

# Frequently Asked Questions

## EU restrictive measures against Russia

### 1. Common issues

*Q: What is the legal basis for the EU restrictive measures against Russia?*

*A: In the aftermath of the Russian armed attack against Ukraine on 25.02.2022, the EU Council adopted different packages of sanctions against Russia. A comprehensive description of those measures can be found on the website of the EU Council <<https://www.consilium.europa.eu/en/policies/sanctions/restrictive-measures-ukraine-crisis/>>*

*With respect to aviation the following two packages are most relevant:*

*Package no. 1 consisting of: (a) Council Decision (CFSP) 2022/327, amending Council Decision 2014/512/CFSP, and (b) Council Regulation (EU) 2022/328, amending Council Regulation (EU) No 833/2014. Both amending acts were published in the OJ L 49 of 25.02.2022 and contain a comprehensive export ban on goods and technology, including in the aviation sector.*

*Package no. 2 consisting of: (a) Council Regulation (EU) 2022/334, also amending Council Regulation (EU) 833/2014, and (b) Council Decision (CFSP) 2022/335, which amends again Decision 2014/512/CFSP. These amending acts were published in the OJ L 77 of 28.02.2022 and in particular ban any Russian air carriers from flying into, over or out of the territory of the European Union.*

*In addition, Council Implementing Regulation (EU) 2022/336 amended Council Implementing Regulation (EU) 269/2014 by adding a list of 26 persons and one entity to the list of persons, entities, and bodies subject to restrictive measures which had been set out in Annex I to Regulation (EU) N° 269/2014.*

*Q: What does “technical assistance” mean?*

*A: The definition of “technical assistance” is set in Article 1(c) of Regulation (EU) No 833/2014, as amended by Regulation (EU) 2022/328, and it means any technical support related to repairs, development, manufacture, assembly, testing, maintenance, or any other technical service, and may take forms such as instruction, advice, training, transmission of working knowledge or skills or consulting services, including verbal forms of assistance.*

*Q: Do the Sanction Regulations restrict a Russian National holding a personnel licence issued in accordance with Regulation (EU) 2018/1139 to exercise the privileges of the licence inside the EU (e.g. flying an aircraft for private purposes or for an EU airline, conducting maintenance for an EU aircraft, working in an EU Part 145 organisation)?*

*A: No, provided the person is not included in the list of individuals subject to restrictive measures in accordance with Regulation (EU) N° 269/2014, as amended.*

*It is therefore necessary to make a distinction between a Russian person who holds a personnel licence and is employed by a non-sanctioned (EU or non-EU) carrier, and someone who either flies an aircraft that is subject to sanctions, or flies privately. If for example the pilot flies privately and consequently controls when and where the aircraft flies, then the sanctions apply.*

*Q: Do the sanctions apply to persons with dual nationality, i.e a person who holds both a Russian passport as well as an EU/non-EU passport?*

*A: What matters is if the person has a Russian passport, not the other passports she/he may hold. Dual nationality does not release a person from sanctions. Same applies to persons having a right of permanent residence in an EU country, if they are still Russian citizens.*

*Q: Is it allowed to execute contracts that have been concluded before the adoption of the sanctions (e.g. deliveries with EASA Form 1, Form 52)?*

*A: Yes. Article 3c(5) of Regulation (EU) No 833/2014, as amended by Regulation (EU) 2022/328 allows that, with regard to the goods listed in Annex XI, namely aircraft, spacecraft, and parts thereof, the prohibitions listed in paragraphs 1 and 4 of that article, shall not apply to the execution until 28 March 2022 of contracts concluded before 26 February 2022, or ancillary contracts necessary for the execution of such contracts. However, it is important to note that this transition period does not apply to paragraphs 2 and 3, which cover inter alia 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. Hence, even if the delivery of the goods itself might be possible until 28 March, the provision of related services (and insurance to the goods) is prohibited.*

*Furthermore, it should be noted, that many aviation products may also be impacted by the prohibition on sale and supply of dual-use goods, as foreseen in Article 2 of the Regulation (EU) No 833/2014.*

## 2. Design certificates and design organisation approvals

*Q: What actions has EASA taken concerning design certificates and design organisation approvals?*

*A: EASA suspended all type certificate, ETSO authorisations and design organisation approvals issued by EASA to organisations in Russia.*

*Q: Do the EU sanctions regulations towards Russia supersede the continued airworthiness obligations of the EU type certificate holders (TCHs) stemming from Regulation (EU) No 748/2012, hence the continued airworthiness (CAW) support to Russian operators and owners should be stopped?*

*A: Yes, the EU sanctions supersede the continued airworthiness support obligations of the EU TCHs and other design approval holders. In particular, with Article 3c (4)(a) of Regulation (EU) No 833/2014, as amended by Council Regulation (EU) 2022/328 of 25 February 2022, it is prohibited to provide technical assistance or other services related to the goods and technology suited for use in aviation or the space industry, whether or not originating in the Union, 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 the Russia or for use in Russian.*

*Q: Does the definition of “technical assistance” cover the provision of safety-related information?*

*A: Yes. The definition of “technical assistance” is set in Article 1(c) of Regulation (EU) No 833/2014, as amended by Regulation (EU) 2022/328, and it means any technical support related to repairs, development, manufacture, assembly, testing, maintenance, or any other technical service, and may take forms such as instruction, advice, training, transmission of working knowledge or skills or consulting services, including verbal forms of assistance. Thus, the definition covers also provision of safety related information. It is the operators’ responsibility not to operate an aircraft if its state of safety is uncertain.*

*Q: Am I allowed to send any type of technical information, including safety related information, to my customer in Russia, or maintain my Russian customer’s access to my dedicated IT system for such information (e.g. service bulletins, manuals)?*

*A: No, the provision of technical information is considered technical assistance under the sanctions. Please refer to the definition of “technical assistance” set in Article 1(c) of Regulation (EU) No 833/2014, as amended by Regulation (EU) 2022/328. Only information accessible to the public (e.g. EASA Safety Publications Tool - Airworthiness Directive website) remains accessible to Russian customers.*

*Q: Am I allowed to contact a Russian operator to have an exchange on occurrence reported on my product?*

*A: It is allowed to receive information on the organisation’s product. However, any further exchange with the Russian operator on the reported occurrence is considered provision of technical assistance related to the goods and technology which is forbidden by the sanctions.*

*Q: Are EU organisations permitted to answer questions received from FATA about on-going validation of modifications?*

*A: No. Providing answers to the questions would constitute technical assistance to FATA, which is prohibited by the EU sanctions.*

*Q: Will EASA issue flight condition to Russian products issued with an EASA type certificate?*

*A: No, as that is considered technical assistance prohibited by the sanctions. Please refer to the definition of “technical assistance” set in Article 1(c) of Regulation (EU) No 833/2014, as amended by Regulation (EU) 2022/328.*

### 3. Production organisations

*Q: As the holder of a Production Organisation Approval (POA) granted under EU regulation 748/2012 Annex I (regardless of my Principal Place of Business), can I release engines, propellers, parts or appliances with an EASA Form 1 to a customer in Russia, or for use in Russia?*

*A: In accordance with Article 3c (4)(a) of Regulation (EU) No 833/2014, as amended by Council Regulation (EU) 2022/328 of 25 February 2022, it is prohibited to provide technical assistance*

*or other services related to the goods and technology suited for use in aviation or the space industry, whether or not originating in the Union, 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.*

*Accordingly, holders of a POA granted under EU regulation 748/2012 Annex I (regardless of the Principal Place of Business) are forbidden to release engines, propellers, parts or appliances with an EASA Form 1 to a customer, broker, vendor, natural or legal person, entity or body known to be located in Russia or to be used in Russia.*

*Q: As the holder of a POA granted under EU regulation 748/2012 Annex I (regardless of my Principal Place of Business), can I have approved or unapproved location(s) in Russia from where I exercise my privileges granted under 21.A.163?*

*A: In accordance with Article 3c (4)(a) of Regulation (EU) No 833/2014, as amended by Council Regulation (EU) 2022/328 of 25 February 2022, it is prohibited to provide technical assistance or other services related to the goods and technology suited for use in aviation or the space industry, whether or not originating in the Union, 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 known to be used in Russia.*

*Accordingly, holders of a POA granted under EU regulation 748/2012 Annex I (regardless of their Principal Place of Business) are forbidden to exercise their privileges from an approved or unapproved location in Russia.*

*Q: As the holder of a POA granted under EU regulation 748/2012 Annex I (regardless of my Principal Place of Business), can I issue the EASA Form 52 (Aircraft Statement of Conformity) or the EASA Form 53 (Certificate of Release to Service) for an aircraft registered in Russia, owned by a Russian entity, or to be operated in Russia?*

*A: In accordance with Article 3c (4)(a) of Regulation (EU) No 833/2014, as amended by Council Regulation (EU) 2022/328 of 25 February 2022, it is prohibited to provide technical assistance or other services related to the goods and technology suited for use in aviation or the space industry, whether or not originating in the Union, 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.*

*Accordingly, holders of a POA granted under EU regulation 748/2012 Annex I (regardless of their Principal Place of Business) are forbidden to exercise their privileges on an aircraft registered in Russia, owned by a Russian natural or legal person, entity or body, or to be operated in Russia.*

*Q: As the holder of a POA granted under EU regulation 748/2012 Annex I (regardless of my Principal Place of Business), can I issue a Permit to Fly for an aircraft registered in Russia, owned by a Russian entity, or to be operated in Russia?*

*A: In accordance with Article 3c (4)(a) of Regulation (EU) No 833/2014, as amended by Council Regulation (EU) 2022/328 of 25 February 2022, it is prohibited to provide technical assistance or other services related to the goods and technology suited for use in aviation or the space industry, whether or not originating in the Union, 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.*

*Accordingly, holders of a POA granted under EU regulation 748/2012 Annex I (regardless of their Principal Place of Business) are forbidden to exercise their privileges on an aircraft registered in Russia, owned by a Russian natural or legal person, entity or body, or to be operated in Russia.*

*However, for an aircraft registered in the EU, operated within the EU airspace by an EU operator and owned by an EU entity regardless of its livery and end-customer, issuing a Permit to Fly for the purpose of completing the manufacturing cycle and/or re-allocating customer would not be forbidden by the existing EU sanctions on Russia.*

## 4. Aircraft maintenance and continuing airworthiness

*Q: What actions has EASA taken in the domain of aircraft maintenance?*

*A: EASA has suspended all Part-145 and CAMO approvals issued by EASA to organisations in Russia.*

*Q: As an organisation approved in accordance with Regulation (EU) 1321/2014, am I allowed to provide any services to Russian operated or registered aircraft.*

*A: No, according to Article 3c of Regulation (EU) No 833/2014, as amended by Regulation (EU) 2022/328 such aircraft cannot benefit from services regulated under Regulation (EU) 1321/2014.*

*Q: Is it allowed for a maintenance organisation approved by EASA or an EASA Member State under Part-145 to provide Russian operated or registered aircraft maintenance services e.g., to park aircraft for short term storage, engine preservation etc.?*

*A: No, according to Article 3(c) of Regulation (EU) No 833/2014, as amended by Regulation (EU) 2022/328, such aircraft cannot benefit from maintenance services regulated under Regulation (EU) 1321/2014. However, maintenance organisations are not prevented from, e.g. towing the aircraft to a parking position where it can be stored out of the way and from fixing any leaks etc. to avoid environmental problems, but measures to retain or improve the value or airworthiness of the aircraft are not as such allowed.*

*However, this service can be made available for aircraft owned by EU leasing companies, which are being returned from Russian operators, because at that point they are no longer operated by the Russian operator. The EU leasing company has taken control of the aircraft and may return it to a location outside Russia.*

*Q: Is it allowed for an EU maintenance organisation to perform maintenance in Russia in accordance with Regulation (EU) 1321/2014 on EU registered aircraft in order for them to meet the airworthiness requirements necessary for the return flight or in order to meet their leasing return conditions?*

*A: Yes, assuming the aircraft is not in Russian register and has been returned to the lessor's control. This is allowed because once the aircraft has been returned to the (non-Russian) lessor it is no longer chartered, leased or otherwise controlled by a Russian person.*

*Q: Is it allowed for a maintenance organisation approved by EASA under Part-145 to perform maintenance on components and provide such components to a non-EU, non-Russian operator, if this operator operates the aircraft to Russia?*

*A: Yes, if this aircraft is not being used to fly domestically in Russia, or otherwise to circumvent the sanctions (N.B. Article 12 prohibits any measures by a third party that might result in circumventing the sanctions).*

## 5. Training and licensing of maintenance personnel

*Q: What actions has EASA taken concerning training of maintenance personnel?*

*A: EASA suspended all Part-147 organisation approvals issued by EASA to organisations in Russia.*

*Q: I am an EU national and holder of a Part-66 licence. Am I allowed to work, either within or outside the EU, on Russian owned or operated aircraft?*

*A: No. The personal scope of Regulation (EU) no 833/2014 covers any person inside or outside the territory of the Union who is a national of a Member State.*

*Q: The Sukhoi Superjet type certificate is suspended by EASA. In the Member States there are Part-66 licences containing this type rating. Does the competent authority need to suspend this rating in those maintenance licences?*

*A: No. It is the maintenance activity that is prohibited by the EU sanctions, but the privilege of the Part-66 licences remains unaffected.*

## 6. Aircrew training and licensing

*Q: What actions has EASA taken in the domain of pilot licensing?*

*A: EASA has suspended all flight simulation training device (FSTD) qualification certificates issued by EASA to organisations in Russia.*

*Q: I am an EU national and holder of a pilot licence issued in accordance with Annex I (Part-FCL) to Regulation (EU) No 1178/2011. Am I allowed to fly, either within or outside the EU, a Russian owned, registered or operated aircraft?*

*A: No. The personal scope of Regulation (EU) No 833/2014 covers any person inside or outside the territory of the Union who is a national of a Member State.*

*Q: As an ATO/DTO/organisation operating FSTDs subject to Regulation (EU) No 1178/2011 and having principle place of business within the EU territory, am I allowed to provide either theoretical or practical training, in an FSTD or in an aircraft, to Russian citizens?*

*A: It is prohibited to provide technical assistance, brokering services or other services related to the aviation goods and technology 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.*

*The definition of "technical assistance" is set in Article 1(c) of Regulation (EU) No 833/2014, as amended by Regulation (EU) 2022/328, and it means any technical support related to repairs, development, manufacture, assembly, testing, maintenance, or any other technical service, and may take forms such as instruction, advice, training, transmission of working knowledge or skills or consulting services, including verbal forms of assistance.*

*Q: I am a holder of an examiner certificate issued in accordance with Annex I (Part-FCL) of Regulation (EU) No 1178/2011. Am I allowed to conduct skill tests, proficiency checks or assessments of competences to Russian license holders or to Russian nationals, who hold either a Part-FCL or other third country license (i.e. for the purpose of obtaining an EU Part-FCL licence, rating or certificate)?*

*A: Training, testing and checking could be allowed if done for the purpose of later operating a non-Russian aircraft i.e. if the student or candidate is e.g. destined to fly as an employer on an EU airline. If the intention is to fly in Russia or Russian controlled/registered aircraft, then such tests would be support to the use of banned aircraft or operators and hence prohibited. For private pilots (who presumably would be flying themselves and are Russian citizens) such examinations or checks are not allowed. Furthermore, the skill tests, proficiency checks or assessments of competence cannot take place in Russia.*

*Q: Is it allowed for Russian citizens to take theoretical knowledge examination? If it is not allowed, how to proceed with persons who have already started the examination but have not yet finished.*

*A: Training, testing and checking could be allowed if done for the purpose of later operating a non-Russian aircraft i.e. if the student or candidate is e.g. destined to fly as an employee on an EU airline. If the intention is to fly in Russia or Russian controlled/registered aircraft, then such examinations would be support to the use of banned aircraft or operators and hence prohibited. For private pilots (who presumably would be flying themselves and are Russian citizens) such examinations are not allowed. Furthermore, the examination cannot take place in Russia.*

*Q: Is it allowed to issue a Part-FCL licence on the basis of a Russian licence? Is there a difference if a person is Russian citizen or not? If not, what to do with persons who have already started the process.*

*A: Such licence issue would necessitate some training, testing and checking, including contacts with the Russian licensing authorities, which is currently not possible*

*Q: Is it allowed to issue a validation of a pilot licence to a Russian citizen, for example if the pilot flies for an EU based company? .*

*A: The same restrictions as for other training, testing and checking activities should apply here. If the person would fly as an employee of a non-sanctioned (EU) operator, then this is permitted as she/he would not be in control of the aircraft in the sense of deciding when and where it flies.*

*Q: If a training organisation subject to Regulation (EU) No 1178/2011 operates a simulator manufactured by a Russian manufacturer and simulating Russian aircraft is it affected by the sanctions?*

*A: The sanctions covered by Regulation 833/2014 do not limit import of goods from Russia, nor the support given by the Russian manufacturer to their use in the EU. If the training is provided to persons that are not subject to the sanctions (i.e. not Russian persons or intending to operate aircraft subject to the sanctions) it may continue also, provided that the FSTD operator is able to continue to maintain its qualification certificate. However, this answer is without prejudice to the possibility that one of the persons behind these companies would personally be mentioned in the list of persons who are subject to asset freezes. If that were the case, it would limit possibility to trade with these companies.*

*Q: If Ukrainian pilot wants to validate his/her licence, but getting a verification from Ukrainian CAA is limited or even impossible, what are the options for such pilot to get a Part-FCL license?*

*A: Ukrainian citizens are not subject to sanctions, so normal rules (i.e. Regulation (EU) 2020/723) apply. Under the current circumstances, it is understandable that the Ukrainian CAA may not be able to provide normal service for verifications. Therefore, Member States might consider for example using the flexibility provided by EASA Basic Regulation Article 71 to facilitate such conversions, taking also account of the possibility to mitigate any safety risks e.g. by the use of more comprehensive skill tests and interviews.*

## 7. Aircraft operations

*Q. Are aircraft registered in Russia or operated by Russian operators allowed to fly into the EU?*

*A: No, except in case of some limited exceptions. In accordance with the Sanctions Regulation it is 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, except in case of an emergency landing or emergency overflight.*



*Q. The Sanctions Regulation prohibits any non-Russian-registered aircraft which is owned or chartered, or otherwise controlled by any Russian natural to land in, take off from or overfly the territory of the Union, except in case of an emergency landing or emergency overflight. Does this prohibition cover all also natural persons with a dual nationality?*

*A: Russian natural person should be understood as any person with Russian nationality, regardless of whether that person also possess another nationality, citizenships or a permanent residency in the EU.*

*Q. If the aircraft is rented by an EU or 3rd country resident, but the flight is from Russia to the EU, is it allowed? Alternatively, if there is at least one Russian citizen who is not on the sanction list, is it allowed to approve these flights?*

*A: Such a flight is allowed only if (i) the aircraft is not operated by a Russian air carrier, (ii) the aircraft is not registered in Russia (iii) the aircraft is not owned or chartered, or otherwise controlled by any Russian natural or legal person, entity or body; and (iv) there are no persons on board the aircraft who are subject to a listing under the Sanctions Regulation.*

*If one of the passengers is Russian, but other factors remain as above, it needs to be verified if this one Russian passenger could be considered to control the flight (i.e. be the actual instigator or renter). If not, then the flight is allowed, just like any airline flight with Russian passengers amongst other passengers who have bought a ticket.*

*Q. What happens to the dry and wet leasing arrangements and code-sharing agreements between the EU AOC holders and Russian aircraft operators?*

*A: In accordance with the Sanctions Regulation aircraft operators in respect of which an EU Member State acts as the State of Operator, are prohibited to enter into wet lease, dry lease or code-sharing agreements with aircraft operators of Russia or with respect to aircraft registered in Russia. Accordingly, such leasing agreements should not be approved by National Competent Authorities in accordance with Regulation (EU) No 965/2012. In addition, any existing wet lease or dry lease approvals or code-sharing agreements with aircraft operators of Russia or with respect to aircraft registered in Russia should be revoked or terminated, as applicable*

## 8. EASA TCO authorisations

*Q: Are Third Country Operator authorisations issued by EASA to airlines from Russia still valid?*

*A: No, in application of the Sanctions Regulation EASA has suspended all TCO authorisations for operators in respect of which Russia acts as the State of the Operator..*

## 9. Operation of unmanned aircraft

*Q: Are Russian unmanned aircraft operators registered in the EU Member State allowed to operate unmanned aircraft within the EU?*

*A: No, under the sanction regulations it is prohibited for Russian unmanned aircraft operators to operate within the EU. Regulation (EU) No 833/2014 makes no distinction between manned and unmanned aircraft.*

*Q: How to conduct in a case, where a drone operator from Russia wants to conduct a drone show in MS. The application is issued by MS applicant, but every document they have provided us (including operations manual and risk assessment), indicates clearly that the actual operator is indeed Russian operator.*

*A: Under the sanction regulations it is prohibited for Russian unmanned aircraft operators to operate within the EU. If the competent authority has the grounds to believe that the actual operator is not the EU applicant but the operator from Russia, the application should be rejected.*

## 10. ATM/ANS

*Q. Are Aeronautical Database Suppliers (DAT) located in the EU permitted to continue to supply aeronautical information to customers in Russia?*

*A. As entities located in the EU, DAT providers are not allowed under the Sanctions Regulation to provide technical assistance or other services related to aviation directly or indirectly to any natural or legal person, entity or body in Russia or for use in Russia.*