European Union Aviation Safety Agency

Aircraft operations - Restrictive measures Russia

Disclaimer:
The information included in the frequently asked questions (FAQs) has been coordinated with relevant services of the EU Commission and intends to help and give guidance to national authorities, EU operators and citizens for the implementation of Council Regulation (EU) No 833/2014 and Council Regulation (EU) No 269/2014. The FAQs do not have binding effect. Under the EU Treaties, Member States are responsible for implementing EU law in their national legal system. In case of individual matters, please contact your competent authority.

Are aircraft registered in Russia or operated by Russian operators allowed to fly into the European Union?

Answer

No, except in case of some limited exceptions. In accordance with Regulation (EU) No 833/2014, 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 that is owned or chartered(2) or otherwise controlled(1) by any Russian natural or legal person, entity or body, to land in, take off from or overfly the territory of the European Union, except in case of an emergency landing or emergency overflight.

Note 1: 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'. 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/136185

Regulation (EU) No 833/2014 prohibits any non-Russian-registered aircraft that is owned or chartered or otherwise controlled by any Russian natural to land in, take off from or overfly the territory of the European Union, except in case of an emergency la

Answer

As Russian natural person should be understood any person with Russian nationality, regardless of whether that person also possesses another nationality, citizenship(s) or has permanent residency in the European Union.

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If an aircraft is chartered by an EU or third-country resident, but the flight is from Russia to the European Union, is it allowed? Alternatively, if at least one of the passengers is a Russian citizen (not subject to targeted sanctions, such as a travel

Answer

Landing in or taking off from the European Union is allowed only if:

1. the aircraft is not operated by a Russian air carrier;
2. the aircraft is not registered in Russia;
3. the aircraft is not owned or chartered(2) or otherwise controlled(1) by any Russian natural or legal person, entity or body; and
4. there are no persons on board the aircraft who are subject to a listing under the Sanctions Regulations (in particular, subject to a travel ban).

In line with Article 3d(1) of Regulation (EU) No 833/2014, 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 that 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 European Union.

Therefore, it should be noted that the Regulation does not forbid to take Russian citizens on board, however, the aircraft cannot be chartered by Russian citizens. If there are more people on board (e.g. 10 people rented the aircraft, while 2 of them are Russian citizens) it is up to the authority to make sure there is no circumvention of the prohibition.

Note 1: 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'. Member States authorities should apply the definition of 'charter' in accordance with their national legislation and relevant international agreements.

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What happens to the dry- and wet-leasing arrangements and code-sharing agreements between the EU air operator certificate (AOC) holders and Russian aircraft operators?

Answer

In line with Article 3d(1) of Regulation (EU) No 833/2014, 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 that is owned or chartered[(2)] or otherwise controlled[(1)] by any Russian natural or legal person, entity or body, to land in, take off from or overfly the territory of the European Union.

Accordingly, such leasing agreements should not be approved by National Competent Authorities (NCAs) 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. It is also prohibited under Article

3c of Regulation (EU) No 833/2014 to lease (supply) aircraft to Russian entities or for use in Russia.

Note 1: 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'. Member States authorities should apply the definition of 'charter' in accordance with their national legislation and relevant international agreements.

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My organisation is a navigational database provider established in the European Union. Am I allowed to provide updates of my product to my Russian customer?

Answer

No. Providing updates to navigational databases falls under the EU restrictive measures, according to which it is prohibited to sell, supply, transfer or export, directly or indirectly, goods and technology suited for use in aviation or the space industry (i.e. aircraft, spacecraft and parts thereof), whether or not originating in the European Union, to any natural or legal person, entity or body in Russia or for use in Russia (ref. Article 3c(1) of Regulation (EU) No 833/2014).

In addition, Article 2a of that Regulation explicitly bans the export of goods and technology which might contribute to Russia's military and technological enhancement, such as software and technology for the 'development', 'production' or 'use' of navigation, airborne communication and other avionics equipment (cf. items X.D.V.001 and X.E.V.001 of Annex VII to said Regulation).

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Link:
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As a Russian citizen, am I allowed to fly an aircraft for private

purposes in the airspace of the European Union (e.g. exercise the privileges of my PPL, SPL, BPL or national pilot license issued to fly Annex I aircraft, such as microlights, etc.)? Can I

Answer

Russian citizens, regardless of them holding another citizenship, can exercise private pilot privileges to land in, take off from or overfly the territory of the European Union in a non-Russian-registered aircraft which is NOT owned or chartered(2) or otherwise controlled(1) by any Russian natural or legal person, entity or body.

This means that Russian citizens are not prevented from renting, borrowing for free, or otherwise using aircraft of a flying club to exercise their private pilot privileges.

However, Russian citizens are prohibited to exercise private pilot privileges to pilot a Russian-registered aircraft, or a non-Russian-registered aircraft that is owned or chartered or otherwise controlled by a Russian natural or legal person, entity or body (cf. Article 3d of Regulation (EU) No 833/2014). This means, for example, that Russian citizens cannot fly their own aircraft in the EU airspace or use an aircraft of an EU company or of a third-country company that is controlled by a Russian natural or legal person.

Competent authorities will monitor such private flight activities to ensure that they are not performed in a way to circumvent the sanctions outlined in Article 3d of Regulation (EU) No 833/2014.

Note 1: 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'. 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/136911

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(2) or otherwise controlled(1) by any Russian natural or legal person, entity or body.

Note 1: 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'. Member States authorities should apply the definition of 'charter' in accordance with their national legislation and relevant international agreements.

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

Is it allowed to register and then fly an aircraft in an EU Member State when the aircraft is owned by a company incorporated in the European Union, but the owner of that company is a Russian natural person?

Answer

The Sanctions Regulations do not prevent an EU Member State from putting the aircraft on its national register, but after registration the aircraft may not be allowed to fly:

1. If the owner of the company is a Russian citizen, the aircraft is not allowed to take off, land in or overfly the European Union in accordance with Article 3d

of Regulation (EU) No 833/2014. The fact that the company is registered in an EU Member State does not change this.

2. It is not possible to provide any economic resources, which includes services, to persons subject to an asset freeze and a prohibition to make resources available under EU sanctions (e.g. Regulation (EU) No 269/2014). Hence, it would not be possible to register any aircraft owned, directly or indirectly, or otherwise controlled by ‘listed’ Russian persons.

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Link:
https://www.easa.europa.eu/en/faq/136913

Why do the restrictive measures not include a general ban on an air carrier established in the European Union (an aircraft operator certificate (AOC) holder) from operating aircraft that would fall within the scope of Article 3d(1) of Regulation (EU) No 8

Answer

The measures are designed to affect flights into/from/over the EU territory.

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