrgyzstan
KAP.KG AIRCOMPANY	52	KGS	Kyrgyzstan
MAC.KG AIRLINES	61	MSK	Kyrgyzstan
SAPSAN AIRLINE	54	KGB	Kyrgyzstan
SKY JET	60	SJL	Kyrgyzstan
SKY KG AIRLINES	41	KGK	Kyrgyzstan
TRANS CARAVAN KG	55	TCK	Kyrgyzstan
TEZ JET	46	TEZ	Kyrgyzstan
<b>All air carriers certified by the authorities with responsibility for regulatory oversight of Liberia</b>			<b>Liberia</b>
<b>All air carriers certified by the authorities with responsibility for regulatory oversight of Libya, including</b>			<b>Libya</b>
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
<b>All air carriers certified by the authorities with responsibility for regulatory oversight of Nepal, including</b>			<b>Nepal</b>
AIR DYNASTY HELI. S.	035/2001	Unknown	Nepal

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
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
<b>The following air carriers certified by the authorities with responsibility for regulatory oversight of Russia</b>			<b>Russia</b>
AURORA AIRLINES	486	SHU	Russia
AVIACOMPANY "AVIASTAR-TU" CO. LTD	458	TUP	Russia
IZHAVIA	479	IZA	Russia
JOINT STOCK COMPANY "AIR COMPANY YAKUTIA"	464	SYL	Russia
JOINT STOCK COMPANY "RUSJET"	498	RSJ	Russia
JOINT STOCK COMPANY "UVT AERO"	567	UVT	Russia
JOINT STOCK COMPANY SIBERIA AIRLINES	31	SBI	Russia
JOINT STOCK COMPANY SMARTA-VIA AIRLINES	466	AUL	Russia

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
JOINT-STOCK COMPANY "IRAERO" AIRLINES	480	IAE	Russia
JOINT-STOCK COMPANY "URAL AIRLINES"	18	SVR	Russia
JOINT-STOCK COMPANY ALROSA AIR COMPANY	230	DRU	Russia
JOINT-STOCK COMPANY NORD-STAR AIRLINES	452	TYA	Russia
JS AVIATION COMPANY "RUSLINE"	225	RLU	Russia
JSC YAMAL AIRLINES	142	LLM	Russia
LLC "NORD WIND"	516	NWS	Russia
LLC "AIRCOMPANY IKAR"	36	KAR	Russia
LTD. I FLY	533	RSY	Russia
POBEDA AIRLINES LIMITED LIABILITY COMPANY	562	PBD	Russia
PUBLIC JOINT STOCK COMPANY "AEROFLOT – RUSSIAN AIRLINES"	1	AFL	Russia
ROSSIYA AIRLINES, JOINT STOCK COMPANY	2	SDM	Russia
SKOL AIRLINE LLC	228	CDV	Russia
UTAIR AVIATION, JOINT-STOCK COMPANY	6	UTA	Russia
<b>All air carriers certified by the authorities with responsibility for regulatory oversight of São Tomé and Príncipe, including</b>			<b>São Tomé and Príncipe</b>
STP AIRWAYS	03/AOC/2006	STP	São Tomé and Príncipe
<b>All air carriers certified by the authorities with responsibility for regulatory oversight of Sierra Leone</b>			<b>Sierra Leone</b>
<b>All air carriers certified by the authorities with responsibility for regulatory oversight of Sudan, including</b>			<b>Sudan</b>
ALFA AIRLINES SD	54	AAJ	Sudan
BADR AIRLINES	35	BDR	Sudan
BLUE BIRD AVIATION	11	BLB	Sudan
ELDINDER AVIATION	8	DND	Sudan



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
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 <sup>(1)</sup>

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	IR.AOC.100	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’

<sup>(1)</sup> Air carriers listed in this Annex may 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.