



Australian Government
Civil Aviation Safety Authority

OFFICE OF THE DIRECTOR OF AVIATION SAFETY

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Senator the Hon Bill Heffernan
Chair, Senate Standing Committee on Rural
and Regional Affairs and Transport
Parliament House
CANBERRA ACT 2600

Dear Senator Heffernan

**Clarification and Correction of Statements Made at Committee
Estimates Hearing on Tuesday, 24 February 2015**

I write to clarify and correct certain statements I, and the Associate Director of Aviation Safety, Dr Jonathan Aleck, made in the course of an exchange about the list of air carriers banned from conducting operations in the European Union (the 'EU black list') and the authorised operation into and out of Australia of two Indonesian carriers, namely, **Indonesia Air Asia** and **Garuda Indonesia**, *neither of which is currently on the EU black list*.

In a line of questioning initiated by Senator Sterle, the Senator asked whether the Civil Aviation Safety Authority (CASA) 'had any concerns over AirAsia safety since that unfortunate incident out of Surabaya', (see *Hansard*, at page 98¹). In response, I sought to clarify important differences between the identity of several separate and distinct air operators within the AirAsia group. In that context, and in pertinent part, the following exchanges occurred:

CHAIR: Just for comfort, is there anyone that is on the black list in Europe that flies into Australia?

Senator STERLE: That is a good question.

Mr Skidmore: Yes, there is.

CHAIR: Holy hell!

Senator STERLE: Well, you may as well tell us. The chair has raised it.

Mr Skidmore: PT Indonesia AirAsia.

Senator STERLE: Are these red and white planes too?

Mr Skidmore: Garuda Indonesia.

* * *

CHAIR: Are they the only two?

¹ All *Hansard* references are to the *Proof Committee Hansard* (24 February 2015).

Mr Skidmore: Dr Jonathon Aleck, my Associate Director of Aviation Safety, might be able to assist in that area.

Dr Aleck: There are five Indonesian airlines on the black list. Two of those would have operations into Australia. Indonesia Air Asia is on the Black list.

* * *

Dr Aleck: I do not have a list of all five, but I can tell you the Indonesian ones. Indonesia AirAsia X is on the list, Indonesia AirAsia is on the list, and Garuda Indonesia is on the list. . . .

[See *Hansard* at pages 99-100]

Both my suggestion and Dr Aleck's statements to the effect that Indonesia Air Asia and Garuda Indonesia, both of which carriers currently conduct passenger transport operations into and out of Australia, are on the EU black list were incorrect. As noted above, *neither of these carriers is on that list and neither is banned from conducting operations in the European Union.*

As of 11 December 2014, *all* air carriers 'certified by the authorities with responsibility for regulatory oversight of Indonesia' are on the EU blacklist—and some 62 air carriers are included—with the exception of the following five carriers:

- Garuda Indonesia
- Airfast Indonesia
- Mandala Airlines
- Express Transportasi Aritabenua
- Indonesia Air Asia

That is to say, whilst all other Indonesian carriers are banned from operating in the European Union, the five carriers mentioned above are not.

At the time the updated version of the EU blacklist was published in December 2014, the European Commission had been made aware of four new Indonesian carriers which had recently come to be certified by the Indonesian authority:

- MY INDO Airlines
- Indonesia Air Asia Extra
- Elang Lintas Indonesia
- Elang Nusantara Air²

Effectively by default, then, Indonesia Air Asia Extra found itself on the EU blacklist as at 11 December 2014.

As the Secretary of the Department of Infrastructure and Regional Development, Mr Mike Mrdak, sought to clarify later in the evening in relation to Garuda (see *Hansard* at page 104) and as Dr Aleck sought to clarify in respect of Indonesia AirAsia (as opposed to Indonesia AirAsia Extra) in the course of his further testimony (see *Hansard* at page 101), neither Garuda Indonesia nor Indonesia Air Asia is currently on the EU black list.

There were, however, different periods of time in the past during which both Garuda Indonesia and Indonesia Air Asia *were* on the EU blacklist, *and* operations into and out of

² Commission Implementing Regulation (EU) No 1318/2014 of 11 December 2014 (12.12.2014), para (42).

Australia were authorised. In both cases, CASA made an assessment of the operators' ability and willingness to satisfy applicable Australian safety requirements, and both were found to be eligible to retain (in the case of Garuda) and obtain (in the case of Indonesia Air Asia) a Foreign Aircraft Air Operator's Certificate.

At different times in the past, on the basis of submissions made by the respective operators to the European Air Safety Committee, the European Commission took the decision to exclude both Garuda and Indonesia Air Asia from the otherwise automatic ban of all other Indonesian carriers from operating in the European Union.

I look forward to the opportunity to participate in the proposed briefing of the Committee on matters pertaining to the EU blacklist, and CASA's approach to the assessment of applicants for Foreign Aircraft Air Operator's Certificates that may be included on that list. In the meantime, a copy of the current EU blacklist, which appears as an amendment to Regulation (EC) No 474/2006 establishing the Community list of air carriers which are subject to an operating ban within the Community,³ is attached for your information.

I hope this advice clarifies and corrects the unintended errors that were made in elements of testimony CASA offered on these matters in the hearing on 24 February 2015.

Yours sincerely

Mark Skidmore AM
Director of Aviation Safety

³ Commission Implementing Regulation (EU) No 1318/2014 of 11 December 2014 (12.12.2014).

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****(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 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 passengers of the identity of the operating carrier, and repealing Article 9 of Directive 2004/36/CE ⁽¹⁾, and in particular Article 4(2) thereof,

Whereas:

- (1) Commission Regulation (EC) No 474/2006 ⁽²⁾ established the Community list of air carriers which are subject to an operating ban within the Union, referred to in Chapter II of Regulation (EC) No 2111/2005.
- (2) In accordance with Article 4(3) of Regulation (EC) No 2111/2005, some Member States and the European Aviation Safety Agency (EASA) communicated to the Commission information that is relevant in the context of updating that list. Relevant information was also communicated by certain third countries. On the basis of that information, the Community 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 for a decision to impose on them an operating ban within the Union or to modify the conditions of an operating ban imposed on an air carrier which is included in the Community list.
- (4) The Commission gave the air carriers concerned the opportunity to consult the documents provided by the Member States, to submit written comments and to make an oral presentation to the Commission and to the Committee established by Council Regulation (EEC) No 3922/1991 ⁽³⁾ (the 'Air Safety Committee').
- (5) The Air Safety Committee has received updates from the Commission about the ongoing joint consultations, in the framework of Regulation (EC) No 2111/2005 and its implementing Commission Regulation (EC) No 473/2006 ⁽⁴⁾, with competent authorities and air carriers of the states of Angola, Botswana, Georgia, the Republic of Guinea, India, Indonesia, Kazakhstan, the Kyrgyz Republic, Lebanon, Libya, Madagascar, the Islamic Republic of Mauritania, Mozambique, Nepal, the Philippines, São Tomé and Príncipe, Sudan and Zambia. The Air Safety Committee also received information from the Commission on Afghanistan, Ghana, Iran and North Korea. The Air Safety Committee also received from the Commission updates about technical consultations with the Russian Federation.
- (6) The Air Safety Committee has heard presentations by EASA about the results of the analysis of audit reports carried out by the International Civil Aviation Organisation (ICAO) in the framework of ICAO's Universal Safety Oversight Audit Programme (USOAP). Member States were invited to prioritise ramp inspections on air carriers licensed by states in respect of which Significant Safety Concerns (SSC) have been identified by ICAO or in respect of which EASA concluded that there are significant deficiencies in the safety oversight system. In addition to the consultations undertaken by the Commission under Regulation (EC) No 2111/2005, the prioritisation of ramp inspections will allow the acquisition of further information regarding the safety performance of the air carriers licensed in those states.

⁽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⁾ Council Regulation (EEC) No 3922/1991 of 16 December 1991 on the harmonization of the technical requirements and administrative procedures in the field of civil aviation (OJ L 373, 31.12.1991, p. 4).

⁽⁴⁾ 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).

- (7) The Air Safety Committee has heard presentations by EASA 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 ⁽¹⁾.
- (8) The Air Safety Committee has also heard presentations by EASA about the technical assistance projects carried out in states affected by measures or monitoring under Regulation (EC) No 2111/2005. It was informed about the plans of EASA and requests for further technical assistance and cooperation to improve the administrative and technical capability of civil aviation authorities with a view to helping resolve any non-compliance with applicable international standards. Member States were also invited to respond to those requests on a bilateral basis in coordination with the Commission and EASA. In this regard, the Commission underlined the usefulness of providing information to the international aviation community, particularly through ICAO's SCAN database, on technical assistance provided by the Union and by its Member States, to improve aviation safety around the world.
- (9) The Air Safety Committee has also heard a presentation by Eurocontrol providing an update on the status of the SAFA alarming function and on the current statistics for alert messages for banned carriers.

Union air carriers

- (10) Following the analysis by EASA of information resulting from ramp inspections carried out on aircraft of Union air carriers or from standardisation inspections carried out by EASA, as well as specific inspections and audits carried out by national aviation authorities, several Member States have taken certain enforcement measures and informed the Commission and the Air Safety Committee about those measures. Greece informed that the Hellenic CAA performed inspections on *Gain Jet Aviation* and *Skygreece Airlines*. On the occasion of the additional inspections no major problems were identified.
- (11) Should any relevant safety information indicate that there are imminent safety risks as a consequence of a lack of compliance by Union air carriers with the appropriate safety standards, Member States reiterated their readiness to act as necessary.

Air carriers from Angola

- (12) Regulation (EC) No 474/2006, as amended by Commission Implementing Regulation (EU) No 1197/2011 ⁽²⁾, allows TAAG Angolan Airlines certified in Angola, to operate into the Union four aircraft of type Boeing 737-700 with registration marks D2-TBF, D2-TBG, D2-TBH and D2-TBJ, three aircraft of type Boeing 777-200 with registration marks D2-TED, D2-TEE and D2-TEF, and two aircraft of type Boeing 777-300 with registration marks D2-TEG and D2-TEH.
- (13) TAAG Angolan Airlines has submitted on 21 November 2014, through the competent authorities of Angola (INAVIC), a request to add a new aircraft of type Boeing 777-300 to Annex B to Regulation (EC) No 474/2006. However, there are persistent difficulties to establish and maintain regular contact with INAVIC as well as with TAAG Angolan Airlines. These difficulties extend also to INAVIC's contacts with ICAO, which has led in the recent past to a number of cancellations of previously scheduled ICAO audits. This indicates that there are internal communication problems within both TAAG Angolan Airlines and INAVIC as well as between them, which makes it difficult to adequately assess whether the granting of the request by TAAG Angolan Airlines would entail safety risks. Therefore, the Commission considers that the most appropriate way to proceed is to request both INAVIC as well as TAAG Angolan Airlines to fully engage with the Commission in the near future, with a view to thoroughly reviewing the current safety situation in all its aspects, including with regard to the addition of new aircraft to the fleet of TAAG Angolan Airlines.
- (14) In accordance with the common criteria set out in the Annex to Regulation (EC) No 2111/2005, it is therefore assessed that there are at this stage no grounds for amending the Community list of air carriers which are subject to an operating ban within the Union by including additional aircraft operated by TAAG Angolan Airlines.

⁽¹⁾ Commission Regulation (EU) No 965/2012 of 5 October 2012 laying down the 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).

⁽²⁾ Commission Implementing Regulation (EU) No 1197/2011 of 21 November 2011 (OJ L 303, 22.11.2011, p. 14). See in particular points 26 to 30 of the recitals of this Regulation.

- (15) Member States are to continue to verify effective compliance by *TAAG Angolan Airlines* with the relevant safety standards, through the prioritisation of ramp inspections to be carried out on aircraft of this air carrier pursuant to Regulation (EU) No 965/2012.

Air carriers from Botswana

- (16) In April 2013, ICAO conducted an ICAO Coordinated Validation Mission (ICVM) in Botswana. The results of that ICVM were partly positive: the Effective Implementation improved. However, there was also a negative result, given that two SSCs were identified. Furthermore, since 2010, two accidents occurred with aircraft registered in Botswana.
- (17) Based on the available information, the current lack of effective implementation of ICAO Standards and Recommended Practices, the two SSCs, the two accidents and the intermittent communication between the Commission and the Civil Aviation Authority Botswana (CAAB), the Commission requested information as regards air carriers certified in Botswana in a letter of 8 July 2014 to CAAB.
- (18) CAAB replied on 3 October 2014, providing the requested information with a view to showing the State's effective implementation of ICAO Standards and Recommended Practices and resolving the two SSCs.
- (19) On the basis of that information, it appears that CAAB would like ICAO to conduct another ICVM before the end of this year, in order to verify that the corrective actions that were taken are sufficient to resolve the two SSCs.
- (20) The assessment of the information provided further indicates that all air carriers were recertified and had been provided with new Air Operator Certificates (AOCs) on the same date. This will lead to a peak in workload for CAAB every time these AOCs need to be renewed. The CAAB has developed a surveillance program for the safety oversight of the air carriers, but the implementation of this program is behind schedule. Finally, during the oversight activities only a limited number of findings is recorded and as a consequence, it is difficult to determine the capacity of the CAAB to resolve emerging safety issues. In order to clarify these issues, additional information will be requested by the Commission and the CAAB will be invited by the Commission to a technical meeting to discuss any further details with respect to the safety oversight situation in Botswana.
- (21) In accordance with the common criteria set out in the Annex to Regulation (EC) No 2111/2005, it is therefore assessed that there are at this stage no grounds for amending the Community list of air carriers which are subject to an operating ban within the Union by including air carriers from Botswana.

Air carriers from Georgia

- (22) Consultations with the competent authorities of Georgia (GCAA) continue with the aim of monitoring the implementation by GCAA of the corrective action plan developed in response to the SSC identified during the ICAO Comprehensive System Audit (CSA) of Georgia in October 2013.
- (23) On the basis of the information provided by GCAA relating to the actions being taken by GCAA to have the SSC lifted, the Commission did not deem it necessary to ask the GCAA to appear before the Air Safety Committee. The Commission reported to the Air Safety Committee about the implementation of the Corrective Action Plan developed by GCAA.
- (24) In accordance with the common criteria set out in the Annex to Regulation (EC) No 2111/2005, it is therefore assessed that there are at this stage no grounds for amending the Community list of air carriers which are subject to an operating ban within the Union by including air carriers from Georgia.

Air carriers from the Republic of Guinea

- (25) As agreed in the meeting held in Brussels in January 2013, the competent authorities of the Republic of Guinea (DNAC) have regularly provided information on the ongoing implementation of the Corrective Action Plan, which was approved by ICAO in December 2012, as well as all the activities linked to it.

- (26) The latest progress report, received on 21 October 2014, details the most recent activities and developments regarding the implementation of the Corrective Action Plan. The training of staff continues in order to further reinforce the oversight capacity, mainly in the areas of airworthiness and operations. DNAC has continued to address the remaining USOAP findings in terms of the associated protocol questions, through the use of ICAO's Continuous Monitoring Approach (CMA) online tool. Between the beginning of August and the end of September 2014 ICAO has conducted an off-site validation of the protocol questions amenable to remote verification. As a result, the overall effective implementation of the eight critical elements showed a slight improvement.
- (27) A legislative initiative to transform DNAC in an independent, financially and operationally autonomous civil aviation authority, with its own management structure, is in preparation. The Civil Aviation Authority of Guinea (AGAC), fully in line with ICAO requirements, is expected to be enacted by January 2015.
- (28) All previously existing AOCs were suspended at the end of March 2013. The full ICAO-compliant (5-phase) certification of the national air carrier *PROBIZ Guinée*, with one aircraft of type BE90, is still ongoing, with the help and support of a specific mission of the African Civil Aviation Conference/Banjul Accord Group Aviation Safety Oversight Organisation, including simultaneous on-the-job training of DNAC's inspectors on the whole process. Two other air carriers — *Eagle Air Guinée* and *Sahel Aviation Service Guinée* — have also initiated the certification process. DNAC, with the support of the regional ICAO Dakar office, expects to conclude the certification process for all three air carriers by the end of 2014.
- (29) DNAC requested an ICVM in order to validate the progress in the implementation of the Corrective Action Plan. ICAO had initially planned to conduct the ICVM in May 2014. Senior management changes at the Ministry of Transport caused a delay and the ICVM was tentatively planned for the second half of September 2014. The ongoing Ebola outbreak has now put the ICVM, as well as an ICAO assistance mission initially planned for July 2014, on indefinite hold.
- (30) In accordance with the common criteria set out in the Annex to Regulation (EC) No 2111/2005, it is therefore assessed that there are at this stage no grounds for amending the Community list of air carriers which are subject to an operating ban within the Union by including air carriers from the Republic of Guinea.
- (31) Should any relevant safety information indicate that there are imminent safety risks as a consequence of lack of compliance with international safety standards, the Commission may be forced to take action in accordance with Regulation (EC) No 2111/2005.

Air carriers from India

- (32) On 7 November 2014, a technical meeting took place in Brussels. The Commission and EASA, as well as senior representatives from the Indian Directorate General of Civil Aviation (DGCA) attended the meeting. The meeting was held with respect to India's compliance with international safety and oversight obligations, including the decision by the United States Federal Aviation Administration (FAA) to downgrade India's compliance status from category 1 to category 2, as a result of deficiencies identified during an International Aviation Safety Assessment (IASA) audit. DGCA provided details pertaining to the status of its corrective actions to address the findings that resulted from the FAA compliance category downgrade. DGCA reiterated that it had taken action to address the majority of the FAA findings and that it has established a structured corrective action plan with respect to remaining areas of concern. In addition, in the technical meeting DGCA presented information pertaining to the issue of sustainability and the ongoing improvements in this regard.
- (33) During that technical meeting DGCA gave its commitment to fully engage in a safety dialogue with the Commission, including through additional meetings if and when deemed necessary by the Commission. DGCA also committed to provide the Commission with any relevant safety information, as part of the official consultations with the authorities that have responsibility for regulatory oversight over the air carriers certified in India pursuant to the provisions laid out in Article 3(2) of Commission Regulation (EC) No 473/2006.
- (34) On the basis of the information provided at the technical meeting of 7 November 2014 and the commitments taken by DGCA on that occasion, the Commission does not deem it necessary at this stage to impose operating restrictions on Indian air carriers.
- (35) In accordance with the common criteria set out in the Annex to Regulation (EC) No 2111/2005, it is therefore assessed that there are at this stage no grounds for amending the Community list of air carriers which are subject to an operating ban within the Union by including air carriers from India.

- (36) Member States are to continue to verify the effective compliance with relevant safety standards through the prioritisation of ramp inspections to be carried out on Indian air carriers pursuant to Regulation (EU) No 965/2012.

Air carriers from Indonesia

- (37) Consultations with the competent authorities of Indonesia (DGCA) continue with the aim of monitoring the progress of DGCA in ensuring that the safety oversight of all air carriers certified in Indonesia is in compliance with international safety standards.
- (38) The efforts of DGCA to reach an aviation system fully compliant with ICAO standards are acknowledged. The necessary transparency shown by DGCA, as well as the willingness to share information, has also been noted.
- (39) ICAO performed a CSA in the period 5 to 14 May 2014. The final report of this audit became available on 18 November 2014 and the results of the audit show that the safety oversight system in Indonesia still needs substantial improvement. DGCA has proposed a Corrective Action Plan to ICAO, in order to resolve the findings stemming from this audit.
- (40) In September 2014, the National Transportation Safety Committee of Indonesia published the final report on the Lion Air accident that occurred on 13 April 2013 in Bali. The comprehensive report gives an analysis of the accident and provides safety recommendations to the air carrier and the DGCA, amongst others.
- (41) At present, there is however no objective and conclusive evidence that the implementation of the Corrective Action Plan and safety recommendations are adequate.
- (42) In a letter of 20 October 2014, DGCA informed the Commission that four new air carriers had been certified since the last update, namely AOC No 121-042 had been issued to PT. MY INDO Airlines on 15 August 2014, AOC No 121-054 had been issued to PT Indonesia Air Asia Extra on 28 August 2014, AOC No 135-052 had been issued to PT. Elang Lintas Indonesia on 28 February 2014 and AOC No 135-053 had been issued to PT. Elang Nusantara Air on 12 March 2014. However, DGCA did not provide evidence that the safety oversight of those air carriers is ensured in compliance with international safety standards.
- (43) In accordance with the common criteria set out in the Annex to Regulation (EC) No 2111/2005, it is therefore assessed that the Community list of air carriers which are subject to an operating ban within the Union should be amended to include those four air carriers in Annex A to Regulation (EC) No 474/2006.

Air carriers from Kazakhstan

- (44) Consultations with the competent authorities of Kazakhstan (CAC) continue with the aim of monitoring the progress of CAC in ensuring that the safety oversight of all air carriers certified in Kazakhstan is in compliance with international aviation safety standards.
- (45) CAC informed the Commission of the developments related to the ICVM that took place from 27 May to 4 June 2014 in Kazakhstan, including the status of the two SSCs identified by ICAO in 2009. In particular, CAC indicated that one SSC pertaining to the issuance of certificates of airworthiness of aircraft was resolved, whilst a second one pertaining to the certification process for the issuance of AOCs was maintained.
- (46) Air Astana also provided its regular update on safety related developments within that air carrier, in particular regarding recent changes in its fleet that is at present allowed to operate in the Union. Most of the new additions are newly manufactured aeroplanes being leased in on a financial leasing basis. There is also a certain increase in the current and planned level of operations.
- (47) On the basis of the available information concerning the safety oversight system of Kazakhstan, it is considered that the Kazakh aviation authorities experience a shortage of sufficiently trained and experienced inspectors to lead certification tasks regarding AOCs and special authorisations and that they cannot at this stage ensure a continued oversight in the area of flight operations. The Kazakh authorities are therefore strongly encouraged to step up their efforts to reach compliance with international safety standards.

- (48) The Commission and EASA intend to closely monitor the progress of CAC to hire, retain and qualify its inspectors as well as the steps taken by the CAC to implement the CAP related to the remaining SSC.
- (49) On 29 September 2014, the Commission requested from CAC updated information regarding air carriers under CAC's oversight, in particular information relating to the revocation of AOCs. In its reply, CAC informed the Commission about the AOCs issued in Kazakhstan and provided evidence on the revocation of three AOCs, namely the AOCs of *Jet One*, *Luk Aero* and *Air Trust Aircompany*.
- (50) In accordance with the common criteria set out in the Annex to Regulation (EC) No 2111/2005, it is therefore assessed that the Community list of air carriers which are subject to an operating ban within the Union should be amended to remove *Jet One*, *Luk Aero* and *Air Trust Aircompany* from Annex A to Regulation (EC) No 474/2006.
- (51) Member States are to continue to verify the effective compliance with relevant safety standards through the prioritisation of ramp inspections to be carried out on aircraft of *Air Astana* pursuant to Regulation (EU) No 965/2012.

Air carriers from the Kyrgyz Republic

- (52) By letters dated 18 October 2014 and 13 November 2014 the competent authority of the Kyrgyz Republic (KG CAA) provided updated information about the air carriers certified in that country, which are currently subject to an operating ban in the Union. According to these letters and the accompanying documentation, KG CAA has suspended the AOCs of four air carriers, namely *Kyrgyz Airlines*, *SAEMES*, *Supreme Aviation* and *Click Airways*, and it has revoked the AOC of *Kyrgyz Trans Avia*. Under the legislation of the Kyrgyz Republic, the suspension of an AOC is equivalent to its revocation, when the holder of the suspended certificate has not applied for a certification procedure within three months following the suspension. *Kyrgyz Airlines*, *SAEMES*, *Supreme Aviation* and *Click Airways* have not applied for such certification since the suspension of their AOC. Consequently, their AOCs can be deemed revoked.
- (53) In accordance with the common criteria set out in the Annex to Regulation (EC) No 2111/2005, it is therefore assessed that the Community list of air carriers which are subject to an operating ban within the Union should be amended to remove *Kyrgyz Airlines*, *SAEMES*, *Supreme Aviation*, *Click Airways* and *Kyrgyz Trans Avia* from Annex A to Regulation (EC) No 474/2006.

Air carriers from Lebanon

- (54) Consultations with the competent authorities of Lebanon (DGCA Lebanon) continue with the aim of confirming that Lebanon is addressing the deficiencies established by ICAO during the ICVM performed in Lebanon from 5 to 11 December 2012. DGCA Lebanon has established a Corrective Action Plan and is in the process of carrying out those actions, particularly in relation to the SSC with respect to the certification of air carriers in Lebanon.
- (55) During a technical meeting on 14 July 2014, DGCA Lebanon provided information on the change in its management, the appointment of new staff both employed by DGCA Lebanon and seconded by Middle East Airlines, improved identification of the root causes for the SSC and the awareness at political level with respect to the improvements that need to be made in Lebanon. DGCA Lebanon provided the full list of current AOCs in Lebanon and information with respect to the renewal of AOC of two air carriers.
- (56) DGCA Lebanon informed the Commission that the report on the resolution of the SSC was sent to ICAO. However, at present, those corrective actions still have to be verified.
- (57) On 14 and 15 October 2014, an informal visit by the Commission to DGCA Lebanon took place. During this visit, Lebanon highlighted the progress made at the DGCA since July 2014, due in particular to good communication with the Union. Lebanon is taking seriously the SSC that was raised by the International Civil Aviation Organisation, and checked all AOCs. DGCA Lebanon stressed that the Directorate General of Civil Aviation now has full authority to monitor all safety aspects on all airlines, albeit that there is not yet an autonomous and adequately resourced civil aviation authority. Lebanon provided additional information on its Aviation Safety Action Plan on 9 November 2014, including plans for the further development of an autonomous civil aviation authority.

- (58) In light of the foregoing, consultations with the Lebanese authorities are to continue in accordance with Article 3(2) of Regulation (EC) No 473/2006.
- (59) In accordance with the common criteria set out in the Annex to Regulation (EC) No 2111/2005, it is therefore assessed that at this stage there are no grounds for amending the Community list of air carriers which are subject to an operating ban within the Union by including air carriers from Lebanon.
- (60) Should any relevant safety information indicate that there are imminent safety risks as a consequence of a lack of compliance with international safety standards, the Commission may be forced to take further action in accordance with Regulation (EC) No 2111/2005.

Air carriers from Libya

- (61) In April 2012, the competent authorities of Libya (LYCAA) agreed to restrict all air carriers certified in Libya from operating in the Union. The intention was to allow LYCAA time to re-certify those air carriers and to establish sufficient oversight capabilities to ensure compliance with international safety standards.
- (62) The Commission has monitored the effectiveness of those restrictions. The Commission has also carried out regular consultations with LYCAA on its progress in reforming its civil aviation safety system.
- (63) Until March 2014, some progress had been observed, both at the level of LYCAA as well as at the level of the main air carriers, *Libyan Airlines* and *Afriqiyah Airways*. However, certification of those air carriers took much longer than expected.
- (64) As the Commission stated in April 2014 ⁽¹⁾, before LYCAA could be allowed to issue an authorisation to its carriers to operate in the Union, it should be demonstrated to the satisfaction of the Commission that the re-certification process has been effectively completed and that there is sustainable continued oversight in accordance with ICAO standards.
- (65) However, the security situation in Libya deteriorated significantly in the course of June and July 2014, notably following the outbreak of violence on and around Tripoli International Airport. This unstable security situation continues to prevail. The violence has resulted in severe destruction of and damage to buildings, infrastructure and aircraft on the ground at Tripoli International Airport, rendering the airport as well as the local airspace unusable.
- (66) In view of the unclear status of the capabilities of LYCAA to properly oversee its air carriers following the violence and the lack of a stable and effective government, the Commission does no longer have the necessary confidence that LYCAA still has the authority to restrict Libyan air carriers from operating in the Union. In addition, the Commission is not convinced of the ability of LYCAA to fulfil its international obligations with regard to safety oversight of its air carriers. The Commission is further concerned about the large number of aircraft damaged during the violence and questions whether their continuing airworthiness is being appropriately accounted for.
- (67) The oral presentation to the Commission and the Air Safety Committee, given by LYCAA on 25 November 2014, on its actions to ensure aviation safety in Libya made it clear that, despite the efforts undertaken by LYCAA under its current leadership, substantial concerns remain about imminent aviation safety risks not being sufficiently contained. Those concerns are substantially reinforced by the ongoing instability.
- (68) Due to the unclear status of the capabilities of LYCAA to adequately oversee Libyan air carriers and to control imminent safety risks, it is assessed that LYCAA cannot fulfil its international obligations in relation to aviation safety.
- (69) In accordance with the common criteria set out in the Annex to Regulation (EC) No 2111/2005, it is therefore assessed that the Community list of air carriers which are subject to an operating ban within the Union should be amended to include all air carriers certified in Libya in Annex A to Regulation (EC) No 474/2006.

⁽¹⁾ Commission Implementing Regulation (EU) No 368/2014 of 10 April 2014 (OJ L 108, 11.4.2014, p. 16). See in particular recital 64 of this Regulation.

Air carriers from Madagascar

- (70) Consultations with the competent authorities of Madagascar have continued actively with the purpose of monitoring the progress of these authorities in ensuring that the safety oversight of all air carriers certified in Madagascar is in compliance with international safety standards.
- (71) The Commission, assisted by EASA, held a consultation meeting on 23 October 2014 with the competent authorities of Madagascar and representatives of the air carrier *Air Madagascar*. At this meeting, the air carrier provided information about its fleet evolution and in particular informed that two aircraft of type Boeing 737, which are mentioned in Annex B to Regulation (EU) No 474/2006, will be gradually replaced as of 2015 by aircraft of the same type, and that an aircraft of type ATR 72-600 will be added to the fleet during the first quarter of 2015.
- (72) On 10 November 2014, the air carrier *Air Madagascar* made the request to have Annex B modified, in order to allow operations of the new aircraft of type Boeing 737 that will replace the existing aircraft of type Boeing 737 in its fleet, as well as the operations of the aircraft of type ATR 72-600 that will be added to the fleet.
- (73) *Air Madagascar* provided evidence that the safety performance of its fleet has improved. The competent authorities of Madagascar stated that, with regard to the operations conducted with the aircraft of type Boeing B737, they are satisfied with the current level of compliance demonstrated by *Air Madagascar* with respect to ICAO requirements. Member States and EASA confirmed that no specific concern arose from ramp checks carried out at Union airports in the framework of the SAFA programme.
- (74) In accordance with the common criteria set out in the Annex to Regulation (EC) No 2111/2005, it is therefore assessed that the Community list of air carriers which are subject to an operating ban within the Union should be amended with regard to *Air Madagascar*. Annex B to Regulation (EC) No 474/2006 should be amended to allow the operation of aircraft of type B737 series as well as aircraft of type ATR 72/42 series, that are or will be listed on the AOC of *Air Madagascar*.
- (75) Member States will continue to verify the effective compliance with relevant safety standards through the prioritisation of ramp inspections to be carried out on aircraft of *Air Madagascar* pursuant to Regulation (EU) No 965/2012.

Air carriers from the Islamic Republic of Mauritania

- (76) EASA informed the Commission about reports showing serious safety deficiencies and a persistent failure by the air carrier *Mauritania Airlines International* (MAI) to address deficiencies identified by ramp inspections performed under the SAFA programme. Those deficiencies are related to flight preparation and performance calculations. Despite some improvement as regards the condition of aircraft, the nature and severity of the recent findings have a direct impact on the safety of operations and require corrective actions.
- (77) The Commission has directly informed the competent national authorities (ANAC) and *Mauritania Airlines International* (MAI) about those deficiencies, in order for them to swiftly take mitigating actions. ANAC acknowledged receipt by reporting on a number of corrective actions and on the latest ICAO audit results in the areas of aerodromes and air navigation services.
- (78) In accordance with the common criteria set out in the Annex to Regulation (EC) No 2111/2005, it is therefore assessed that at this stage there are no grounds for amending the Community list of air carriers which are subject to an operating ban within the Union by including air carriers from the Islamic Republic of Mauritania.
- (79) Should any relevant safety information indicate that there are imminent safety risks as a consequence of a lack of compliance with international safety standards, the Commission may be forced to take further action in accordance with Regulation (EC) No 2111/2005.

Air carriers from Mozambique

- (80) The competent authorities of Mozambique (IACM) have reported on the ongoing implementation of the Corrective Action Plan submitted to, and approved by, ICAO. The latest progress report and its supporting documents received by the Commission and EASA on 26 September 2014 indicate that IACM has continued to work on the update of the legal framework by submitting legislative proposals to further align the civil aviation act with ICAO requirements, to have its role upgraded from one of a mere regulator to that of an authority and to further pursue the alignment of its existing regulations with the amended ICAO Standards and Recommended Practices (SARPS). The recruitment and training of staff continues, in order to further reinforce the oversight capacity, mainly in the areas of operations and licencing, aerodromes, airworthiness, rulemaking and enforcement. The internal capacity building efforts are strengthened through partnerships with African and European authorities, as well as with regional organisations. A gap analysis of the aerodrome certification has been conducted for all airports and a detailed plan for the certification of the international airports (Maputo, Beira and Nacala) has been requested, with a view to initiating the process in 2015. The State Safety Programme is being established and is expected to be completed by 2017.
- (81) IACM has continued to address the outstanding USOAP findings in terms of the associated protocol questions. In addition, many of the required regulations and procedures to support the replies have been produced and the associated documentation uploaded, through the use of ICAO's CMA online tool. The validation of these actions by ICAO is currently pending.
- (82) IACM has requested an ICVM in order to validate the progress in the implementation of its Corrective Action Plan, which is now scheduled to take place from 26 November until 4 December 2014, covering the areas of legislation, CAA organisation, aerodromes and air navigations services.
- (83) The significant progress reported by IACM in the rectification of the deficiencies identified by ICAO has been noted and its efforts towards completing their work of establishing an aviation system fully compliant with international standards are encouraged. Recognising the significant progress already achieved, and the expected further progress, a Union safety assessment mission might take place in the first quarter of 2015. However, for the time being, the fact remains that several important aviation safety-related issues still need to be fully and adequately addressed.
- (84) The investigation into the crash of the air carrier *Linhas Aéreas de Moçambique SA (LAM)* on 29 November 2013 is still ongoing. The final accident investigation report is expected by the end of 2014. Following the accident, LAM has conducted an extensive review of internal safety and security training, mechanisms and procedures, resulting in the implementation of more demanding organisational and operational requirements. In parallel, the work has continued to further improve the Safety Management System (SMS), with a particular attention to flight data analysis and exchange.
- (85) IACM also reported that it has continued the certification process of air carriers in compliance with ICAO SARPS. According to the list provided by IACM, a new air carrier has been certified, namely *Makond Lda*. However, IACM was not able to provide evidence that the safety oversight of that air carrier is ensured in compliance with international safety standards.
- (86) In accordance with the common criteria set out in the Annex to Regulation (EC) No 2111/2005, it is therefore assessed that the Community list of air carriers which are subject to an operating ban within the Union should be amended to add the air carrier *Makond Lda* to Annex A to Regulation (EC) No 474/2006.

Air carriers from Nepal

- (87) The Commission has continued consultations with the competent authority of Nepal (CAAN) to establish its capabilities to sufficiently implement and enforce the relevant international safety standards.
- (88) On the basis of a request by the Commission, CAAN submitted documentation relating to progress made with regard to safety oversight activities, including the deficiencies noted by the Union assessment visit to Nepal in February 2014, the ICAO SSC, as well as ICAO audits.

- (89) The Commission and EASA had a meeting with CAAN on 24 September 2014. The meeting focussed in particular on the progress made in the areas of licencing of aircrew, certification of air carriers and oversight of air operations.
- (90) However, it appears that the progress is insufficient and that more time is needed. In particular, there are concerns that the requirements for aircrew operating in a multi-crew environment have so far been inadequately addressed by CAAN, especially since lack of proper crew training is indicated as a probable cause in the accident report of the fatal accident on 16 February 2014.
- (91) In addition, concerns remain that the re-certification by CAAN of air carriers is inadequate and may be unsuitable to ensure that all Nepalese air carriers comply with international air safety requirements. CAAN is therefore encouraged to seek the assistance of appropriate subject matter experts to assess the process and verify its appropriateness and take actions as necessary.
- (92) A meeting between the Commission, EASA and *Nepal Airlines Corporation, Buddha Air, Shree Airlines, Tara Air and Yeti Airlines* was held on 11 November 2014 to review progress with regard to the observations of the Union on-site assessment visit, as well as other issues relating to improvement of air safety in Nepal.
- (93) The ability of certain air carriers to manage the risks of their operations, at a level which could indicate an ability to mitigate risks raised by insufficient oversight by CAAN, is considered encouraging. However, the Commission considers that at present the competent authorities of Nepal are unable to sufficiently implement and enforce the relevant international safety standards to a level which could justify an alleviation of the current operating ban.
- (94) It should also be noted that on 25 August 2014, the Commission wrote to CAAN to obtain updated information regarding air carriers under its oversight. In a letter of 10 September 2014, CAAN informed the Commission that one new air carrier had been certified since the last update, namely AOC No 082/2014 had been issued to *Manang Air Pvt. Ltd.* on 3 July 2014. However, CAAN did not provide the evidence that the safety oversight of this air carrier is ensured in compliance with international safety standards.
- (95) Air carriers which in the past had a separate AOC issued only for their international operations have now been issued with only one AOC covering all operations. For this reason, AOC No 058/2010 for *Buddha Air (International Operations)* and AOC No 059/2010 for *Shree Airlines (International Operations)* have been revoked by CAAN.
- (96) In accordance with the common criteria set out in the Annex to Regulation (EC) No 2111/2005, it is therefore assessed that the Community list of air carriers which are subject to an operating ban within the Union should be amended to include *Manang Air Pvt.* in Annex A to regulation (EC) No 474/2006 and to remove *Buddha Air (International Operations)* and *Shree Airlines (International Operations)* from Annex A to Regulation (EC) No 474/2006.

Air carriers from the Philippines

- (97) On 9 April 2014, the FAA announced its decision to upgrade the Philippines compliance status from category 2 to category 1 in respect to its IASA audit programme. In a letter of 24 July 2014 to the Commission, the Civil Aviation Authority of the Philippines (CAAP) referred to the decision by the FAA to upgrade the Philippines compliance category. This letter also referred to the communication from ICAO that the Philippines had resolved the previously identified SSCs. Finally, the CAAP stated in this letter that its next objective was to have the operating ban lifted on the air carriers certified in the Philippines that were still subject to an operating ban within the Union.
- (98) In a letter of 22 September 2014 to CAAP, the Commission reiterated that any decision to remove air carriers certified in the Philippines from the Community list of air carriers which are subject to an operating ban within the Union must be based on an evidence-based approach. In this respect a technical meeting was held on 4 November 2014 with experts from the Commission and EASA as well as senior representatives from CAAP.
- (99) The evidence presented by CAAP before and during the technical meeting of 4 November 2014 included details of the current CAAP organisational structure as well as proposed improvements that would enhance its oversight capabilities. Information was also provided on the current surveillance activity which CAAP conducts on air carriers certified in the Philippines. CAAP also cited ongoing infrastructure improvements and provided an update on the further proposed development of its State Safety Programme (SSP).

- (100) In its letter of 22 September 2014, the Commission also proposed that EASA would conduct an on-site technical assistance visit to the Philippines. This visit was conducted during the week of 10 November 2014.
- (101) The discussion and evidence provided by CAAP at the technical meeting of 4 November 2014 is deemed encouraging with regard to the progress that the competent authorities of the Philippines have made with respect to the oversight of air carriers certified in the Philippines. This opens the possibility for the organisation of an on-site Union verification mission in the future.
- (102) However, with regard to the CAAP objective to apply for a total lifting of the operating ban on air carriers certified in the Philippines, it needs to be underlined that this will necessitate a full evaluation of all relevant information and that the outcome of the on-site Union verification will need to be satisfactory.
- (103) In accordance with the common criteria set out in the Annex to Regulation (EC) No 2111/2005, it is therefore assessed that there are at this stage no grounds for amending the Community list of air carriers which are subject to an operating ban within the Union with respect to air carriers from the Philippines.
- (104) Member States are to continue to verify effective compliance by *Philippine Airlines* and *Cebu Pacific Air* with the relevant safety standards, through the prioritisation of ramp inspections pursuant to Regulation (EU) No 965/2012.

Air carriers from the Russian Federation

- (105) The Commission, EASA and the Member States have continued to closely monitor the safety performance of air carriers certified in the Russian Federation and operating in the Union, including through prioritisation of the ramp inspections to be carried out on certain Russian air carriers in accordance with Regulation (EU) No 965/2012.
- (106) On 15 July 2014, the Commission met with representatives of the air carrier *Kogalymavia*, in order to confirm the effectiveness of the measures taken by that air carrier to improve its safety record. Overall, the progress made by *Kogalymavia* appeared sustainable. That air carrier is encouraged to continue to establish a positive safety culture inside its organisation, including reporting of essential safety-related information.
- (107) On 6 November 2014, the Commission, assisted by EASA and a Member State, met with representatives of the Russian Federal Air Transport Agency (FATA). The purpose of this meeting was to ensure that findings that have been raised against Russian air carriers during SAFA ramp inspections in the past 12 months are adequately addressed by those air carriers. During the meeting, FATA committed to further investigate the reasons for certain serious findings and to follow up on those cases where non-compliances have not yet been properly rectified.
- (108) On 21 November 2014 FATA informed the Commission that it had advised its air carriers to timely address all open findings in the SAFA database and to apply corrective actions on a continuous basis, in order to avoid problems with regard to SAFA inspections and findings.
- (109) Based on the available information, it was concluded that a hearing before the Air Safety Committee of the Russian aviation authorities or of air carriers certified in the Russian Federation was not necessary.
- (110) In accordance with the common criteria set out in the Annex to Regulation (EC) No 2111/2005, it is therefore assessed that there are at this stage no grounds for amending the Community list of air carriers which are subject to an operating ban within the Union by including air carriers from the Russian Federation.
- (111) However, Member States are to continue to verify effective compliance by the air carriers for the Russian Federation with the international safety standards, through the prioritisation of ramp inspections in accordance with Regulation (EU) No 965/2012. Should those inspections point to an imminent safety risk as a consequence of non-compliance with the relevant safety standards, the Commission may be forced to take action against air carriers from the Russian Federation in accordance with Regulation (EC) No 2111/2005.

Air carriers from São Tomé and Príncipe

- (112) After a long period without communication, on 22 September 2014 the competent authorities of São Tomé and Príncipe (INAC) reported on the progress achieved over that period of time.
- (113) ICAO announced on 28 May 2014 the resolution of the SSCs pertaining to the air operator certification process and surveillance, and the ensuring of protection provided by aerodrome operators. As a consequence, São Tomé and Príncipe has now resolved all the previously identified SSCs.
- (114) The Corrective Action Plan submitted by INAC is currently being implemented. The summary of its execution in mid-April 2014 shows that 20 % of the activities planned for implementation before the end of November 2014 have been carried out as planned, while 25 % of those activities are still ongoing and the remaining 55 % have not yet started and have seen their target date significantly delayed.
- (115) INAC has revoked the AOCs of eight air carriers, namely *British Gulf International Company Ltd*, *Executive Jet Services*, *Global Aviation Operation*, *Goliath Air*, *Island Oil Exploration*, *Transafrik International Ltd*, *Transcargo* and *Transliz Aviation*. INAC has provided written proof of the revocation of the AOCs of those air carriers.
- (116) The Commission takes note of the positive developments reported by INAC and commends in particular the revocation of the AOCs of the air carriers which had their principal place of business outside of the country, as well as the removal of all their aircraft from the registry of São Tomé and Príncipe.
- (117) In accordance with the common criteria set out in the Annex to Regulation (EC) No 2111/2005, it is therefore assessed that the Community list of air carriers which are subject to an operating ban within the Union should be amended to remove those air carriers from Annex A to Regulation (EC) No 474/2006.
- (118) INAC also reported that AOCs have been issued to the air carriers *STP Airways* and *Africa's Connection*. However, INAC was not able to provide evidence that the safety oversight of those two air carriers is ensured in compliance with international safety standards.
- (119) In accordance with the common criteria set out in the Annex to Regulation (EC) No 2111/2005, it is therefore assessed that the Community list of air carriers which are subject to an operating ban within the Union should be amended to include the air carriers *STP Airways* and *Africa's Connection* in Annex A to Regulation (EC) No 474/2006.

Air carriers from Sudan

- (120) The Sudan Civil Aviation Authority (SCAA) submitted to the Commission information on four air carriers, namely *BADR Airlines (BDR)*, *Nova Airlines (NOV)*, *Sudan Airways (SUD)* and *Tarco Air (TRQ)*. The supporting documents indicate that those airlines have different levels in managing safety. Those documents nonetheless suggest that good progress has been made with a view to preparing a possible Union verification mission in 2015.
- (121) SCAA also informed the Commission of the results of the latest ICAO audit in the areas of aerodromes and air navigation services. Although those audits address areas that are mostly unrelated to the technical domains of the Union's primary concerns relating to the air carriers registered in Sudan, namely personnel licences, operations and airworthiness, this has shown that SCAA has endeavoured to tackle all issues of aviation safety in a holistic approach.
- (122) It appears that SCAA has enacted sustainable improvements in a realistic and progressive manner. However, a thorough assessment still needs to be carried out in order to identify whether the international safety standards are met by the SCAA and the air carriers certified in Sudan. In addition, further verification through a Union verification mission needs to take place before any proposals for amendments to the Community list of air carriers, which are subject to an operating ban within the Union, might be considered.
- (123) In accordance with the common criteria set out in the Annex to Regulation (EC) No 2111/2005, it is therefore assessed that there are at this stage no grounds for amending the Community list of air carriers which are subject to an operating ban within the Union with respect to air carriers from Sudan.

Air carriers from Zambia

- (124) By letter of 15 May 2014, the Zambian Department of Civil Aviation reported to the Commission that the Zambia Civil Aviation Authority (ZCAA) is operational and that its administrative capacity is being reinforced. That letter also provided an update on the corrective actions taken to address the existing deficiencies, including a Safety Plan, which the Commission received on 5 August 2014. That Safety Plan sets out the additional actions that need to be taken to establish an efficient and effective safety regulatory and oversight system in Zambia and contains clear goals for the short, medium and long term.
- (125) It appears that the Zambian Department of Civil Aviation has made progress and the Zambian authorities are encouraged to continue to make further improvements, with a view to the current restrictions being reconsidered at the appropriate moment after the necessary verification. However, for the time being, a number of important deficiencies remain, notably regarding the establishment of the ZCAA, including an adequate number of properly trained staff, and the update of legislation and regulations to implement the provisions of the ICAO Annexes which have been identified in the Safety Plan and in respect of which the corresponding actions are still to be carried out.
- (126) In accordance with the common criteria set out in the Annex to Regulation (EC) No 2111/2005, it is therefore assessed that there are at this stage no grounds for amending the Community list of air carriers which are subject to an operating ban within the Union with respect to air carriers from Zambia.
- (127) Article 8(2) of Regulation (EC) No 2111/2005 recognises 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 for minimising commercial impacts, that the 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.
- (128) Regulation (EC) No 474/2006 should therefore be amended accordingly,
- (129) The measures provided for in this Regulation are in accordance with the opinion of the Air Safety Committee,

HAS ADOPTED THIS REGULATION:

Article 1

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

- (1) Annex A is replaced by the text set out in Annex A to this Regulation;
- (2) Annex B is replaced by the text set out in Annex B 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, 11 December 2014.

*For the Commission,
On behalf of the President,
Violeta BULC
Member of the Commission*

ANNEX A

LIST OF AIR CARRIERS OF WHICH ALL OPERATIONS ARE SUBJECT TO A BAN WITHIN THE EU, 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 airline designation number	State of the Operator
BLUE WING AIRLINES	SRBWA-01/2002	BWI	Suriname
MERIDIAN AIRWAYS LTD	AOC 023	MAG	Republic of Ghana
All air carriers certified by the authorities with responsibility for regulatory oversight of Afghanistan, including			Islamic Republic of Afghanistan
ARIANA AFGHAN AIRLINES	AOC 009	AFG	Islamic Republic of Afghanistan
KAM AIR	AOC 001	KMF	Islamic Republic of Afghanistan
PAMIR AIRLINES	Unknown	PIR	Islamic Republic of Afghanistan
SAFI AIRWAYS	AOC 181	SFW	Islamic Republic of Afghanistan
All air carriers certified by the authorities with responsibility for regulatory oversight of Angola, with the exception of TAAG Angola Airlines put in Annex B, including			Republic of Angola
AEROJET	AO 008-01/11	TEJ	Republic of Angola
AIR GICANGO	009	Unknown	Republic of Angola
AIR JET	AO 006-01/11-MBC	MBC	Republic of Angola
AIR NAVE	017	Unknown	Republic of Angola
AIR26	AO 003-01/11-DCD	DCD	Republic of Angola
ANGOLA AIR SERVICES	006	Unknown	Republic of Angola
DIEXIM	007	Unknown	Republic of Angola
FLY540	AO 004-01 FLYA	Unknown	Republic of Angola
GIRA GLOBO	008	GGL	Republic of Angola
HELIANG	010	Unknown	Republic of Angola

⁽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.

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 airline designation number	State of the Operator
HELMALONGO	AO 005-01/11	Unknown	Republic of Angola
MAVEWA	016	Unknown	Republic of Angola
SONAIR	AO 002-01/10-SOR	SOR	Republic of Angola
All air carriers certified by the authorities with responsibility for regulatory oversight of Benin, including			Republic of Benin
AERO BENIN	PEA No 014/MDCTTATP-PR/ANAC/DEA/SCS	AEB	Republic of Benin
AFRICA AIRWAYS	Unknown	AFF	Republic of Benin
ALAFIA JET	PEA No 014/ANAC/MDCTTATP-PR/DEA/SCS	Unknown	Republic of Benin
BENIN GOLF AIR	PEA No 012/MDCTTP-PR/ANAC/DEA/SCS.	BGL	Republic of Benin
BENIN LITTORAL AIRWAYS	PEA No 013/MDCTTATP-PR/ANAC/DEA/SCS.	LTL	Republic of Benin
COTAIR	PEA No 015/MDCTTATP-PR/ANAC/DEA/SCS.	COB	Republic of Benin
ROYAL AIR	PEA No 11/ANAC/MDCTTP-PR/DEA/SCS	BNR	Republic of Benin
TRANS AIR BENIN	PEA No 016/MDCTTATP-PR/ANAC/DEA/SCS	TNB	Republic of Benin
All air carriers certified by the authorities with responsibility for regulatory oversight of the Republic of Congo, including			Republic of Congo
AERO SERVICE	RAC06-002	RSR	Republic of Congo
CANADIAN AIRWAYS CONGO	RAC06-012	Unknown	Republic of Congo
EMERAUDE	RAC06-008	Unknown	Republic of Congo
EQUAFLIGHT SERVICES	RAC 06-003	EKA	Republic of Congo
EQUAJET	RAC06-007	EKJ	Republic of Congo
EQUATORIAL CONGO AIRLINES S.A.	RAC 06-014	Unknown	Republic of Congo
MISTRAL AVIATION	RAC06-011	Unknown	Republic of Congo
TRANS AIR CONGO	RAC 06-001	TSG	Republic of Congo

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 airline designation number	State of the Operator
All air carriers certified by the authorities with responsibility for regulatory oversight of Democratic Republic of Congo (DRC), including			Democratic Republic of Congo (DRC)
AFRICAN AIR SERVICE COMMUTER	104/CAB/MIN/TVC/2012	Unknown	Democratic Republic of Congo (DRC)
AIR BARAKA	409/CAB/MIN/TVC/002/2011	Unknown	Democratic Republic of Congo (DRC)
AIR CASTILLA	409/CAB/MIN/TVC/007/2010	Unknown	Democratic Republic of Congo (DRC)
AIR FAST CONGO	409/CAB/MIN/TVC/0112/2011	Unknown	Democratic Republic of Congo (DRC)
AIR KASAI	409/CAB/MIN/TVC/0053/2012	Unknown	Democratic Republic of Congo (DRC)
AIR KATANGA	409/CAB/MIN/TVC/0056/2012	Unknown	Democratic Republic of Congo (DRC)
AIR MALEBO	409/CAB/MIN/TVC/0122/2012	Unknown	Democratic Republic of Congo (DRC)
AIR TROPIQUES	409/CAB/MIN/TVC/00625/2011	Unknown	Democratic Republic of Congo (DRC)
ARMY GLOBAL BUSINESS AIRWAYS	409/CAB/MIN/TVC/029/2012	Unknown	Democratic Republic of Congo (DRC)
BIEGA AIRWAYS	409/CAB/MIN/TVC/051/2012	Unknown	Democratic Republic of Congo (DRC)
BLUE AIRLINES	106/CAB/MIN/TVC/2012	BUL	Democratic Republic of Congo (DRC)
BLUE SKY	409/CAB/MIN/TVC/0028/2012	Unknown	Democratic Republic of Congo (DRC)
BUSINESS AVIATION	409/CAB/MIN/TVC/048/09	ABB	Democratic Republic of Congo (DRC)
BUSY BEE CONGO	409/CAB/MIN/TVC/0064/2010	Unknown	Democratic Republic of Congo (DRC)
CETRACA	105/CAB/MIN/TVC/2012	CER	Democratic Republic of Congo (DRC)
CHC STELLAVIA	409/CAB/MIN/TVC/0078/2011	Unknown	Democratic Republic of Congo (DRC)
COMPAGNIE AFRICAINE D'AVIATION (CAA)	409/CAB/MIN/TVC/0050/2012	Unknown	Democratic Republic of Congo (DRC)
CONGO EXPRESS AIRLINES	409/CAB/MIN/TVC/059/2012	CXR	Democratic Republic of Congo (DRC)
DOREN AIR CONGO	102/CAB/MIN/TVC/2012	Unknown	Democratic Republic of 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 airline designation number	State of the Operator
EAGLES SERVICES	409/CAB/MIN/TVC/0196/2011	Unknown	Democratic Republic of Congo (DRC)
EPHRATA AIRLINES	409/CAB/MIN/TVC/040/2011	Unknown	Democratic Republic of Congo (DRC)
FILAIR	409/CAB/MIN/TVC/037/2008	Unknown	Democratic Republic of Congo (DRC)
FLY CONGO	409/CAB/MIN/TVC/0126/2012	Unknown	Democratic Republic of Congo (DRC)
GALAXY KAVATSI	409/CAB/MIN/TVC/0027/2008	Unknown	Democratic Republic of Congo (DRC)
GILEMBE AIR SOUTENANCE (GISAIR)	409/CAB/MIN/TVC/0082/2010	Unknown	Democratic Republic of Congo (DRC)
GOMA EXPRESS	409/CAB/MIN/TVC/0051/2011	Unknown	Democratic Republic of Congo (DRC)
GOMAIR	409/CAB/MIN/TVC/011/2010	Unknown	Democratic Republic of Congo (DRC)
GTRA	409/CAB/MIN/TVC/0060/2011	Unknown	Democratic Republic of Congo (DRC)
INTERNATIONAL TRANS AIR BUSINESS (ITAB)	409/CAB/MIN/TVC/0065/2010	Unknown	Democratic Republic of Congo (DRC)
JET CONGO AIRLINES	409/CAB/MIN/TVC/0011/2012	Unknown	Democratic Republic of Congo (DRC)
KATANGA EXPRESS	409/CAB/MIN/TVC/0083/2010	Unknown	Democratic Republic of Congo (DRC)
KATANGA WINGS	409/CAB/MIN/TVC/0092/2011	Unknown	Democratic Republic of Congo (DRC)
KIN AVIA	409/CAB/MIN/TVC/0059/2010	Unknown	Democratic Republic of Congo (DRC)
KORONGO AIRLINES	409/CAB/MIN/TVC/001/2011	KGO	Democratic Republic of Congo (DRC)
LIGNES AERIENNES CONGOLAISES (LAC)	Ministerial signature (ordonnance No. 78/205)	LCG	Democratic Republic of Congo (DRC)
MANGO AIRLINES	409/CAB/MIN/TVC/009/2011	Unknown	Democratic Republic of Congo (DRC)
MAVIVI AIR TRADE	409/CAB/MIN/TVC/00/2011	Unknown	Democratic Republic of Congo (DRC)
OKAPI AIRLINES	409/CAB/MIN/TVC/086/2011	OKP	Democratic Republic of Congo (DRC)
PATRON AIRWAYS	409/CAB/MIN/TVC/0066/2011	Unknown	Democratic Republic of 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 airline designation number	State of the Operator
PEGASUS	409/CAB/MIN/TVC/021/2012	Unknown	Democratic Republic of Congo (DRC)
SAFE AIR	409/CAB/MIN/TVC/021/2008	Unknown	Democratic Republic of Congo (DRC)
SERVICES AIR	103/CAB/MIN/TVC/2012	Unknown	Democratic Republic of Congo (DRC)
SION AIRLINES	409/CAB/MIN/TVC/0081/2011	Unknown	Democratic Republic of Congo (DRC)
STELLAR AIRWAYS	409/CAB/MIN/TVC/056/2011	Unknown	Democratic Republic of Congo (DRC)
SWALA AVIATION	409/CAB/MIN/TVC/0084/2010	Unknown	Democratic Republic of Congo (DRC)
TRACEP CONGO	409/CAB/MIN/TVC/0085/2010	Unknown	Democratic Republic of Congo (DRC)
TRANSAIR CARGO SERVICES	409/CAB/MIN/TVC/073/2011	Unknown	Democratic Republic of Congo (DRC)
WALTAIR AVIATION	409/CAB/MIN/TVC/004/2011	Unknown	Democratic Republic of Congo (DRC)
WILL AIRLIFT	409/CAB/MIN/TVC/0247/2011	Unknown	Democratic Republic of Congo (DRC)
WIMBI DIRA AIRWAYS	409/CAB/MIN/TVC/039/2008	WDA	Democratic Republic of Congo (DRC)
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
PUNTO AZUL	2012/0006/MTTCT/DGAC/SOPS	Unknown	Equatorial Guinea
TANGO AIRWAYS	Unknown	Unknown	Equatorial Guinea
All air carriers certified by the authorities with responsibility for regulatory oversight of Eritrea, including			Eritrea

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 airline designation number	State of the Operator
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 the Republic of Gabon, with the exception of <i>Gabon Airlines</i> , <i>Afrijet</i> and <i>SN2AG</i> put in Annex B, including			Republic of Gabon
AFRIC AVIATION	010/MTAC/ANAC-G/DSA	EKG	Republic of Gabon
AIR SERVICES SA	004/MTAC/ANAC-G/DSA	RVS	Republic of Gabon
AIR TOURIST (ALLEGIANCE)	007/MTAC/ANAC-G/DSA	LGE	Republic of Gabon
NATIONALE ET REGIONALE TRANSPORT (NATIONALE)	008/MTAC/ANAC-G/DSA	NRG	Republic of Gabon
SCD AVIATION	005/MTAC/ANAC-G/DSA	SCY	Republic of Gabon
SKY GABON	009/MTAC/ANAC-G/DSA	SKG	Republic of Gabon
SOLENTA AVIATION GABON	006/MTAC/ANAC-G/DSA	SVG	Republic of Gabon
All air carriers certified by the authorities with responsibility for regulatory oversight of Indonesia, with the exception of <i>Garuda Indonesia</i> , <i>Airfast Indonesia</i> , <i>Mandala Airlines</i> , <i>Ekspres Transportasi Antarbenua</i> and <i>Indonesia Air Asia</i> , including			Republic of Indonesia
AIR BORN INDONESIA	135-055	Unknown	Republic of Indonesia
AIR PACIFIC UTAMA	135-020	Unknown	Republic of Indonesia
ALFA TRANS DIRGANTATA	135-012	Unknown	Republic of Indonesia
ANGKASA SUPER SERVICES	135-050	LBZ	Republic of Indonesia
ASCO NUSA AIR	135-022	Unknown	Republic of Indonesia
ASI PUDJIASTUTI	135-028	SQS	Republic of Indonesia
AVIASTAR MANDIRI	121-043	Unknown	Republic of Indonesia

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 airline designation number	State of the Operator
AVIASTAR MANDIRI	135-029	VIT	Republic of Indonesia
BATIK AIR	121-050	BTK	Republic of Indonesia
CITILINK INDONESIA	121-046	CTV	Republic of Indonesia
DABI AIR NUSANTARA	135-030	Unknown	Republic of Indonesia
DERAYA AIR TAXI	135-013	DRY	Republic of Indonesia
DERAZONA AIR SERVICE	135-010	DRZ	Republic of Indonesia
DIRGANTARA AIR SERVICE	135-014	DIR	Republic of Indonesia
EASTINDO	135-038	ESD	Republic of Indonesia
ELANG LINTAS INDONESIA	135-052	Unknown	Republic of Indonesia
ELANG NUSANTARA AIR	135-053	Unknown	Republic of Indonesia
ENGGANG AIR SERVICE	135-045	Unknown	Republic of Indonesia
ERSA EASTERN AVIATION	135-047	Unknown	Republic of Indonesia
GATARI AIR SERVICE	135-018	GHS	Republic of Indonesia
HEAVY LIFT	135-042	Unknown	Republic of Indonesia
INDONESIA AIR ASIA EXTRA	121-054	Unknown	Republic of Indonesia
INDONESIA AIR TRANSPORT	121-034	IDA	Republic of Indonesia
INTAN ANGKASA AIR SERVICE	135-019	Unknown	Republic of Indonesia
JAYAWIJAYA DIRGANTARA	121-044	JWD	Republic of Indonesia
JOHNLIN AIR TRANSPORT	135-043	JLB	Republic of Indonesia
KAL STAR	121-037	KLS	Republic of Indonesia
KARTIKA AIRLINES	121-003	KAE	Republic of Indonesia
KOMALA INDONESIA	135-051	Unknown	Republic of Indonesia
KURA-KURA AVIATION	135-016	KUR	Republic of Indonesia
LION MENTARI AIRLINES	121-010	LNI	Republic of Indonesia
MANUNGGAL AIR SERVICE	121-020	MNS	Republic of Indonesia

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 airline designation number	State of the Operator
MARTABUANA ABADION	135-049	Unknown	Republic of Indonesia
MATTHEW AIR NUSANTARA	135-048	Unknown	Republic of Indonesia
MERPATI NUSANTARA AIRLINES	121-002	MNA	Republic of Indonesia
MIMIKA AIR	135-007	Unknown	Republic of Indonesia
MY INDO AIRLINES	121-042	Unknown	Republic of Indonesia
NAM AIR	121-058	Unknown	Republic of Indonesia
NATIONAL UTILITY HELICOPTER	135-011	Unknown	Republic of Indonesia
NUSANTARA AIR CHARTER	121-022	SJK	Republic of Indonesia
NUSANTARA BUANA AIR	135-041	Unknown	Republic of Indonesia
PACIFIC ROYALE AIRWAYS	121-045	PRQ	Republic of Indonesia
PEGASUS AIR SERVICES	135-036	Unknown	Republic of Indonesia
PELITA AIR SERVICE	121-008	PAS	Republic of Indonesia
PENERBANGAN ANGKASA SEMESTA	135-026	Unknown	Republic of Indonesia
PURA WISATA BARUNA	135-025	Unknown	Republic of Indonesia
RIAUI AIRLINES	121-016	RIU	Republic of Indonesia
SAYAP GARUDA INDAH	135-004	Unknown	Republic of Indonesia
SKY AVIATION	121-028	Unknown	Republic of Indonesia
SKY AVIATION	135-044	Unknown	Republic of Indonesia
SMAC	135-015	SMC	Republic of Indonesia
SRIWIJAYA AIR	121-035	SJY	Republic of Indonesia
SURVEI UDARA PENAS	135-006	PNS	Republic of Indonesia
SURYA AIR	135-046	Unknown	Republic of Indonesia
TRANSNUSA AVIATION MANDIRI	121-048	TNU	Republic of Indonesia

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 airline designation number	State of the Operator
TRANSWISATA PRIMA AVIATION	135-021	TWT	Republic of Indonesia
TRAVEL EXPRESS AVIATION SERVICE	121-038	XAR	Republic of Indonesia
TRAVIRA UTAMA	135-009	TVV	Republic of Indonesia
TRI MG INTRA ASIA AIRLINES	121-018	TMG	Republic of Indonesia
TRIGANA AIR SERVICE	121-006	TGN	Republic of Indonesia
UNINDO	135-040	Unknown	Republic of Indonesia
WING ABADI AIRLINES	121-012	WON	Republic of Indonesia
All air carriers certified by the authorities with responsibility for regulatory oversight of Kazakhstan, with the exception of Air Astana, including			Republic of Kazakhstan
AIR ALMATY	AK-0483-13	LMY	Republic of Kazakhstan
ATMA AIRLINES	AK-0469-12	AMA	Republic of Kazakhstan
AVIA-JAYNAR/AVIA-ZHAYNAR	AK-0467-12	SAP	Republic of Kazakhstan
BEK AIR	AK-0463-12	BEK	Republic of Kazakhstan
BEYBARS AIRCOMPANY	AK-0473-13	BBS	Republic of Kazakhstan
BURUNDAYAVIA AIRLINES	KZ-01/001	BRY	Republic of Kazakhstan
COMLUX-KZ	KZ-01/002	KAZ	Republic of Kazakhstan
EAST WING	KZ-01/007	EWZ	Republic of Kazakhstan
EURO-ASIA AIR	AK-0472-13	EAK	Republic of Kazakhstan
FLY JET KZ	AK-0477-13	FJK	Republic of Kazakhstan
INVESTAVIA	AK-0479-13	TLG	Republic of Kazakhstan
IRTYSH AIR	AK-0468-13	MZA	Republic of Kazakhstan

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 airline designation number	State of the Operator
JET AIRLINES	KZ-01/003	SOZ	Republic of Kazakhstan
KAZAIR JET	AK-0474-13	KEJ	Republic of Kazakhstan
KAZAIRTRANS AIRLINE	AK-0466-12	KUY	Republic of Kazakhstan
KAZAVIASPAS	AK-0484-13	KZS	Republic of Kazakhstan
PRIME AVIATION	AK-0478-13	PKZ	Republic of Kazakhstan
SCAT	KZ-01/004	VSV	Republic of Kazakhstan
ZHETYSU AIRCOMPANY	AK-0470-12	JTU	Republic of Kazakhstan
All air carriers certified by the authorities with responsibility for regulatory oversight of the Kyrgyz Republic, including			Kyrgyz Republic
AIR BISHKEK (formerly EASTOK AVIA)	15	EAA	Kyrgyz Republic
AIR MANAS	17	MBB	Kyrgyz Republic
AVIA TRAFFIC COMPANY	23	AVJ	Kyrgyz Republic
CENTRAL ASIAN AVIATION SERVICES (CAAS)	13	CBK	Kyrgyz Republic
HELI SKY	47	HAC	Kyrgyz Republic
AIR KYRGYZSTAN	03	LYN	Kyrgyz Republic
MANAS AIRWAYS	42	BAM	Kyrgyz Republic
S GROUP INTERNATIONAL (formerly S GROUP AVIATION)	45	INT	Kyrgyz Republic
SKY BISHKEK	43	BIS	Kyrgyz Republic
SKY KG AIRLINES	41	KGK	Kyrgyz Republic
SKY WAY AIR	39	SAB	Kyrgyz Republic

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 airline designation number	State of the Operator
TEZ JET	46	TEZ	Kyrgyz Republic
VALOR AIR	07	VAC	Kyrgyz Republic
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
AFRIQIYAH AIRWAYS	007/01	AAW	Libya
AIR LIBYA	004/01	TLR	Libya
BURAQ AIR	002/01	BRQ	Libya
GHADAMES AIR TRANSPORT	012/05	GHT	Libya
GLOBAL AVIATION AND SERVICES	008/05	GAK	Libya
LIBYAN AIRLINES	001/01	LAA	Libya
PETRO AIR	025/08	PEO	Libya
All air carriers certified by the authorities with responsibility for regulatory oversight of the Republic of Mozambique, including			Republic of Mozambique
AERO-SERVIÇOS SARL	MOZ-08	Unknown	Republic of Mozambique
CFM — TRABALHOS E TRANSPORTES AÉREOS LDA	MOZ-07	Unknown	Republic of Mozambique
COA — COASTAL AVIATION	MOZ-15	Unknown	Republic of Mozambique
CPY — CROPSPRAYERS	MOZ-06	Unknown	Republic of Mozambique
CRA — CR AVIATION LDA	MOZ-14	Unknown	Republic of Mozambique
EMÍLIO AIR CHARTER LDA	MOZ-05	Unknown	Republic of Mozambique
ETA — EMPRESA DE TRANSPORTES AÉREOS LDA	MOZ-04	Unknown	Republic of Mozambique

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 airline designation number	State of the Operator
HCP — HELICÓPTEROS CAPITAL LDA	MOZ-11	Unknown	Republic of Mozambique
KAY — KAYA AIRLINES, LDA	MOZ-09	KYY	Republic of Mozambique
LAM — LINHAS AÉREAS DE MOÇAMBIQUE S.A.	MOZ-01	LAM	Republic of Mozambique
MAKOND, LDA	MOZ-20	Unknown	Republic of Mozambique
MEX — MOÇAMBIQUE EXPRESSO, SARL MEX	MOZ-02	MXE	Republic of Mozambique
OHI — OMNI HELICÓPTEROS INTERNATIONAL LDA	MOZ-17	Unknown	Republic of Mozambique
SAF — SAFARI AIR LDA	MOZ-12	Unknown	Republic of Mozambique
SAM — SOLENTA AVIATION MOZAMBIQUE, SA	MOZ-10	Unknown	Republic of Mozambique
TTA — TRABALHOS E TRANSPORTES AÉREOS LDA	MOZ-16	TTA	Republic of Mozambique
UNIQUE AIR CHARTER LDA	MOZ-13	Unknown	Republic of Mozambique
All air carriers certified by the authorities with responsibility for regulatory oversight of Nepal, including			Republic of Nepal
AIR DYNASTY HELI. S.	035/2001	Unknown	Republic of Nepal
AIR KASTHAMANDAP	051/2009	Unknown	Republic of Nepal
BUDDHA AIR	014/1996	BHA	Republic of Nepal
FISHTAIL AIR	017/2001	Unknown	Republic of Nepal
GOMA AIR	064/2010	Unknown	Republic of Nepal
MAKALU AIR	057A/2009	Unknown	Republic of Nepal
MANANG AIR PVT LTD	082/2014	Unknown	Republic of Nepal
MOUNTAIN HELICOPTERS	055/2009	Unknown	Republic of Nepal
MUKTINATH AIRLINES	081/2013	Unknown	Republic of 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 airline designation number	State of the Operator
NEPAL AIRLINES CORPORATION	003/2000	RNA	Republic of Nepal
SHREE AIRLINES	030/2002	SHA	Republic of Nepal
SIMRIK AIR	034/2000	Unknown	Republic of Nepal
SIMRIK AIRLINES	052/2009	RMK	Republic of Nepal
SITA AIR	033/2000	Unknown	Republic of Nepal
TARA AIR	053/2009	Unknown	Republic of Nepal
YETI AIRLINES DOMESTIC	037/2004	NYT	Republic of Nepal
All air carriers certified by the authorities with responsibility for regulatory oversight of the Philippines, with the exception of Philippine Airlines and Cebu Pacific Air, including:			Republic of the Philippines
AEROEQUIPEMENT AVIATION	2010037	Unknown	Republic of the Philippines
AIR ASIA PHILIPPINES	2012047	APG	Republic of the Philippines
AIR JUAN AVIATION	2013053	Unknown	Republic of the Philippines
AIR PHILIPPINES CORPORATION	2009006	GAP	Republic of the Philippines
ASIA AIRCRAFT OVERSEAS PHILIPPINES INC.	2012048	Unknown	Republic of the Philippines
ASIAN AEROSPACE CORPORATION	2012050	Unknown	Republic of the Philippines
ASTRO AIR INTERNATIONAL	2012049	AAV	Republic of the Philippines
AYALA AVIATION CORP.	4AN9900003	Unknown	Republic of the Philippines
CANADIAN HELICOPTERS PHILIPPINES INC.	2010026	Unknown	Republic of the Philippines
CM AERO SERVICES	20110401	Unknown	Republic of the Philippines
CYCLONE AIRWAYS	2010034	Unknown	Republic of the Philippines

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 airline designation number	State of the Operator
FAR EAST AVIATION SERVICES	2009013	Unknown	Republic of the Philippines
INAEC AVIATION CORP.	2010028	Unknown	Republic of the Philippines
INTERISLAND AIRLINES	2010023	ISN	Republic of the Philippines
ISLAND AVIATION	2009009	SOY	Republic of the Philippines
ISLAND TRANSVOYAGER	2010022	ITI	Republic of the Philippines
LION AIR	2009019	Unknown	Republic of the Philippines
MACRO ASIA AIR TAXI SERVICES	2010029	Unknown	Republic of the Philippines
MAGNUM AIR	2012051	MSJ	Republic of the Philippines
MISIBIS AVIATION & DEVELOPMENT CORP	2010020	Unknown	Republic of the Philippines
NORTHSKY AIR INC.	2011042	Unknown	Republic of the Philippines
OMNI AVIATION CORP.	2010033	Unknown	Republic of the Philippines
ROYAL AIR CHARTER SERVICES INC.	2010024	Unknown	Republic of the Philippines
ROYAL STAR AVIATION, INC.	2010021	Unknown	Republic of the Philippines
SOUTH EAST ASIAN AIRLINES	2009 004	SRQ	Republic of the Philippines
SOUTH EAST ASIAN AIRLINES (SEAIR) INTERNATIONAL	2012052	SGD	Republic of the Philippines
SOUTHERN AIR FLIGHT SERVICES	2011045	Unknown	Republic of the Philippines
SUBIC SEAPLANE, INC.	2011035	Unknown	Republic of the Philippines
WCC AVIATION COMPANY	2009015	Unknown	Republic of the Philippines
ZEST AIRWAYS INCORPORATED	2009003	EZD	Republic of the Philippines

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 airline designation number	State of the Operator
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, including			Sierra Leone
AIR RUM, LTD	UNKNOWN	RUM	Sierra Leone
DESTINY AIR SERVICES, LTD	UNKNOWN	DTY	Sierra Leone
HEAVYLIFT CARGO	UNKNOWN	Unknown	Sierra Leone
ORANGE AIR SIERRA LEONE LTD	UNKNOWN	ORJ	Sierra Leone
PARAMOUNT AIRLINES, LTD	UNKNOWN	PRR	Sierra Leone
SEVEN FOUR EIGHT AIR SERVICES LTD	UNKNOWN	SVT	Sierra Leone
TEEBAH AIRWAYS	UNKNOWN	Unknown	Sierra Leone
All air carriers certified by the authorities with responsibility for regulatory oversight of Sudan, including			Republic of Sudan
ALFA AIRLINES	54	AAJ	Republic of the Sudan
ALMAJAL AVIATION SERVICE	15	MGG	Republic of the Sudan
BADER AIRLINES	35	BDR	Republic of the Sudan
BENTIU AIR TRANSPORT	29	BNT	Republic of the Sudan
BLUE BIRD AVIATION	11	BLB	Republic of the Sudan
DOVE AIRLINES	52	DOV	Republic of the Sudan
ELIDINER AVIATION	8	DND	Republic of the Sudan
FOURTY EIGHT AVIATION	53	WHB	Republic of the 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 airline designation number	State of the Operator
GREEN FLAG AVIATION	17	Unknown	Republic of the Sudan
HELEJETIC AIR	57	HJT	Republic of the Sudan
KATA AIR TRANSPORT	9	KTV	Republic of the Sudan
KUSH AVIATION	60	KUH	Republic of the Sudan
MARSLAND COMPANY	40	MSL	Republic of the Sudan
MID AIRLINES	25	NYL	Republic of the Sudan
NOVA AIRLINES	46	NOV	Republic of the Sudan
SUDAN AIRWAYS	1	SUD	Republic of the Sudan
SUN AIR COMPANY	51	SNR	Republic of the Sudan
TARCO AIRLINES	56	TRQ	Republic of the Sudan
All air carriers certified by the authorities with responsibility for regulatory oversight of Zambia, including			Zambia
ZAMBEZI AIRLINES	Z/AOC/001/2009	ZMA	Zambia

ANNEX B

LIST OF AIR CARRIERS OF WHICH OPERATIONS ARE SUBJECT TO OPERATIONAL RESTRICTIONS
WITHIN THE EU ⁽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 airline designation number	State of the Operator	Aircraft type restricted	Registration mark(s) and, when available, construction serial number(s) of restricted aircraft	State of registry
TAAG ANGOLA AIRLINES	001	DTA	Republic of Angola	All fleet with the exception of: 5 aircraft of type Boeing B777 and 4 aircraft of type Boeing B737-700.	All fleet with the exception of: D2-TED, D2-TEE, D2-TEF, D2-TEG, D2-TEH, D2-TBF, D2-TBG, D2-TBH, D2-TBJ.	Republic of Angola
AIR ASTANA ⁽¹⁾	AK-0475-13	KZR	Kazakhstan	All fleet with the exception of: aircraft of type Boeing B767, aircraft of type Boeing B757, aircraft of type Airbus A319/320/321.	All fleet with the exception of: aircraft within the Boeing B767 fleet, as mentioned on the AOC; aircraft within the Boeing B757 fleet, as mentioned on the AOC; aircraft within the Airbus A319/320/321 fleet, as mentioned on the AOC.	Aruba (Kingdom of the Netherlands)
AIR SERVICE COMORES	06-819/TA-15/DGACM	KMD	Comoros	All fleet with the exception of: LET 410 UVP.	All fleet with the exception of: D6-CAM (851336).	Comoros
AFRIJET ⁽²⁾	002/MTAC/ANAC-G/DSA	ABS	Republic of Gabon	All fleet with the exception of: 2 aircraft of type Falcon 50, 2 aircraft of type Falcon 900.	All fleet with the exception of: TR-LGV; TR-LGY; TR-AFJ; TR-AFR.	Republic of Gabon
GABON AIRLINES ⁽³⁾	001/MTAC/ANAC	GBK	Republic of Gabon	All fleet with the exception of: 1 aircraft of type Boeing B767-200.	All fleet with the exception of: TR-LHP.	Republic of Gabon
NOUVELLE AIR AFFAIRES GABON (SN2AG)	003/MTAC/ANAC-G/DSA	NVS	Republic of Gabon	All fleet with the exception of: 1 aircraft of type Challenger CL-601, 1 aircraft of type HS-125-800.	All fleet with the exception of: TR-AAG, ZS-AFG.	Republic of Gabon; Republic of South Africa
AIRLIFT INTERNATIONAL (GH) LTD	AOC 017	ALE	Republic of Ghana	All fleet with the exception of: 2 aircraft of type DC8-63F.	All fleet with the exception of: 9G-TOP and 9G-RAC.	Republic of Ghana

⁽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.

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 airline designation number	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 ⁽¹⁾	FS100	IRA	Islamic Republic of Iran	All fleet with the exception of: 14 aircraft of type Airbus A300, 8 aircraft of type Airbus A310, 1 aircraft Boeing B737.	All fleet with the exception of: EP-IBA, EP-IBB, EP-IBC, EP-IBD, EP-IBG, EP-IBH, EP-IBI, EP-IBJ, EP-IBM, EP-IBN, EP-IBO, EP-IBS, EP-IBT, EP-IBV, EP-IBX, EP-IBZ, EP-ICE, EP-ICF, EP-IBK, EP-IBL, EP-IBP, EP-IBQ, EP-AGA.	Islamic Republic of Iran
AIR KORYO	GAC-AOC/ KOR-01	KOR	Democratic People's Republic of Korea	All fleet with the exception of: 2 aircraft of type TU- 204.	All fleet with the exception of: P-632, P-633.	Democratic People's Republic of Korea
AIR MADA-GASCAR	5R-M01/ 2009	MDG	Madagascar	All fleet with the exception of: aircraft of type Boeing B737, aircraft of type ATR 72/42 and 3 aircraft of type DHC 6-300.	All fleet with the exception of: aircraft within the Boeing B737 fleet, as mentioned on the AOC, aircraft within the ATR 72/42 fleet, as mentioned on the AOC; 5R-MGC, 5R-MGD, 5R-MGF.	Republic of Madagascar

⁽¹⁾ Air Astana is only allowed to use the specific aircraft types mentioned, provided that they are registered in Aruba and that all changes to the AOC are timely submitted to the Commission and to Eurocontrol.

⁽²⁾ Afrijet is only allowed to use the specific aircraft mentioned for its current level of operations within the Union.

⁽³⁾ Gabon Airlines is only allowed to use the specific aircraft mentioned for its current level of operations within the Union.

⁽⁴⁾ Iran Air is allowed to operate to the Union using the specific aircraft under the conditions set out in Recital (69) of Regulation (EU) No 590/2010, OJ L 170, 6.7.2010, p. 15.



Australian Government
Civil Aviation Safety Authority

OFFICE OF THE DIRECTOR OF AVIATION SAFETY

Trim Ref: SE15/1

3 March 2015

Senator the Hon Bill Heffernan
Chair, Senate Standing Committee on Rural
and Regional Affairs and Transport
Parliament House
CANBERRA ACT 2600

Dear Senator Heffernan

**Clarification and Correction of Statements Made at Committee
Estimates Hearing on Tuesday, 24 February 2015**

I write to clarify and correct certain statements I, and the Associate Director of Aviation Safety, Dr Jonathan Aleck, made in the course of an exchange about the list of air carriers banned from conducting operations in the European Union (the 'EU black list') and the authorised operation into and out of Australia of two Indonesian carriers, namely, **Indonesia Air Asia** and **Garuda Indonesia**, *neither of which is currently on the EU black list*.

In a line of questioning initiated by Senator Sterle, the Senator asked whether the Civil Aviation Safety Authority (CASA) 'had any concerns over AirAsia safety since that unfortunate incident out of Surabaya', (see *Hansard*, at page 98¹). In response, I sought to clarify important differences between the identity of several separate and distinct air operators within the AirAsia group. In that context, and in pertinent part, the following exchanges occurred:

CHAIR: Just for comfort, is there anyone that is on the black list in Europe that flies into Australia?

Senator STERLE: That is a good question.

Mr Skidmore: Yes, there is.

CHAIR: Holy hell!

Senator STERLE: Well, you may as well tell us. The chair has raised it.

Mr Skidmore: PT Indonesia AirAsia.

Senator STERLE: Are these red and white planes too?

Mr Skidmore: Garuda Indonesia.

* * *

CHAIR: Are they the only two?

¹ All *Hansard* references are to the *Proof Committee Hansard* (24 February 2015).

Mr Skidmore: Dr Jonathon Aleck, my Associate Director of Aviation Safety, might be able to assist in that area.

Dr Aleck: There are five Indonesian airlines on the black list. Two of those would have operations into Australia. Indonesia Air Asia is on the Black list.

* * *

Dr Aleck: I do not have a list of all five, but I can tell you the Indonesian ones. Indonesia AirAsia X is on the list, Indonesia AirAsia is on the list, and Garuda Indonesia is on the list. . . .

[See *Hansard* at pages 99-100]

Both my suggestion and Dr Aleck's statements to the effect that Indonesia Air Asia and Garuda Indonesia, both of which carriers currently conduct passenger transport operations into and out of Australia, are on the EU black list were incorrect. As noted above, *neither of these carriers is on that list and neither is banned from conducting operations in the European Union.*

As of 11 December 2014, *all* air carriers 'certified by the authorities with responsibility for regulatory oversight of Indonesia' are on the EU blacklist—and some 62 air carriers are included—with the exception of the following five carriers:

- Garuda Indonesia
- Airfast Indonesia
- Mandala Airlines
- Express Transportasi Aritabenua
- Indonesia Air Asia

That is to say, whilst all other Indonesian carriers are banned from operating in the European Union, the five carriers mentioned above are not.

At the time the updated version of the EU blacklist was published in December 2014, the European Commission had been made aware of four new Indonesian carriers which had recently come to be certified by the Indonesian authority:

- MY INDO Airlines
- Indonesia Air Asia Extra
- Elang Lintas Indonesia
- Elang Nusantara Air²

Effectively by default, then, Indonesia Air Asia Extra found itself on the EU blacklist as at 11 December 2014.

As the Secretary of the Department of Infrastructure and Regional Development, Mr Mike Mrdak, sought to clarify later in the evening in relation to Garuda (see *Hansard* at page 104) and as Dr Aleck sought to clarify in respect of Indonesia AirAsia (as opposed to Indonesia AirAsia Extra) in the course of his further testimony (see *Hansard* at page 101), neither Garuda Indonesia nor Indonesia Air Asia is currently on the EU black list.

There were, however, different periods of time in the past during which both Garuda Indonesia and Indonesia Air Asia *were* on the EU blacklist, *and* operations into and out of

² Commission Implementing Regulation (EU) No 1318/2014 of 11 December 2014 (12.12.2014), para (42).

Australia were authorised. In both cases, CASA made an assessment of the operators' ability and willingness to satisfy applicable Australian safety requirements, and both were found to be eligible to retain (in the case of Garuda) and obtain (in the case of Indonesia Air Asia) a Foreign Aircraft Air Operator's Certificate.

At different times in the past, on the basis of submissions made by the respective operators to the European Air Safety Committee, the European Commission took the decision to exclude both Garuda and Indonesia Air Asia from the otherwise automatic ban of all other Indonesian carriers from operating in the European Union.

I look forward to the opportunity to participate in the proposed briefing of the Committee on matters pertaining to the EU blacklist, and CASA's approach to the assessment of applicants for Foreign Aircraft Air Operator's Certificates that may be included on that list. In the meantime, a copy of the current EU blacklist, which appears as an amendment to Regulation (EC) No 474/2006 establishing the Community list of air carriers which are subject to an operating ban within the Community,³ is attached for your information.

I hope this advice clarifies and corrects the unintended errors that were made in elements of testimony CASA offered on these matters in the hearing on 24 February 2015.

Yours sincerely

Mark Skidmore AM
Director of Aviation Safety

³ Commission Implementing Regulation (EU) No 1318/2014 of 11 December 2014 (12.12.2014).