European Union Aviation Safety Agency

FAQ n.136912

FAQs:

Aircraft operations — Restrictive measures Russia, EU restrictive measures against Russia

Question:

Is it allowed for Russian citizens to fly, either as pilot-in-command or co-pilot, a non-Russian-registered aircraft that performs flights under a non-Russian air operator certificate (AOC), or an aircraft whose owner is not Russian?

Answer:

Yes, such flights are allowed provided that:

1. the pilot is an employee (or similar) of an air carrier or aircraft operator; and
2. the aircraft is not operated by a Russian air carrier, not registered in Russia, and not owned or chartered(Note 2) or otherwise controlled(Note 1) by any Russian natural or legal person, entity or body.

Note 1: Except for non-scheduled flights, with regard to which a Russian natural or legal person, entity or body is in a position to effectively determine the place or time of its take-off or landing, the concept of 'control' is understood in the 'economic' or 'financial' sense and not in the 'technical' or 'operational' sense (cf. para 48 of Judgement of the General Court Case T-233/22).

Note 2: The EU aviation law does not define 'aircraft charter'. EU Member States' authorities should apply the definition of 'charter' in accordance with their national legislation and relevant international agreements.

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Link:

https://www.easa.europa.eu/en/faq/136912