



Sanctions on Russia due to its attack on Ukraine

ACW TeB 2022-06

 DG MOVE

Three types of aviation sanctions

1. Prohibition of flights in EU airspace
 - i. Art 3d, Reg 833/2014. Impacts any aircraft registered in Russia, or owned, operated, chartered or otherwise controlled by Russian interests.
 - ii. Exceptions to the ban are provided for emergency landings or overflights, and certain exceptions can be granted to flights for humanitarian purposes or other purposes compatible with the sanctions regulation.
2. Prohibition of sale of aeronautical products
 - i. Art 3c, Reg 833/2014. Includes also any training and other **support for their use in Russia.**
3. Listing specific persons and entities whose property is seized if found in the EU
 - i. Reg 269/2014, (as extended many times) Includes many aviation businesses and persons.

Impact on pilots

1. Prohibition of flights in EU airspace and term “controlled” by Russians
 - i. No private pilot flights, but
 - ii. working as employee of non-Russian operator possible.
 - iii. Training for non-Russian operators possible. For private and Russian operators not.
2. Prohibition of sale of aeronautical products and support to them
 - i. Art 3c(4)(a), Reg 833/2014 prohibits also „technical assistance“. This includes also any training of pilots that would fly in Russia and support to Russian training organisations.

Dual nationality

„Due to EASA sanction on Russian citizens/nationals holding EU licences CAA PL would like a clarification from EASA/EC on a situation when a holder of EU licence has both Russian and Ukrainian nationality – is such person object to sanctions? Also a situation with working of such individual for an EU/not EU AOC. How for example the foreign capital in such AOC could/should be proven, if needed (especially in non EU AOCs)? These issues are not clearly stated in the FAQ on EASA website. “

- If one nationality is Russian = Sanctions apply regardless of second nationality. Working for non-Russian AOC is possible.
- Ownership: If over 50% Russian owned, situation clear. If less, would need to see whether Russian entities have a „controlling stake“.
 - In practise difficult for non-EU companies and even in EU we have had cases where AOC owner was a dual national and hence subject to sanctions.

Cabin crew

„Due to sanctions we would like to know whether the applicants of Cabin Crew attestation which are not employed by an air carrier are affected by any of the sanctions stated in Reg (EU) No 833/2014? “

- Cabin crew is not “in control” of the aircraft, so not affected by the flight ban in the EU. However, EU cabin crew is not allowed to work on flights in Russia.

PPL – data exchange

„Is it possible to provide information to other States about valid PPL licence and ratings and licence verifications, e.g. in implementation of BASA? “

- Generally speaking yes. Only data exchanges with Russian authorities would be an issue.

Article 3c, Reg 833/2014

1. It shall be prohibited to sell, supply, transfer or export, directly or indirectly, goods and technology suited for use in aviation or the space industry, as listed in Annex XI, and jet fuel and fuel additives as listed in Annex XX, whether or not originating in the Union, to any natural or legal person, entity or body in Russia or for use in Russia.

...

3. It shall be prohibited to provide any one or any combination of the following activities: overhaul, repair, inspection, replacement, modification or defect rectification of an aircraft or component, with the exception of pre-flight inspection, in relation to the goods and technology listed in Annex XI, directly or indirectly, to any natural or legal person, entity or body in Russia or for use in Russia.

4. It shall be prohibited to:

- (a) provide technical assistance, brokering services or other services related to the goods and technology referred to in paragraph 1 and to the provision, manufacture, maintenance and use of those goods and technology, directly or indirectly to any natural or legal person, entity or body in Russia or for use in Russia. ...

Art 3d, Reg 833/2014

1. It shall be prohibited for any aircraft operated by Russian air carriers, including as a marketing carrier in code-sharing or blocked- space arrangements, or for any Russian registered aircraft, or for any non-Russian-registered aircraft which is owned or chartered, or otherwise controlled by any Russian natural or legal person, entity or body, to land in, take off from or overfly the territory of the Union.
2. Paragraph 1 shall not apply in the case of an emergency landing or an emergency overflight.