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⁽¹⁾ Text with EEA relevance

II

(Non-legislative acts)

INTERNATIONAL AGREEMENTS

COUNCIL DECISION 2014/198/CFSP

of 10 March 2014

on the signing and conclusion of the Agreement between the European Union and the United Republic of Tanzania on the conditions of transfer of suspected pirates and associated seized property from the European Union-led naval force to the United Republic of Tanzania

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 37 thereof, in conjunction with Article 218(5) and (6) of the Treaty on the Functioning of the European Union,

Having regard to the proposal from the High Representative of the Union for Foreign Affairs and Security Policy,

Whereas:

- (1) On 2 June 2008, the United Nations Security Council (UNSC) adopted Resolution 1816 (2008) calling upon all States to cooperate in determining jurisdiction, and in the investigation and prosecution of persons responsible for acts of piracy and armed robbery off the coast of Somalia. Those provisions were reaffirmed by subsequent UNSC Resolutions.
- (2) On 10 November 2008, the Council adopted Joint Action 2008/851/CFSP ⁽¹⁾ providing for a European Union military operation to contribute to the deterrence, prevention and repression of acts of piracy and armed robbery off the Somali coast ('operation "Atalanta"').
- (3) Joint Action 2008/851/CFSP provides that persons suspected of intending to commit, committing or having committed acts of piracy or armed robbery in Somali territorial waters, who are arrested and detained with a view to their prosecution, and property used to carry out such acts of piracy or armed robbery may be transferred to a third State which wishes to exercise its jurisdiction over the aforementioned persons and property, provided that the conditions for the transfer have been agreed with that third State in a manner consistent with relevant international law, notably international law on human rights, in order to guarantee in particular that no one is subjected to the death penalty, to torture or to any cruel, inhuman or degrading treatment.
- (4) Following the adoption of a Decision by the Council on 22 March 2010 authorising the opening of negotiations, the High Representative of the Union for Foreign Affairs and Security Policy in accordance with Article 37 of the Treaty on European Union negotiated an Agreement between the European Union and the United Republic of Tanzania on the conditions of transfer of suspected pirates and associated seized property from the European Union-led naval force to the United Republic of Tanzania ('the Agreement').
- (5) The Agreement should be approved,

⁽¹⁾ Council Joint Action 2008/851/CFSP of 10 November 2008 on a European Union military operation to contribute to the deterrence, prevention and repression of acts of piracy and armed robbery off the Somali coast (OJ L 301, 12.11.2008, p. 33).

HAS ADOPTED THIS DECISION:

Article 1

The Agreement between the European Union and the United Republic of Tanzania on the conditions of transfer of suspected pirates and associated seized property from the European Union-led naval force to the United Republic of Tanzania ('the Agreement') is hereby approved on behalf of the Union.

The text of the Agreement is attached to this Decision.

Article 2

The President of the Council is hereby authorised to designate the person(s) empowered to sign the Agreement in order to bind the Union.

Article 3

The President of the Council shall, on behalf of the Union, give the notification provided for in Article 11(1) of the Agreement ⁽¹⁾.

Article 4

This Decision shall enter into force on the date of its adoption.

Done at Brussels, 10 March 2014.

For the Council
The President
I. VROUTSIS

⁽¹⁾ The date of the entry into force of the Agreement will be published in the *Official Journal of the European Union* by the General Secretariat of the Council.

AGREEMENT**between the European Union and the United Republic of Tanzania on the conditions of transfer of suspected pirates and associated seized property from the European Union-led Naval Force to the United Republic of Tanzania**

THE EUROPEAN UNION, hereinafter also referred to as EU,

of the one part, and

THE UNITED REPUBLIC OF TANZANIA, hereinafter referred to as 'Tanzania',

of the other part,

Together hereinafter referred to as the 'Parties',

TAKING INTO ACCOUNT:

- United Nations (UN) Security Council Resolutions (UNSCR) 1814 (2008), 1838 (2008), 1846 (2008), 1851 (2008) and subsequent UNSCRs,
- The 1982 UN Convention on the Law of the Sea (UNCLOS), in particular Articles 100 to 107 and Article 110 thereof,
- EU Council Joint Action 2008/851/CFSP of 10 November 2008 on a European Union military operation to contribute to the deterrence, prevention and repression of acts of piracy and armed robbery off the Somali coast ⁽¹⁾ (Operation EUNAVFOR Atalanta), as subsequently amended,
- International human rights law, including the 1966 International Covenant on Civil and Political Rights, and the 1984 Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,
- that this Agreement will not affect the Parties' rights and obligations under international agreements and other instruments establishing international courts and tribunals, including the Statute of the International Criminal Court,

TAKING ALSO INTO ACCOUNT

- the regional initiatives in combating piracy such as initiatives under the African Union (AU), the East African Community (EAC), the Southern Africa Development Community (SADC), the Djibouti Code of Conduct and the Regional Maritime Security and anti-piracy Strategy adopted in Mauritius in 2010,

HAVE AGREED AS FOLLOWS:

Article 1

Aim

This Agreement defines the conditions and modalities for the transfer from EUNAVFOR to Tanzania of persons suspected of intending to commit, committing or having committed acts of piracy and detained by EUNAVFOR, and associated property seized by EUNAVFOR, and for their treatment after such transfer.

⁽¹⁾ OJ L 301, 12.11.2008, p. 33.

*Article 2***Definitions**

For the purposes of this Agreement:

- (a) 'European Union-led Naval Force (EUNAVFOR)' shall mean EU military headquarters and national contingents contributing to the EU operation 'Atalanta', their ships, aircraft and assets;
- (b) 'Operation' shall mean the preparation, establishment, execution and support of the military mission established by EU Council Joint Action 2008/851/CFSP and/or its successors;
- (c) 'national contingents' shall mean units and ships belonging to the Member States of the European Union and to other States participating in the operation;
- (d) 'Sending State' shall mean a State providing a national contingent for EUNAVFOR.
- (e) 'Piracy' shall mean piracy as defined in Article 101 of UNCLOS;
- (f) 'Transferred person' shall mean any person suspected of intending to commit, committing or having committed, acts of piracy and transferred by EUNAVFOR to Tanzania under this Agreement.

*Article 3***General principles**

1. Tanzania may accept, upon the request of EUNAVFOR, the transfer by EUNAVFOR of persons detained by EUNAVFOR in connection with piracy and associated seized property and submit such persons and property to its competent authorities for the purpose of investigation and prosecution. Agreement on acceptance of a proposed hand-over will be made on a case by case basis by Tanzania, taking into account all relevant circumstances including the location of the incident.
2. EUNAVFOR shall transfer persons only to competent law enforcement authorities of Tanzania.
3. The Parties shall treat the persons referred to in Article 1, both prior to and following transfer, humanely and in accordance with international human rights obligations, including the prohibition of torture and cruel, inhuman and degrading treatment or punishment, the prohibition of unlawful detention, and in accordance with the requirement to have a fair trial.
4. Transfers shall not be carried out before the competent law enforcement authorities of Tanzania decide, in accordance with Tanzanian internal procedures, on the basis of evidence forwarded by EUNAVFOR through relevant communication channels, that there are reasonable prospects of securing a conviction of persons detained by EUNAVFOR.

*Article 4***Treatment, prosecution and trial of transferred persons**

1. Transferred persons shall be treated humanely and shall not be subjected to torture or cruel, inhuman or degrading treatment or punishment, shall receive reasonable accommodation and nourishment and access to medical treatment, and shall be able to carry out religious observance.
2. Transferred persons shall be brought promptly before a judge or other officer authorised by law to exercise judicial power, who shall decide without delay on the lawfulness of their detention and shall order their release if the detention is not justified.
3. Transferred persons shall be entitled to trial within a reasonable time or to release.

4. In the determination of any criminal charge against them, any transferred persons shall be entitled to a fair and public hearing by a competent, independent and impartial tribunal established by law.
5. Transferred persons charged with a criminal offence shall be presumed innocent until proved guilty according to law.
6. In the determination of any criminal charge against them, transferred persons shall be entitled to the following minimum guarantees, in full equality:
 - (a) to be informed promptly and in detail in a language which they understand of the nature and cause of the charge against them;
 - (b) to have adequate time and facilities for the preparation of their defence and to communicate with counsel of their own choice;
 - (c) to be tried without undue delay;
 - (d) to be tried in their presence, and to defend themselves in person or through legal assistance of their own choice; to be informed, if they do not have legal assistance, of this right; and to have legal assistance assigned to them, in any case where the interests of justice so require, and without payment by them in any such case if they do not have sufficient means to pay for it;
 - (e) to examine, or have examined, all evidence against them, including affidavits of witnesses who conducted the arrest, and to obtain the attendance and examination of witnesses on their behalf under the same conditions as witnesses against them;
 - (f) to have the free assistance of an interpreter if they cannot understand or speak the language used in court;
 - (g) not to be compelled to testify against themselves or to confess guilt.
7. Transferred persons convicted of a crime shall have the right to their conviction and sentence being reviewed by or appealed to a higher tribunal in accordance with the laws of Tanzania.
8. Tanzania may, after consultation with the EU, transfer such persons convicted and serving their sentences in Tanzania to a third State which complies with human rights standards, with a view to serving their sentences in that third State. In case of serious concerns about the human rights situation in that third State, no transfer shall take place before a satisfactory solution is found through consultations between the Parties to address the concerns expressed.

Article 5

Penalty

No transferred person shall be tried for an offence which has a maximum punishment that is more severe than imprisonment for life.

Article 6

Records and notifications

1. Any transfer shall be the subject of an appropriate document signed by a representative of EUNAVFOR and a representative of the competent law enforcement authorities of Tanzania.
2. EUNAVFOR shall provide detention records to Tanzania with regard to transferred persons. These records shall include the physical condition of transferred persons while in detention, the time of transfer to Tanzania, the reason for their detention, the time and place of the commencement of their detention, and any decisions taken with regard to their detention.

3. Tanzania shall be responsible for keeping an accurate account of all transferred persons, including but not limited to keeping records of any seized property, the persons' physical condition, the location of their places of detention, any charges against them and any significant decisions taken in the course of their prosecution and trial.
4. Those records shall be available to representatives of the EU and EUNAVFOR in accordance with Tanzanian laws and regulations upon request in writing to the Ministry of Foreign Affairs of Tanzania.
5. In addition, Tanzania shall notify EUNAVFOR of the place of detention of persons transferred under this Agreement, of any deterioration of their physical condition and of any allegations of improper treatment. Representatives of the EU and EUNAVFOR shall have access to persons transferred under this Agreement as long as such persons are in custody, subject to the applicable laws, and shall be entitled to question them.
6. National and international humanitarian agencies shall, at their request, be allowed to visit persons transferred under this Agreement.
7. For the purposes of ensuring that EUNAVFOR is able to provide timely assistance to Tanzania with attendance of witnesses from EUNAVFOR and the provision of relevant evidence, Tanzania shall notify EUNAVFOR of its intention to initiate criminal trial proceedings against transferred persons and the timetable for provision of evidence, and the hearing of evidence.

Article 7

EU and EUNAVFOR obligation to facilitate investigation and prosecution

1. EU and EUNAVFOR, within their means and capabilities, shall provide all assistance to Tanzania with a view to investigating and prosecuting of transferred persons.
2. In particular, EU and EUNAVFOR shall:
 - (a) hand over detention records drawn up pursuant to Article 6(2) of this Agreement;
 - (b) process any evidence in accordance with the requirements of the Tanzanian competent authorities as agreed in the implementing arrangements described in Article 10;
 - (c) endeavour to produce witness statements or affidavits by EUNAVFOR personnel involved in any incident in relation to which persons have been transferred under this Agreement;
 - (d) hand over all relevant seized property in the possession of EUNAVFOR;
 - (e) preserve or hand over all relevant seized property, exhibits, photographs and any article of evidential value in the possession of EUNAVFOR;
 - (f) secure the attendance of witnesses belonging to EUNAVFOR for the purpose of giving evidence in court (or by TV link or any other approved technological means) during the trial;
 - (g) facilitate the attendance of such interpreters as may be required by the Tanzanian competent authorities for the purpose of assisting in investigations and trials involving transferred persons.

Article 8

Relationship to other rights of transferred persons

Nothing in this Agreement is intended to derogate, or may be construed as derogating, from any rights that transferred persons may have under applicable domestic or international law.

*Article 9***Liaison and disputes**

1. All issues arising in connection with the application of this Agreement shall be examined jointly by Tanzania and the EU competent authorities.
2. Failing any prior settlement, disputes concerning the interpretation or application of this Agreement shall be settled exclusively by diplomatic means between Tanzania and EU representatives.

*Article 10***Implementing arrangements**

1. For the purposes of the application of this Agreement, operational, administrative and technical matters may be the subject of implementing arrangements to be concluded between the competent Tanzanian authorities on the one hand and the competent EU authorities, as well as the competent authorities of the Sending States, on the other hand.
2. Implementing arrangements may cover, inter alia:
 - (a) the identification of competent law enforcement authorities of Tanzania to whom EUNAVFOR may transfer persons;
 - (b) the detention facilities where transferred persons will be held;
 - (c) the handling of documents, including those related to the gathering of evidence, which will be handed over to the competent law enforcement authorities of Tanzania upon transfer of persons;
 - (d) points of contact for notifications and modalities for alert from EUNAVFOR to the Tanzanian competent authorities;
 - (e) forms to be used for transfers;
 - (f) provision of technical support, expertise, training and other assistance in repatriation, custody, determination of nationality, legal representation and issues related to liabilities upon request of Tanzania in order to achieve the objectives of this Agreement.

*Article 11***Entry into force and termination**

1. This Agreement shall be provisionally applied as from the date it is signed and shall enter into force after each of the Parties has notified the other Party that it has completed its internal procedure for the ratification of this Agreement.
2. Either Party may, by written notification, terminate this Agreement. In such case, the termination shall take effect three months after the date of receipt of the notification.
3. This Agreement may be amended by written agreement between the Parties.
4. Termination of this Agreement shall not affect any rights or obligations arising out of its execution before such termination, including the rights of transferred persons as long as they are held in custody or are prosecuted in Tanzania.

5. After the termination of this Agreement, all rights of the EU under this Agreement may be exercised by any person designated by the EU High Representative for Foreign Affairs and Security Policy. After the termination of the Agreement, all notifications that were to be made to EUNAVFOR under this Agreement shall be made to the EU High Representative for Foreign Affairs and Security Policy.

Done at Brussels, on the first day of April in the year two thousand and fourteen in two originals, each in the English language.

For the European Union

Catherine M. M.

For the United Republic of Tanzania



REGULATIONS

COMMISSION IMPLEMENTING REGULATION (EU) No 365/2014

of 7 April 2014

amending Annex I to Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff ⁽¹⁾, and in particular Article 9(1)(a) thereof,

Whereas:

- (1) Regulation (EEC) No 2658/87 established a nomenclature of goods, hereinafter referred to as the Combined Nomenclature, which is set out in Annex I to that Regulation.
- (2) In the interest of legal certainty, it is necessary to clarify the scope of the Combined Nomenclature as regards subheadings 0408 11 and 0408 19, which cover 'egg yolks'.
- (3) The expression 'otherwise preserved' in the terms of heading 0408 should, for the purposes of subheadings 0408 11 and 0408 19, cover the use of limited amounts of salt or chemicals for preservation purposes as long as the salt or chemicals do not affect the character of those products. Salt or chemicals should not be used at a level higher than is necessary to achieve the preservation of the products having regard to commonly used production methods for products of subheadings 0408 11 and 0408 19. In principle, an amount of salt of up to 12 % by weight or minor amounts of other preservation agents do not change the character of egg yolks and can be accepted under subheadings 0408 11 and 0408 19.
- (4) A new Additional note should therefore be added in Chapter 4 of Part Two of the Combined Nomenclature to ensure its uniform interpretation throughout the Union.
- (5) Annex I to Regulation (EEC) No 2658/87 should therefore be amended accordingly.
- (6) The measures provided for in this Regulation are in accordance with the opinion of the Customs Code Committee,

HAS ADOPTED THIS REGULATION:

Article 1

In Chapter 4 of Part Two of the Combined Nomenclature set out in Annex I to Regulation (EEC) No 2658/87 the following Additional note 2 is added:

'2. For the purposes of subheadings 0408 11 and 0408 19 the following applies:

The expression "otherwise preserved" also applies to egg yolks with limited amounts of salt (in general, an amount of up to around 12 % by weight) or minor amounts of chemicals added for preservation purposes provided that both of the following conditions are fulfilled:

- (i) the products retain the character of egg yolks of subheadings 0408 11 and 0408 19;
- (ii) salt or chemicals may not be used at a level higher than is necessary for purposes of preservation.'

⁽¹⁾ OJ L 256, 7.9.1987, p. 1.

Article 2

This Regulation shall enter into force on the twentieth 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, 7 April 2014.

*For the Commission,
On behalf of the President,
Algirdas ŠEMETA
Member of the Commission*

COMMISSION IMPLEMENTING REGULATION (EU) No 366/2014**of 7 April 2014****amending Annex I to Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff ⁽¹⁾, and in particular Article 9(1)(a) thereof,

Whereas:

- (1) Regulation (EEC) No 2658/87 established a nomenclature of goods, hereinafter referred to as the 'Combined Nomenclature' or 'CN', which is set out in Annex I to that Regulation.
- (2) In the interest of legal certainty, it is necessary to clarify the scope of subheading 1302 20, Chapter 17 and heading 2101 of Part Two of the Combined Nomenclature as regards mixtures of sugar of Chapter 17 with small amounts of other substances.
- (3) As pectic substances of subheading 1302 20 can be standardised by the addition of sugar in order to ensure a constant activity in the use, it is necessary to determine the maximum amount of sugar which can be added if the product is to retain its character as a pectic substance. A mixture consisting of 90 % sugar and 10 % pectic substances does not have the character of sugar and should be classified in Chapter 13. However, products containing more than 90 % of sugar have the character of sugar and should therefore be classified in Chapter 17. Consequently, a new Additional note to Chapter 13 is needed to reflect that fact.
- (4) It is also necessary to include a corresponding new Additional note to Chapter 17 to ensure that mixtures of sugar with small amounts of other substances remain classified in that Chapter in so far as the mixture has retained the character of sugar.
- (5) With regard to preparations with the basis of coffee, tea or maté or extracts, essences and concentrates thereof with a high sugar content, the Court of Justice of the European Union ruled that Commission Regulation (EC) No 306/2001 ⁽²⁾, which classified two products consisting of mainly 90,1 % sugar and 2,5 % tea extract and 58,1 % sugar (94 % calculated on the dry matter) and 2,2 % tea, respectively, under CN code 2101 20 92, is applicable by analogy to two mixtures intended for the production of beverages with a basis of tea, both composed of 64 % granulated sugar (about 97 % calculated on the dry matter) and 1,9 % extract of tea and water ⁽³⁾.
- (6) However, in preparations with a basis of coffee, tea or maté or extracts, essences and concentrates thereof with a sugar content of 97 % or more, calculated on the dry matter, the character of the product is no longer determined by coffee, tea or maté or extracts, essences and concentrates thereof. Those preparations should be excluded from classification under heading 2101. A new Additional note to Chapter 21 is therefore needed to clarify the classification of those products.
- (7) In order to ensure uniform interpretation of the Combined Nomenclature throughout the Union with regard to mixtures of sugar with small amounts of other substances, new Additional notes to Chapters 13, 17 and 21 should be created.

⁽¹⁾ OJ L 256, 7.9.1987, p. 1.

⁽²⁾ Commission Regulation (EC) No 306/2001 of 12 February 2001 concerning the classification of certain goods in the Combined Nomenclature (OJ L 44, 15.2.2001, p. 25).

⁽³⁾ Judgment of 4 March 2004 in Case C-130/02, Krings (ECR 2004, p. I-2121).

- (8) Annex I to Regulation (EEC) No 2658/87 should therefore be amended accordingly.
- (9) The measures provided for in this Regulation are in accordance with the opinion of the Customs Code Committee,

HAS ADOPTED THIS REGULATION:

Article 1

Part Two of the Combined Nomenclature set out in Annex I to Regulation (EEC) No 2658/87 is amended as follows:

(1) In Chapter 13 the following Additional note 1 is inserted:

‘1. Mixtures of pectic substances and sugar with a sugar content exceeding 90 % by weight, calculated on the dry matter, are excluded from classification under subheading 1302 20 and are in principle to be classified in Chapter 17, as the character of the product is deemed to be determined by the sugar.’;

(2) In Chapter 17 the following Additional note 8 is added:

‘8. Throughout the Combined Nomenclature, mixtures of sugar with small amounts of other substances are classified in Chapter 17 unless they have the character of a preparation classified elsewhere.’;

(3) In Chapter 21 the following Additional note 6 is added:

‘6. Preparations with a basis of coffee, tea or maté or extracts, essences and concentrates thereof with a sugar content of 97 % or more by weight, calculated on the dry matter, are excluded from classification under heading 2101 and are in principle to be classified in Chapter 17. The character of those products is no longer deemed to be determined by coffee, tea or maté or extracts, essences and concentrates thereof.’.

Article 2

This Regulation shall enter into force on the twentieth 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, 7 April 2014.

For the Commission
On behalf of the President
Algirdas ŠEMETA
Member of the Commission

COMMISSION IMPLEMENTING REGULATION (EU) No 367/2014
of 10 April 2014
setting the net balance available for EAGF expenditure

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) No 1306/2013 of the European Parliament and of the Council of 17 December 2013 on the financing, management and monitoring of the common agricultural policy and repealing Council Regulations (EEC) No 352/78, (EC) No 165/94, (EC) No 2799/98, (EC) No 814/2000, (EC) No 1290/2005 and (EC) No 485/2008 ⁽¹⁾, and in particular Article 16(2) thereof,

Whereas:

- (1) In accordance with Article 16(1) of Regulation (EU) No 1306/2013 the annual ceiling for the European Agricultural Guarantee Fund (EAGF) expenditure shall be constituted by the maximum amounts set for it under Council Regulation (EU, Euratom) No 1311/2013 ⁽²⁾, Annex I, sub-ceiling for Market related expenditure and direct payments.
- (2) Article 10c(2) of Council Regulation (EC) No 73/2009 ⁽³⁾ provides that the amounts resulting from voluntary adjustment referred to in Article 10b(5) of that Regulation and from the application of Article 136 of that Regulation are to be made available to the European Agricultural Fund for Rural Development (EAFRD) for financial year 2014.
- (3) Commission Implementing Decision 2013/146/EU ⁽⁴⁾ fixes the amount resulting from the application of voluntary adjustment in the United Kingdom for the calendar year 2013. This amount should be made available for the EAFRD in the year 2014.
- (4) Article 136 of Regulation (EC) No 73/2009 provides that Member States were allowed to decide, by 1 August 2009, to transfer, from the financial year 2011, an amount calculated in accordance with Article 69(7) of that Regulation to Union support under rural development programming and financing under the EAFRD instead of having recourse to Article 69(6)(a) of that Regulation. The amounts available for transfer have been calculated and fixed in Annex III to Commission Regulation (EC) No 1120/2009 ⁽⁵⁾.
- (5) Article 136b of Regulation (EC) No 73/2009, as inserted by Regulation (EU) No 1310/2013 of the European Parliament and of the Council ⁽⁶⁾, provides that Member States that, in accordance with Article 136 of Regulation (EC) No 73/2009, have decided to make an amount available from the financial year 2011 for Union support under rural development programming and financing under the EAFRD, are to continue to make the amounts of Annex VIIIa to that Regulation, as inserted by Regulation (EU) No 1310/2013, available for rural development programming and financing under the EAFRD for financial year 2015.

⁽¹⁾ OJ L 347, 20.12.2013, p. 549.

⁽²⁾ Council Regulation (EU, Euratom) No 1311/2013 of 2 December 2013 laying down the multiannual financial framework for the years 2014-2020 (OJ L 347, 20.12.2013, p. 884).

⁽³⁾ Council Regulation (EC) No 73/2009 of 19 January 2009 establishing common rules for direct support schemes for farmers under the common agricultural policy and establishing certain support schemes for farmers, amending Regulations (EC) No 1290/2005, (EC) No 247/2006, (EC) No 378/2007 and repealing Regulation (EC) No 1782/2003 (OJ L 30, 31.1.2009, p. 16).

⁽⁴⁾ Commission Implementing Decision 2013/146/EU of 20 March 2013 fixing the amount resulting from the application of voluntary adjustment in the United Kingdom for the calendar year 2013 (OJ L 82, 22.3.2013, p. 58).

⁽⁵⁾ Commission Regulation (EC) No 1120/2009 of 29 October 2009 laying down detailed rules for the implementation of the single payment scheme provided for in Title III of Council Regulation (EC) No 73/2009 establishing common rules for direct support schemes for farmers under the common agricultural policy and establishing certain support schemes for farmers (OJ L 316, 2.12.2009, p. 1).

⁽⁶⁾ Regulation (EU) No 1310/2013 of the European Parliament and of the Council of 17 December 2013 laying down certain transitional provisions on support for rural development by the European Agricultural Fund for Rural Development (EAFRD), amending Regulation (EU) No 1305/2013 of the European Parliament and of the Council as regards resources and their distribution in respect of the year 2014 and amending Council Regulation (EC) No 73/2009 and Regulations (EU) No 1307/2013, (EU) No 1306/2013 and (EU) No 1308/2013 of the European Parliament and of the Council as regards their application in the year 2014 (OJ L 347, 20.12.2013, p. 865).

- (6) Therefore, the amounts set out in Annex VIIIa to Regulation (EC) No 73/2009 for Germany and Sweden shall be made available for rural development programming and financing under the EAFRD for financial year 2015.
- (7) Article 66(1) of Regulation (EU) No 1307/2013 of the European Parliament and of the Council ⁽¹⁾ provides that, for Member States having applied the first subparagraph of Article 4(1) of Council Regulation (EC) No 637/2008 ⁽²⁾, the relevant annual budget available pursuant to Article 5(1) of that Regulation is to be transferred with effect from 1 January 2014 to the EAFRD. Greece has applied the first subparagraph of Article 4(1) of Regulation (EC) No 637/2008.
- (8) It is therefore appropriate to fix the net balance to be made available for EAGF expenditure for the budget years 2014 to 2020. For the sake of clarity, the amounts to be made available to EAFRD should also be published,

HAS ADOPTED THIS REGULATION:

Article 1

The net balance available for European Agricultural Guarantee Fund (EAGF) expenditure, as well as the amounts available for the budget years 2014 to 2020 for the European Agricultural Fund for Rural Development (EAFRD) pursuant to Articles 10c(2), 136 and 136b of Regulation (EC) No 73/2009 and to Article 66(1) of Regulation (EU) No 1307/2013, are set out in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the seventh 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, 10 April 2014.

For the Commission

The President

José Manuel BARROSO

⁽¹⁾ Regulation (EU) No 1307/2013 of the European Parliament and of the Council of 17 December 2013 establishing rules for direct payments to farmers under support schemes within the framework of the common agricultural policy and repealing Council Regulation (EC) No 637/2008 and Council Regulation (EC) No 73/2009 (OJ L 347, 20.12.2013, p. 608).

⁽²⁾ Council Regulation (EC) No 637/2008 of 23 June 2008 amending Regulation (EC) No 1782/2003 and establishing national restructuring programmes for the cotton sector (OJ L 178, 5.7.2008, p. 1).

ANNEX

(EUR million)

Budget year	Amounts made available to EAFRD				Net balance available for EAGF expenditure
	Article 10b of Regulation (EC) No 73/2009	Article 136 of Regulation (EC) No 73/2009	Article 136b of Regulation (EC) No 73/2009	Article 66 of Regulation (EU) No 1307/2013	
2014	296,3	51,6	51,6	4,0	43 778,1
2015				4,0	44 312,4
2016				4,0	44 624,0
2017				4,0	44 859,0
2018				4,0	44 885,0
2019				4,0	44 912,0
2020				4,0	44 937,0

COMMISSION IMPLEMENTING REGULATION (EU) No 368/2014**of 10 April 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 ⁽²⁾,

Whereas:

- (1) Commission Regulation (EC) No 474/2006 ⁽³⁾ 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 the Community list. Relevant information was also communicated by 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 to the air carriers concerned the opportunity to consult documents provided by 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 (the 'Air Safety Committee') ⁽⁴⁾.
- (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 ⁽⁵⁾, with competent authorities and air carriers of the states of Georgia, the Republic of Guinea, India, Indonesia, Kazakhstan, Lebanon, Madagascar, the Islamic Republic of Mauritania, Mozambique, Nepal, Philippines, Sudan, the Kingdom of Swaziland, Yemen and Zambia. The Air Safety Committee also received information from the Commission on Afghanistan, Iran and Kirgizstan. The Air Safety Committee also received from the Commission updates about technical consultations with the Russian Federation and concerning the monitoring of Libya.
- (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 prioritize ramp inspections on air carriers

⁽¹⁾ OJ L 344, 27.12.2005, p. 15.

⁽²⁾ OJ L 143, 30.4.2004 p. 76.

⁽³⁾ 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).

⁽⁴⁾ 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).

⁽⁵⁾ 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).

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 consultations undertaken by the Commission under Regulation (EC) No 2111/2005, the prioritization of ramp inspections will allow the acquisition of further information regarding the safety performance of the air carriers licensed in those states.

- (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 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 ICAO on its ongoing work in relation to the monitoring of the safety performance of its member states, including through ICAO's USOAP programme, demonstrating also the information technology tools which have been developed in this framework. Referring to Assembly Resolution A38-5 ('Regional cooperation and assistance to resolve safety deficiencies, establishing priorities and setting measurable targets'), ICAO called upon the Air Safety Committee to avoid, where possible, duplication of the activities under Regulation (EC) No 2111/2005 and ICAO's USOAP programme, and encouraged continued collaboration, which could eventually lead to a review of the mandate of the Air Safety Committee.
- (10) The Air Safety Committee has also heard a presentation by Eurocontrol providing an update on the status of the SAFA alarming function. In addition to the statistics for alert messages for banned carriers, Eurocontrol focussed on the importance of a correctly filed flight plan in relation to the SAFA alert. Initial actions have been taken to improve the quality of flight plan filing. Aiming at continuous improvement of the notification and alarming function, further steps are under preparation in close cooperation with the Commission.

Union air carriers

- (11) Following the analysis by EASA of information resulting from SAFA ramp checks 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. With regard to the air carrier *Bingo Airways*, Poland informed that it is checking the actual implementation by the air carrier of its corrective action plan, and that it has increased inspections. With regard to the air carrier *Sonnig*, Switzerland informed that a revocation procedure had been initiated against *Sonnig*, following which the air carrier renounced its Air Operator's Certificate (AOC) and its operating license.
- (12) 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 Georgia

- (13) As a result of findings identified during the ICAO Comprehensive System Audit (CSA) of Georgia in October 2013, ICAO notified to all Contracting States to the Chicago Convention one SSC related to Aircraft Operations.

⁽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).

- (14) Having regard to this notification, the Commission entered into formal consultations with the competent authorities of Georgia (GCAA) to seek details of what actions they had taken to address the safety deficiencies identified by the ICAO audit.
- (15) To that end, a meeting took place on 17 March 2014 between GCAA, the Commission and EASA. GCAA explained the root-cause of the SSC as well as the details of the Corrective Actions Plan (CAP) submitted to ICAO. The information submitted during the meeting showed the strong commitment of GCAA to implement and enforce the relevant safety standards in accordance with the requirements of the Chicago Convention. GCAA declared during the meeting that all actions which were part of the corrective action plan submitted to ICAO were completed and that they were now waiting for a verification mission to be conducted by ICAO later this year.
- (16) On the basis of the information provided by GCAA, 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 CAP developed by GCAA.
- (17) In accordance with the common criteria set out in the Annex to Regulation (EC) No 2111/2005 and in view of the actions taken by the GCAA, it is 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. However, should the results of the close monitoring of the implementation by GCAA of the corrective actions plan, on which the Commission will report at the next meeting of the Air Safety Committee, be considered unsatisfactory, the Commission would be forced to take further action in accordance with Regulation (EC) No 2111/2005.

Air carriers from the Republic of Guinea

- (18) 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 (CAP), approved by ICAO in December 2012, as well as all the activities linked to it.
- (19) The latest progress report, received on 27 February 2014, details the most recent activities and developments regarding the implementation of the CAP. The revised Civil Aviation Act has been adopted by the Parliament on 5 November 2013 and entered into force on 28 November 2013. A number of draft implementing acts have been transmitted to the government for adoption. A joint ICAO/World Bank mission (2 to 6 December 2013) was conducted to assess the implementation of the CAP and to identify the remaining needs in terms of safety and security. The translation into French of the manuals of procedures for OPS, AIR and AGA is ongoing and should also help raising the safety levels. A number of specific training actions for inspectors have taken place in the areas of resolution of safety concerns, approval of AOC's operational specifications and air navigation services.
- (20) The CAP has been updated to reflect these latest developments and submitted to ICAO, using the online CMA tool. Validation of these actions by ICAO is pending.
- (21) All previously existing air operator's certificates having been suspended at the end of March 2013, full ICAO-compliant (5-phase) certification of a national air carrier (*PROBIZ Guinée*, with 1 aircraft of type BE90) is still ongoing, with the help and support of a specific CAFAC/BAGASOO mission and simultaneous on-the-job training of DNAC's inspectors on the whole process. The certification process is currently awaiting the approval of the maintenance programme by the FAA which is the authority of the state of registration of the aircraft. *PROBIZ Guinée* does not operate to the Union.
- (22) DNAC had requested an ICVM in order to validate the progress in the implementation of the CAP and ICAO was planning to conduct it in May 2014. Recent senior management changes at the Ministry of Transport have caused a delay and the ICVM is tentatively planned for the second half of September 2014.
- (23) It is therefore assessed, in accordance with the common criteria set out in the Annex to Regulation (EC) No 2111/2005, 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. 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 would be forced to take action in accordance with Regulation (EC) No 2111/2005.

Air carriers from India

- (24) The Commission provided the Air Safety Committee with details of recent developments in regard to the oversight of air carriers certified in India by its competent authorities. Of direct relevance is the fact that as a result of the United States Federal Aviation Administration's (FAA) International Aviation Safety Assessment (IASA) visit of September 2013, the FAA on 31 January 2014 announced a downgrade of India's compliance category from Level 1 to 2 as a result of deficiencies identified in the IASA audit.
- (25) Previously, in November 2013, the Commission had provided the Air Safety Committee with details in respect to the ability of the competent authorities of India to carry out their oversight obligations in accordance with international standards including that of the Chicago convention. Specific reference was made to the ICAO Coordinated Validation Mission (ICVM) of December 2012 and the follow up ICVM of August 2013. In addition, reference was made to correspondence the Commission had previously sent to the Indian authorities with reference to safety concerns. Following the August 2013 ICVM, ICAO formally closed the two Significant Safety Concerns, which was reported to the November 2013 Air Safety Committee. The final published report of the ICVM provides details of the corrective actions taken by the Indian Directorate General of Civil Aviation (DGCA) to resolve the outstanding issues.
- (26) Following the announcement by the FAA to downgrade India's IASA compliance category, the Commission on 12 February 2014 met the Director General of Civil Aviation and expressed its concerns with regard to the downgrading. The Commission requested the Indian authorities to explain clearly the corrective actions they were undertaking in relation to the FAA IASA downgrade. In addition, the meeting was used to reiterate the measures which could need to be taken under the auspices of Regulation (EC) No 2111/2005.
- (27) As a follow up to the earlier meeting of 12 February 2014, the Director General of Civil Aviation wrote to the Commission on 17 February 2014. This letter included detail of the actions the DGCA had taken in respect to the downgrade. The information provided included that actions had been taken in relation to the majority of findings and that there was a corrective action plan for the outstanding areas of concern.
- (28) The Commission wrote on 6 March 2014 informing the Indian DGCA that it was instigating 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. The letter reiterated the need for continued engagement and requested a technical meeting to allow the Commission and Member States to evaluate matters further. On 18 March 2014, the DGCA replied, indicating its agreement to such a meeting.
- (29) In view of the preparedness of the DGCA to engage with the Commission and the assessment of the information received so far, it was assessed, in accordance with the common criteria, that at this stage the Community list of air carriers should not be amended to include air carriers from India. The situation will be monitored closely and should any relevant safety information indicate that international safety standards are not being adhered to, the Commission would be forced to take action in accordance with the provisions of Regulation (EC) No 2111/2005.
- (30) Member States will 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

- (31) Consultations with the competent authorities of Indonesia (DGCA) continue with the aim of monitoring the progress of the DGCA in ensuring that the safety oversight of all air carriers certified in Indonesia is in compliance with international safety standards.
- (32) The Commission wrote to DGCA on 14 January 2014 to obtain updated information regarding air carriers under its oversight. In a letter dated 10 February 2014, DGCA informed the Commission that three new air carriers had been certified since the last update: AOC No 121-028 had been issued to *Sky Aviation* on 25 October 2013, AOC No 121-043 had been issued to *Aviastar Mandiri* on 1 November 2013 and AOC No 121-058 had been issued to *NAM Air* on 29 November 2013. However, since DGCA did not provide the evidence that the safety oversight of these air carriers is ensured in compliance with international safety standards, in accordance with the common criteria, it is considered that these air carriers should be included in Annex A.

- (33) In 2012, DGCA initiated correspondence with the Commission with the aim of having *PT. Citilink Indonesia* removed from Annex A, as was done with its parent company *Garuda Indonesia*. In response to the reply from the Commission, the request was followed up with correspondence first from *Garuda Indonesia* and in 2013 from *PT. Citilink Indonesia*. Following the submission to the Commission by *PT. Citilink Indonesia* of substantial documentation relating to the certification of the air carrier, a technical meeting was held in Brussels on 5 November 2013. This meeting was attended by the Commission, EASA and Member States. At the end of this meeting, *PT. Citilink Indonesia* was requested to provide further evidence of the oversight activities performed by DGCA on *PT. Citilink Indonesia*. This information was forwarded by *PT. Citilink Indonesia* on 20 February 2014.
- (34) In the letter of 10 February 2014, DGCA provided the Commission information in relation to their request to lift the operating ban on *PT. Citilink Indonesia*. In this letter, DGCA submitted data on *PT. Citilink Indonesia's* resources and capabilities, safety records as well as evidence of the safety oversight activities on the carrier performed by the DGCA. On the basis of this documentation, DGCA stated that in its opinion *PT. Citilink Indonesia* operates safely and in accordance with international safety standards.
- (35) On 25 March 2014, the Air Safety Committee heard a presentation by DGCA consisting of an update with regard to legislation and oversight as well as information on the oversight of *PT. Citilink Indonesia*. The presentation by DGCA was followed by a presentation by *PT. Citilink Indonesia* which included fleet expansion plans and issues relating to recruitment of pilots as well as safety management topics.
- (36) The Air Safety Committee asked questions both to DGCA and to *PT. Citilink Indonesia* related to safety management, including on the risks and hazards identified by the air carrier. Based on the responses given, the Air Safety Committee expressed concerns relating to the way the authorities, *PT. Citilink Indonesia* and the other air carriers certified in Indonesia control the risks associated with the high expansion rates of those companies. The Air Safety Committee also voiced concerns with regard to the ability of *PT. Citilink Indonesia* to draw conclusions from information collected by its safety management system and to act upon it.
- (37) In view of the information provided and the concerns expressed with regard to the ability of the DGCA and *PT. Citilink Indonesia* to control risks associated with the growth of the carrier, as well as the concerns relating to the ability of the carrier to manage safety, in accordance with the common criteria, the Air Safety Committee did not find sufficient evidence that *PT. Citilink Indonesia* fully complies with international safety standards and therefore concluded that this carrier cannot be removed from Annex A at this time.
- (38) The Commission and the Air Safety Committee acknowledge the efforts of the DGCA to reach an aviation system fully compliant with ICAO standards. The necessary transparency shown by the DGCA as well as the willingness to share information was well noted.
- (39) The Commission and the Air Safety Committee encourage the DGCA to pay specific attention to remaining challenges that exist in the further development of safety management systems and in an appropriate strategy to mitigate the risks of the rapid expansion of the aviation sector in Indonesia.

Air carriers from Kazakhstan

- (40) At the meeting of the Air Safety Committee of November 2013, it was agreed that the Commission would prepare a review of the current limitations on the operations of *Air Astana* for the next meeting of the Committee.
- (41) The Commission, assisted by EASA and Member States, met with government officials from Kazakhstan and with representatives of the air carrier *Air Astana* on 20 January 2014.
- (42) As a result of this meeting a safety inspector from the aviation authority of Kazakhstan, the Civil Aviation Commission (CAC), was specifically assigned to *Air Astana*. His name and CV were notified to the Commission. This inspector is to manage the authority's oversight of the operator and maintain frequent contact with the operator's management and its operational and technical personnel in order to assess the functioning of its organisation and the performance of its staff during the conduct of operations, maintenance and training. Any deficiencies noted by the inspector are to be immediately brought to the attention of the operator. The inspector is to send to the Commission (either directly or via a focal point) reports of his observations at least twice a year, two months before each meeting of the Air Safety Committee or, in addition if requested by the Commission. As a result of this meeting, also a focal point within CAC was nominated to facilitate the communication on safety matters

between this authority and the Commission. In addition, at the same meeting, the management of *Air Astana* agreed to continue informing the Commission, as per current practice, on all safety related developments within the company, including (but not limited to) fleet renewal and new routes to the EU.

- (43) On 7 February 2014, the Commission and EASA held a second meeting with representatives of CAC (in particular the safety inspector and the focal point) and with representatives of *Air Astana* to further discuss technical issues on the basis of the preliminary answers provided by the Kazakh side to the Commission's questionnaires. On this occasion, it was agreed that CAC would submit its inspection plan for 2014, the internal inspector's procedures and an updated status of air operator certificates issued in the country. CAC also committed to align *Air Astana's* operations specifications with ICAO standards, in particular the low visibility minima. *Air Astana* was asked to provide a comprehensive analysis of the operator's SAFA performance. All of the requested documentation was provided to the Commission soon after the meeting.
- (44) On 25 March 2014, the Air Safety Committee heard CAC and *Air Astana*. During the hearing, CAC provided details on the progress in the field of aviation legislation, infrastructure, CAC organization and training of safety inspectors. *Air Astana* updated the Air Safety Committee on its corporate structure, fleet composition, short-term plans for market development and safety management system.
- (45) The Air Safety Committee noted that *Air Astana's* current safety performance does not cause concerns with regard to the aircraft types it is allowed to operate to the Union. The air carrier is able to adapt to changes and there is a system allowing for safe flights. However, the Air Safety Committee noted that the Kazakh aviation authorities continue to face serious challenges in the implementation of the State's safety oversight system, including with regard to shortage of qualified inspectors, and cannot at this stage ensure a continued oversight in the area of flight operations and airworthiness. The Kazakh authorities' are strongly encouraged to continue reforming their aviation sector, and to pursue compliance with international safety standards.
- (46) In accordance with the common criteria, it is therefore assessed that the limit on the level of operations imposed on *Air Astana* in 2009 can be removed, while the other restrictions as provided for in Annex B shall remain unchanged. On the basis of the common criteria, it is assessed that all other air carriers certified in Kazakhstan shall remain in Annex A.
- (47) The Commission and EASA shall continue to closely monitor the safety situation of all air carriers certified in Kazakhstan, including *Air Astana*. Member States' competent authorities shall 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 Lebanon

- (48) Consultations with the competent authorities of Lebanon (LCAA) continued 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. LCAA has created a Corrective Action Plan and is in the process of carrying out these actions, particularly in relation to the SSC.
- (49) In November 2013, the Commission and EASA received a first set of documentation from LCAA containing the correspondence between LCAA and ICAO related to the SSC in question, the list of audits and inspections carried out in 2013 in the context of the SSC, the oversight audit plan of LCAA for air carriers for 2014, and LCAA roadmap related to Lebanon's State Safety Programme (SSP). The Commission and EASA analysed the documentation received and requested additional information from LCAA in order to further analyse the correspondence between LCAA and ICAO on the SSC, the oversight capability of LCAA and further details concerning LCAA roadmap related to the SSP.
- (50) With regard to the correspondence between LCAA and ICAO on the resolution of the SSC, the Commission and EASA noted that ICAO prompted LCAA to take immediate action concerning the SSC, and that the validation by ICAO of the proposed CAP by LCAA was not proceeding expeditiously.
- (51) With regard to the additional documentation requested in order to assess the oversight capability of LCAA, documentation was received and analysed concerning the air carriers *TMA*, *Open Sky*, *Wings of Lebanon*, *Executive Aircraft Services*, *MED Airways*, *Corporate Jet* and *IBEX Air Charter*. The findings raised by LCAA towards these air carriers mainly relate to problems with documentation and record-keeping. However, other specific technical areas, such as pilot training, seem not to have been fully evaluated by LCAA.

- (52) With regard to LCAA roadmap for the SSP, LCAA has presented, within the framework of the Mediterranean Aviation Safety Cell (MASC) project, a plan to adopt a regulatory roadmap in the following six months, which includes the introduction of a SSP. The Commission and EASA expressed their commitment to closely monitor the adoption and implementation of the roadmap and inform the Air Safety Committee accordingly.
- (53) Further consultations were held between the Commission, Member States, EASA and LCAA, including through a technical meeting convened in Brussels on 27 February 2014, during which LCAA provided additional information. LCAA showed improvements in their oversight on their air carriers and is gradually working towards a more independent and sustainable organisation. The first steps in the implementation of the SSP have been taken. LCAA appeared to make good use of the technical assistance it has been receiving from the Union as well as from Member States and is looking for ways to verify the corrective actions that have been taken so far.
- (54) Based on the situation as described in recitals 48 to 53, consultations with the Lebanese authorities are to continue in accordance with Article 3(2) of Regulation (EC) No 473/2006.
- (55) 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 Lebanon. 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 would be forced to take further action in accordance with Regulation (EC) No 2111/2005.

Air carriers from Libya

- (56) Consultations with the competent authorities of Libya (LYCAA) continue with the aim of confirming that Libya is progressing in its work to reform its civil aviation safety system, and in particular in ensuring that the safety oversight of all air carriers certified in Libya is in compliance with international safety standards.
- (57) Within the framework of the EUROMED program, a team of consultants visited Libya from 2 to 7 February 2014 with the objective of reporting back to the Commission their observations of the factual situation within LYCAA as well as the air carriers *Afriqiyah Airways* and *Libyan Airlines*. The main observations were: the LYCAA appeared well resourced with staff and adequate offices, but work processes were inefficient; both primary and secondary aviation safety legislation was very weak and safety regulations were not issued; safety management was not implemented at the level of the competent authority; LYCAA appeared to depend on the support of external consultants to improve its ability to deliver acceptable results in the short term without any evidence of sustainability due to limited effects on capacity building; it was unclear if all air carriers were being subject to certification and oversight; *Libyan Airlines* had been recertified in December 2013; and finally, the consultants felt that there was evidence of adequate safety management with the organisation.
- (58) On 4 March 2014, a meeting took place between the Commission, EASA, Member States, a representative from LYCAA and a team from the air carrier *Afriqiyah Airways*. In this meeting, *Afriqiyah Airways* presented further progress with regard to the safety recommendations stemming from the accident report after the fatal accident on 12 May 2010. Several initiatives have been undertaken, but some are still in very early stages. The air carrier explained that it had entered into a contract with an Irish AOC holder in order to move two of its Airbus A320 aircraft to Irish registry on a dry lease arrangement and then wet lease the aircraft back partly using crew from *Afriqiyah Airways* which would pursue the appropriate licence validations to fly under Union law.
- (59) On 13 March 2014, a meeting took place between the Commission, EASA, Member States, representatives from LYCAA and *Libyan Airlines*. In this meeting, LYCAA presented an update on its oversight capabilities, its oversight activities as well as its activities in relation to recertification of air carriers. In addition, LYCAA presented its progress with regard to safety management. On this basis, at the end of the meeting LYCAA again argued in favour of lifting the restrictions as, in its opinion, all agreed conditions were now fulfilled. *Libyan Airlines* did not make a presentation, but was asked questions about safety management. The responses given, in the Commission's view, suggest that this area needs to be developed further.
- (60) In a letter to the Commission dated 20 March 2014, LYCAA summarized again its actions to build an authority in accordance with international safety standards as well as actions taken to enable the termination of the restrictions it currently imposes on Libyan air carriers in agreement with the Commission and the Air Safety Committee.

- (61) However, in the same letter dated 20 March 2014, LYCAA confirms that it will not act on its own with regard to the current operating restrictions and that 'any action will be coordinated with the Air Safety Committee'.
- (62) The Commission and the Air Safety Committee are encouraged by the progress achieved by LYCAA and stated that further development must be built on the foundation that has been established by its current leadership.
- (63) The Commission and the Air Safety Committee noted that LYCAA continues to uphold the current restrictions it imposes at the request of the Commission and the Air Safety Committee on all Libyan air carriers to fly within the Union.
- (64) 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 Libya. However, the Commission and the Air Safety Committee stated that before the LYCAA considers issuing an authorisation to its carriers to fly to the Union, it should be demonstrated to the satisfaction of the Commission and the Air Safety Committee that the recertification process has been effectively completed and that there is sustainable continued oversight in accordance with ICAO standards. In order to receive such demonstration, and on the condition of the provision of adequate security arrangements, the Air Safety Committee asked the Commission to launch an on-site assessment visit to Libya with a team of experts from EASA and EU Member States as soon as possible, preferably before the next meeting of the Committee.
- (65) 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 would be forced to take further action in accordance with Regulation (EC) No 2111/2005.

Air carriers from Madagascar

- (66) The air carrier *Air Madagascar* is subject to operational restrictions and is listed in Annex B pursuant to Commission Implementing Regulation (EU) No 390/2011 ⁽¹⁾. Consultations with the competent authorities of Madagascar (ACM) and *Air Madagascar* have since been pursued with a view to getting updates on progress made in the implementation of corrective actions.
- (67) In response to repeated requests by ACM and the air carrier *Air Madagascar* to reassess the operational restrictions imposed by Implementing Regulation (EU) No 390/2011, the Commission, assisted by EASA and experts from Member States, carried out a safety assessment visit to Madagascar between 10 and 13 February 2014. The purpose of the visit was to verify the satisfactory implementation of the measures undertaken by ACM and *Air Madagascar* to address the safety concerns described in the aforementioned Regulation.
- (68) During the visit, ACM could not provide the assessment team with evidence of the effectiveness of the corrective and preventive action plan, as developed and implemented, to address the lack of adequate safety oversight of the operations of *Air Madagascar*. The team noticed that for the oversight programme of the activities of *Air Madagascar* adopted for 2013, only 60 % of scheduled inspections had been carried out in the combined areas operations and licencing, and less than 25 % in the airworthiness area. The analysis of the inspections performed by ACM also revealed that findings were closed on the basis of corrective action plans and not on the basis of a verification of the implemented action.
- (69) The lack of appropriate qualified resources was pointed out by ACM as the major root-cause for the failure to correctly implement an appropriate oversight programme. This point had already been discussed during the Air Safety Committee of November 2012. At that time, as described in Commission Implementing Regulation (EU) No 1146/2012 ⁽²⁾, ACM informed the Air Safety Committee that they had entered into a two-year contract to obtain external technical assistance to support their safety oversight obligations. The team noticed during the visit that this contract was suspended 6 months after the entry into force of the contract.

⁽¹⁾ Commission Implementing Regulation (EU) No 390/2011 of 19 April 2011 amending Regulation (EC) No 474/2006 establishing the Community list of air carriers which are subject to an operating ban within the Community (OJ L 104, 20.4.2011, p. 10).

⁽²⁾ Commission Implementing Regulation (EU) No 1146/2012 of 3 December 2012 amending Regulation (EC) No 474/2006 establishing the Community list of air carriers which are subject to an operating ban within the Community (OJ L 333, 5.12.2012, p. 7).

- (70) The implementation of the corrective and preventive action plan developed by *Air Madagascar* in response to the operational restrictions imposed by Implementing Regulation (EU) No 390/2011, was assessed by the team when it visited the air carrier. The team received evidence of improvements made by the air carrier in the management systems of aircraft airworthiness, documentation and quality control. Those management systems were identified by the air carrier as the most deficient as revealed by the root-cause analysis of the results of the SAFA programme.
- (71) The assessment conducted by the team did not reveal any major findings in the operations and licencing areas, while some concerns were raised in the field of airworthiness, showing that improvements were still required in the processes put in place by the air carrier. In addition, the number and the nature of the recommendations that the team had to make to *Air Madagascar* highlighted the dependence of the air carrier on the results of oversight activities by third parties for the continuous improvement of its safety systems.
- (72) In order to address the findings raised during the EU safety assessment visit, ACM and *Air Madagascar* developed two different corrective and prevention actions plans.
- (73) Following the request made by ACM and *Air Madagascar* for the reassessment of the operating restrictions imposed by Implementing Regulation (EU) No 390/2011, ACM and *Air Madagascar* were heard by the Air Safety Committee on 26 March 2014. On this occasion, ACM and *Air Madagascar* provided details of the corrective action plan set up to address the observations made during the on-site visit. ACM also declared that the flight operations of all the air carriers certified in Madagascar — with the exception of *Air Madagascar* — are restricted to domestic flights. In addition, the only derogation to this rule is for medical evacuation flights. The Commission and the Air Safety Committee underlined that the Commission should be kept informed of any change to this policy.
- (74) While the Air Safety Committee acknowledged the improvements achieved by ACM and *Air Madagascar* in the implementation of international safety standards, it had to conclude, on the basis of the report of the EU safety assessment visit and the information presented by ACM and *Air Madagascar* during the hearing before the Air Safety Committee, that further improvements were still needed, especially by ACM with regard to its oversight activities. Therefore, in accordance with the common criteria set out in the Annex to Regulation (EC) No 2111/2005, it is assessed that *Air Madagascar* should remain in Annex B.
- (75) Member States will verify the effective compliance with relevant safety standards through the prioritisation of ramp inspections to be carried out on aircraft of the air carrier *Air Madagascar* pursuant to Regulation (EU) No 965/2012.

Air carriers from the Islamic Republic of Mauritania

- (76) Pursuant to Regulation (EU) No 965/2012, Member States have verified the effective compliance with relevant safety standards through ramp inspections carried out on aircraft of air carriers licensed in Mauritania. EASA's most recent SAFA analysis shows that eleven inspections were carried out on three aircraft of air operator *Mauritania Airlines International* (MAI). Although the analysis of the gaps identified during these SAFA inspections shows a slight improvement, EASA recommended the participating states to continue to focus inspections on this operator. The most recent inspections underline an irregular trend with a number of findings, including in category 3 (SAFA level of finding that may have a major influence on safety).
- (77) The Commission and EASA had requested additional information, in particular regular safety reports, from the national authorities of Mauritania (ANAC) and from MAI with regard to safety follow-up. MAI has finally sent preliminary information on the implementation and operation of its safety management system.
- (78) The Air Safety Committee noted that ANAC and MAI should continue improving the situation, notably with regard to the transmission of safety information to the Commission. The Commission indicated that it will reiterate to Mauritania the importance of the commitments it took in relation to its corrective action plan, the necessity to carry out root cause analysis, and the need to transmit the regular reports that ANAC as well as MAI must provide.
- (79) In accordance with the common criteria, 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 Islamic Republic of Mauritania. Should the results of the future SAFA ramp inspections or any other relevant safety information indicate a degradation of safety standards below an acceptable level, the Commission would be forced to consider taking 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, received by the Commission and EASA during a teleconference on 26 February 2014, and substantiated with the submission of a number of supporting documents on 13 March 2014, indicates that IACM has continued to work on the update of the legal framework reinforcing the requirements for mandatory and voluntary occurrence reporting, accident and incident investigation, intercept of aircraft and the establishment of a state safety programme. The separation between the regulator and service providers is underway, with the transfer of aeronautical information activities from IACM to the existing Air Navigation Services Provider (ANSP) Aeroportos de Moçambique currently taking place. The recruitment and training of staff continues, in order to further reinforce the oversight capacity, mainly in the areas of operations and licencing, navigation and aerodromes, airworthiness, rulemaking and enforcement, air transport agreements, air traffic management and communications, navigation and surveillance. The revalidation of the licences of all Air Traffic Services staff is underway and will be concluded by June 2014. The aerodrome certification process for Maputo airport will start in 2014 and will be followed by that of a further three airports serving international traffic. The certification of the ANSP will be initiated in September 2014 and will be based on updated regulations to be in place at the end of March 2014.
- (81) IACM has continued to address the open USOAP findings in terms of the associated protocol questions and most of the required regulations and procedures to support the replies have been produced and uploaded, through the use of ICAO's CMA online tool. The validation of these actions by ICAO is pending.
- (82) IACM's budget for 2014 has been increased by almost 20 %, reflecting the continued political support and the commitment to strengthening its capability and effectiveness.
- (83) The air operator *Linhas Aéreas de Moçambique (LAM)* suffered a crash on 29 November 2013. One of the operator's Embraer ERJ-190, performing a flight from Maputo to Luanda, crashed in Namibia, killing all on board (28 passengers — including 6 EU nationals — and 6 crewmembers). Namibia's Accident Investigation Commission released the preliminary accident investigation report on 9 January 2014 and its preliminary conclusions point towards intentional action by the captain. The final accident investigation report is expected by the end of 2014.
- (84) IACM also reported that the air carrier *LAM* has continued to pursue the implementation of the advanced phases, mostly phase III, of their Safety Management System (SMS). As a first reaction to the crash, *LAM* has reinforced the operational procedures in order to ensure that there are two members of the crew in the flight deck at all times and during all phases of flight.
- (85) IACM has requested an ICAO ICVM in order to validate the progress in the implementation of its CAP, which is currently scheduled for the autumn of 2014.
- (86) IACM also reported that it has continued the recertification process of air carriers in full compliance with ICAO SARPS and, so far, 13 air carriers (*LAM-Linhas Aéreas de Moçambique S.A.*, *MEX-Moçambique Expresso SARL*, *ETA-Empresa de Transportes Aéreos Lda*, *CPY-Cropsprayers*, *CFM-Trabalhos e Transportes Aéreos Lda*, *KAY-Kaya Airlines Lda*, *SAM-Solenta Aviation Mozambique SA*, *HCP-Helicópteros Capital Lda*, *SAF-Safari Air Lda*, *CRA-CR Aviation Lda*, *COA-Coastal Aviation*, *TTA-Trabalhos e Transportes Aéreos Lda* and *OHI-Omni Helicópteros International Lda*) have been recertified in accordance with the list provided by IACM. Since IACM was not able to provide evidence that the safety oversight of these 13 air carriers is ensured in compliance with international safety standards, in accordance with the common criteria, it is assessed that they should all be included in Annex A.
- (87) Due to inadequate progress in their recertification process, IACM has suspended the AOCs of three air carriers (*Emilio Air Charter Lda*, *Aero-Serviços SARL* and *Unique Air Charter Lda*) and grounded their respective fleets. Since a suspension is not definitive, and as IACM was not able to provide evidence that the safety oversight of these three air carriers is ensured in compliance with international safety standards, in accordance with the common criteria, it is assessed that they should all be included in Annex A.
- (88) The Commission and the Air Safety Committee welcomed the significant progress reported by IACM in the rectification of the deficiencies identified by ICAO and encouraged their efforts towards completing their work of establishing an aviation system fully compliant with international standards. The Commission and the Air Safety

Committee also acknowledged and welcomed the sustained improvements reported by LAM in their continued effort to adopt and adhere to international safety standards. Recognising the significant progress already achieved, and the further progress expected it is estimated that an EU safety assessment mission might take place in the fourth quarter of 2014.

Air carriers from Nepal

- (89) Following the adoption of Commission Implementing Regulation (EU) No 1264/2013 ⁽¹⁾, all air carriers certified in Nepal were included in Annex A to Commission Regulation (EC) No 474/2006.
- (90) The Commission, assisted by experts from EASA and Member States, carried out an assessment visit to Nepal between 3 and 8 February 2014 to further assess the capabilities of the competent authority of Nepal (CAAN) and of a number of Nepalese air carriers, with a view to determining whether any alleviations of the operating ban would be possible. The assessments included the air carriers *Nepal Airlines Corporation*, *Buddha Air*, *Shree Airlines*, *Tara Air*, *Yeti Airlines* and *Sita Air*.
- (91) The Commission presented the report from the assessment visit to the Air Safety Committee. The main conclusions with regard to the assessment of the air carriers was that *Buddha Air*, *Shree Airlines*, *Tara Air* and *Yeti Airlines* could show a good understanding of safety management issues and provided evidence which suggested compliance with national safety regulations, whereas *Sita Air* was unable to demonstrate its ability to conduct a safe operation or demonstrate complete continuing airworthiness of the aircraft operated. In addition, the operator had failed to fully implement all safety recommendations from a fatal accident in 2012 in that it was not using a simulator for any part of its training.
- (92) With regard to *Nepal Airlines Corporation*, the Air Safety Committee noted that, whilst the basic framework for safety management was in place, the operator needed to establish more effective methods of safety promotion, improved reporting, better analysis and challenge itself with safety performance targets to achieve and quantify the 'Acceptable Level of Safety' promised in its safety policy. The Air Safety Committee also noted the ambitious expansion plans of Nepal Airlines Corporation, which included adding three new types of aircraft to its fleet in one year and stated that such plans need to be properly managed to contain the safety risks.
- (93) In addition, a fatal accident involving an aircraft from *Nepal Airlines Corporation* occurred on 16 February 2014, killing all 18 persons on board including a citizen of the Union. The Commission wrote to CAAN on 3 March 2014 and asked for information on the accident as well as information on the actions taken by CAAN to prevent similar accidents in the future. CAAN responded in a letter dated of 18 March 2014, explaining the actions it had taken. However, the information was not deemed adequate in that it did not enable the Commission to assess if the actions taken by CAAN were appropriate in relation to the seriousness of the accident.
- (94) With regard to CAAN, the assessment revealed serious deficiencies in particular in the areas of personnel licensing and training, certification of air carriers as well as oversight in the area of air operations.
- (95) In the area of pilot licencing and training, it was established that the competent authorities did not follow the ICAO Annex 1 requirements, in particular with regard to approval of training organisations, theoretical knowledge, validation of foreign licences and flight simulation training devices. It could therefore not be assured that pilots were sufficiently qualified for their duties in accordance with applicable ICAO standards.
- (96) Due to these deficiencies, it could not be assured that the assessed air carriers which were relying on the certification and licencing by CAAN were in compliance with the relevant ICAO standards.
- (97) ICAO conducted an ICVM in July 2013, which resulted in a SSC related to aircraft operations. The actions set out in the initial Corrective Action Plan submitted by CAAN to ICAO to correct the deficiencies noted in the SSC were not completed within the stipulated time, and the SSC remained in place. The Commission and the Air Safety Committee also noted that, according to ICAO there was still a significant lack of implementation affecting the country's capability in the areas of primary aviation legislation and civil aviation regulations, civil aviation organisation and personnel licensing and training.

⁽¹⁾ Commission Implementing Regulation (EU) No 1264/2013 of 3 December 2013 amending Regulation (EC) No 474/2006 establishing the Community list of air carriers which are subject to an operating ban within the Community (OJ L 326, 6.12.2013, p. 7).

- (98) The Commission and the Air Safety Committee acknowledged that some progress had been made by the CAAN since the ICAO audit in 2009 and the ICAO ICVM in 2013 by the introduction of amendments to the Aviation Act as well as new and revised requirements, handbooks and procedures. Still, many of these changes were incomplete and also remained to be implemented in a sustainable way.
- (99) The Commission and the Air Safety Committee acknowledged the difficulties faced by CAAN to make sustainable progress and encouraged the provision of technical assistance by the Union and by Member States. The Commission reiterated its commitment to assess the possibilities for expanding the already existing technical cooperation programme between CAAN and EASA.
- (100) In view of the report from the EU on-site assessment visit, the unresolved ICAO SSC and the fact that another fatal accident occurred since the last update, the Commission and the Air Safety Committee concluded, that the competent authorities of Nepal are unable to sufficiently implement and enforce the relevant international safety standards to a level which could support the alleviation to the operating ban for one or more air carriers.
- (101) On the basis of the common criteria, 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 Nepal.

Air carriers from the Philippines

- (102) The Commission invited representatives of the Civil Aviation Authority of the Philippines (CAAP) and air carrier *Cebu Pacific Air* to a technical meeting held on 28 January 2014 to discuss in more detail the safety actions and other relevant factors in relation to the runway excursion accident that occurred at Davao International Airport on 2 June 2013.
- (103) The Commission, experts from EASA and from Member States, as well as senior representatives from CAAP and *Cebu Pacific Air*, attended this meeting.
- (104) CAAP provided details of the regulatory oversight given to *Cebu Pacific Air*. This included the fact that on 20 June 2013 the 'Oversight and Regulatory Board' of CAAP wrote to the chief executive officer of *Cebu Pacific Air* with details of CAAP corrective actions in light of the accident. The actions included that the accountable executives and station managers of *Cebu Pacific Air* were to conduct a reassessment with emphasis on the operation, safety management system and corporate culture. CAAP also reported that it was to conduct a random sampling of flight crew capabilities during unusual situations in the flight simulator. From an organisational perspective, the air carrier was encouraged to adapt its policy on aircraft turn around time from 30 to 45 minutes.
- (105) *Cebu Pacific Air* responded to the letter of 20 June 2013 on 4 October 2013 by providing a summary of the actions it had already undertaken. These actions included a revised organisational structure of the carrier, SMS training for all personnel, the establishment of Safety Action Groups (SAG) in all departments with respect to operations management and the conduct of random simulator assessment at the air carrier's training centre between 3 and 19 July 2013. It provided specific details on training changes, including to the Line Orientated Flight Training (LOFT) programme, and on the fact that crews would undergo enhanced simulator training alternating between LOFT and proficiency checks. It also responded to the organisational recommendation with respect to aircraft turn-around time, stating that it would be changed to 45 minutes on the winter 2013 schedule.
- (106) In addition, CAAP wrote to all Philippine air carriers on 2 August 2013 with regard to the safety investigation being conducted on Airbus 319/320 aircraft, citing the need for proactive action, including details of non-precision approach and go-around training that air carriers should complete. *Cebu Pacific Air* responded on 4 October 2013, setting out the changes it had implemented in this regard.
- (107) Furthermore, the Office of the Aircraft Accident Investigation and Inquiry Board (AAIIB) of the Philippines instigated an enquiry into the *Cebu Pacific Air* 2 June 2013 runway excursion accident at Davao. On 13 December 2013, the officer-in-charge of the investigation informed the director of safety at *Cebu Pacific Air* that the investigation was ongoing, whilst also attaching data portions of the 'Draft Final Report' (DFR) as well as details available of conclusions and recommendations directed at both CAAP and *Cebu Pacific Air*.

- (108) CAAP has implemented a heightened surveillance programme of *Cebu Pacific Air*. The minimum required annual inspection programme (MRAI) had been increased from a figure of 34 scheduled oversight inspections for 2013 to a total of 62.
- (109) With respect to the accident that occurred on 2 June 2013, *Cebu Pacific Air* provided a summary of actions taken. The actions included responses to CAAP during the course of its investigation and details with regard to the control and supervision of the operation. Additional actions cited included details of flight data analysis (FDA) and its air carrier's runway excursion mitigation programme. The programme has been divided into immediate, medium term and long term actions, a key component being the details provided of an Airbus support programme. With regard to this support programme, an extended operational visit has been made, which included FDA, as well as flight and simulator observations.
- (110) *Cebu Pacific Air* and CAAP also provided details of an ongoing Area Navigation (RNAV) approach upgrade programme and the infrastructure and technical changes that have already been made. It was understood that the medium term plan is to replace much of the existing ground based non-precision approach aids, as a component of the overall mitigation package.
- (111) CAAP also provided some detail on the introduction of the Airbus A330 into *Cebu Pacific Air* service, indicating that the air carrier as a component of the associated AOC variation was mandated to conduct 100 hours route proving in Asia on a non-commercial air transport basis, before being allowed to operate revenue operations. *Cebu Pacific* has not been issued with an extended range twin operations ETOPS approval by CAAP pending further assessment and the gaining of operational experience.
- (112) At the technical meeting on 28 January 2014, on the basis of detailed questioning, information was provided on recent incident history specific to *Cebu Pacific Air*. Two of the incidents discussed included an excursion by an ATR aircraft at Davao on 2 June 2013 and at Manila by an Airbus 319 aircraft on 13 June 2013. In both instances the aircraft returned to the runway after the deviation. In its presentation, CAAP also gave a summary of accidents and incidents with regard to air carriers certified in the Philippines for the period 2010-13.
- (113) *Cebu Pacific Air* also provided its current fleet details as well as fleet and routes expansion plans.
- (114) During the meeting on 28 January 2014, both CAAP and *Cebu Pacific Air* also gave an update on their responses with respect to the observations raised during the EU on-site verification visit that took place between 3 and 7 June 2013.
- (115) On 26 March 2014, CAAP and *Cebu Pacific Air* were heard by the Air Safety Committee. CAAP provided details of Safety Management System (SMS) oversight awareness training given to its inspectors. In addition, CAAP reported to the Committee that there had been information technology (IT) procurement in regard to its oversight and surveillance systems. CAAP provided an overview in relation to the status of the Philippine's State Safety Programme (SSP). With regard to its oversight of *Cebu Pacific Air*, as a follow up to the 28 January 2014 technical meeting, CAAP emphasised that there is a heightened surveillance programme in place.
- (116) At the Air Safety Committee hearing on 26 March 2014, *Cebu Pacific Air* provided details of its current organisational structure and it reported that as of January 2014 it was operating 50 aircraft including 3 Airbus A330's. The air carrier provided an extract of its Hazard Identification and Risk log including details of the mitigation measures it had taken, and its safety objectives and targets for 2014. *Cebu Pacific Air* reported to the Air Safety Committee that the air carrier's FDA retrieval rate was at 94 %. The air carrier provided an overview of its safety assessment and management system, as well as a detailed analysis it had conducted of its go-around and non-stabilised approach data. The air carrier also provided detail in respect to the reporting culture prevalent in *Cebu Pacific Air*, including the fact that a confidential reporting system exists. In addition, *Cebu Pacific Air* provided details on its current Crew Resource Management (CRM) programme. *Cebu Pacific Air* gave details to the Air Safety Committee on the air carrier's pilot-in-command experience level requirements for both its long and short haul Airbus fleets.
- (117) The Air Safety Committee noted that *Philippine Airlines* had resumed services to the Union on 4 November 2013, following its removal from Annex A to Commission Regulation (EC) No 474/2006 in July 2013. Since the resumption of services to the Union, Safety Assessment of Foreign Aircraft (SAFA) ramp inspection reports do not indicate adverse trends that would be a cause for concern.

- (118) In view of the evidence provided with regard to CAAP oversight of *Cebu Pacific Air* and the ability of *Cebu Pacific Air* to comply with relevant aviation safety regulations, as well as the statements given by the authority and the air carrier at the hearing before the Air Safety Committee, in accordance with the common criteria, it was assessed that *Cebu Pacific Air* should be exempted from the operating ban on all air carriers registered in the Philippines, and should be removed from Annex A to Commission Regulation (EC) No 474/2006.
- (119) Member States have agreed to verify effective compliance by *Philippine Airlines* and *Cebu Pacific Air* with relevant safety standards, through the prioritisation of ramp inspections pursuant to Regulation (EU) No 965/2012. Should the results of such checks, or any other relevant safety information, indicate that international safety standards are not being met, the Commission would be forced to take action in accordance with Regulation (EC) No 2111/2005.

Air carriers from the Russian Federation

- (120) 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 to the Union, including through prioritisation of the ramp inspections to be carried out on Russian air carriers in accordance with Regulation (EU) No 965/2012.
- (121) In order to confirm that findings resulting from SAFA inspections are being adequately addressed, the Commission, assisted by EASA and the Member States, met on 10 March 2014 with the Russian Federal Air Transport Agency (FATA). Representatives of the air carrier *Kogalymavia* were also invited to the meeting in order to report which corrective measures this air carrier had undertaken to improve flight safety since the previous consultations in November 2013.
- (122) During the meeting, FATA pointed out that the latest results from SAFA ramp inspections on Russian air carriers that operate to the Union gave no reason for concern, but indicated that, in cases of major or repetitive findings, it intervened with unscheduled inspections and closely controlled the elimination of findings. FATA further informed that following a comprehensive audit of the Tatarstan regional office and of all carriers under the surveillance of this office, the air operator certificates of *Tulpar Airlines* and *Tatarstan Airlines* had been revoked, due to major deficiencies in their safety management. With regard to *Kogalymavia*, FATA indicated that the air carrier had been subjected to several unscheduled inspections for the last four months, triggered by its high SAFA ratio in 2013. According to FATA, to date the air carrier has closed all previous findings and is able to operate domestic and international flights under the conditions of its AOC.
- (123) During the meeting, *Kogalymavia* made a presentation about ongoing corrective action. The air carrier reported that its SAFA performance improved as the ratio lowered to 3,49, and that important structural and technical changes had been introduced, such as: the launch of a major plan for refurbishment of cabin interior; the subcontracting of all continuous airworthiness management organisation activities to an EASA approved organisation; the reorganisation of its spare parts supply chain; the establishment of a Maintenance Control Centre (MCC); the replacement of the majority of the Maintenance Department personnel and the appointment of a new chief engineer with appropriate experience.
- (124) Based on information received during these consultations, 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. FATA was asked to put several air carriers with a high SAFA ratio under increased monitoring and to inform the Commission accordingly. With regard to *Kogalymavia*, the Commission indicated that, despite the improvements that were noted, the sustainability of the measures taken by the operator remained to be validated, as well as the efficiency of its safety management.
- (125) Therefore, in accordance with the common criteria, it was 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. However, 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 would be forced to take action in accordance with Regulation (EC) No 2111/2005.

- (126) The safety performance of air carriers certified in the Russian Federation that operate to the Union shall continue to be subject to a close monitoring. Should the results of ramp inspections or any other relevant safety information indicate that international safety standards are not being met, the Commission would be forced to take action in accordance with Regulation (EC) No 2111/2005.

Air carriers from Sudan

- (127) The Commission informed the Air Safety Committee on its participation in the aviation event that was organized by the Sudan Civil Aviation Authority (SCAA) on 5 and 6 December 2013 in Khartoum. This participation enabled the Commission to observe that the SCAA has been restructured and that it has political support to further invest in safety. This support was publicly stated by the Sudanese minister responsible for civil aviation in front of the local aviation community and representatives of ICAO.
- (128) The Sudanese authorities have made clear progress towards becoming a credible authority, in particular thanks to an increased budget that has enabled SCAA to hire specialised staff and to adequately train its staff.
- (129) These improvements have to take root in the air carriers that hold a Sudanese AOC. Two of them, *Sudan Airways* and *Nova Airways*, have upgraded their standards and have had their procedures audited.
- (130) The Commission and the Air Safety Committee welcomed these ongoing efforts. A Union on-site verification mission could be envisaged when the SCAA considers that its air carriers have developed robust procedures in line with international standards.
- (131) 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 the Kingdom of Swaziland

- (132) Following the USOAP audit of 2007, the civil aviation authorities of Swaziland (SWACAA) have requested a new country code from ICAO and deleted all previously existing registrations from their registry. SWACAA also revoked all previously issued AOCs and, as a result, there are currently no valid AOCs in the country.
- (133) Since the new Director General has taken office in December 2009, SWACAA demonstrated a clear commitment to address the 2007 ICAO USOAP findings. SWACAA has obtained a new ICAO country code (3DC) for aircraft registration.
- (134) A wide reform of the whole oversight function has been initiated and significant developments have already been achieved, with a reformulation of the legal framework completed, a separation between regulator and airport service provider underway and various partnerships with neighbouring countries signed and in force.
- (135) On 21 January 2014, the Commission invited SWACAA to a technical consultation meeting in Brussels on 27 January 2014. Having initially accepted the invitation, SWACAA later declined, requesting more time to further consolidate their preparation.
- (136) EASA carried out a technical assistance mission between 10 and 14 March 2014. The mission concentrated on providing assistance to SWACAA in bolstering their ongoing capacity building effort and supplying additional guidance on how best to address the open actions of the ICAO USOAP audit. While not an audit, the EASA technical assistance mission has identified a significant number of important improvements.
- (137) On 26 March 2014, SWACAA appeared before the Air Safety Committee. SWACAA made clear that they are currently engaged in the implementation of the revised CAP agreed with ICAO in May 2013. Under this CAP, and helped by strong political support and commitment as well as reinforced financing, a major effort has been allocated to appropriate staff recruitment and training. SWACAA has also benefitted from the support of an ICAO Technical Cooperation Bureau (TCB) project dedicated to providing training, legal and organisational support and capacity enhancement of the oversight function. The ICAO experts working in this project currently

estimate the Lack of Effective Implementation (LEI) at 40 %, with a target of 35 % at the end of the project (end June 2014). In a further effort to ensure sustainability beyond the end of the project, Swaziland will host from July 2014 onwards the SADC (Southern African Development Community) Aviation Safety Organisation (SASO). They also indicated that SWACAA do not recognise any aircraft with the old ICAO country code (3D) for aircraft registration as falling under their oversight.

- (138) SWACAA has addressed and replied to most of the open PQ (Protocol Questions) and provided support evidence, through the use of ICAO's CMA online tool. The validation of these actions by ICAO is pending and, as a result, the official performance is still the same as in 2007, despite the significant improvements introduced since.
- (139) SWACAA has requested an ICVM for November 2014 in order to have an ICAO validation of the many corrective actions already implemented.
- (140) The Commission and the Air Safety Committee welcomed the commitment of SWACAA to the implementation of the revised CAP, the major steps already achieved, and encouraged SWACAA's efforts towards establishing an aviation system that is fully compliant with ICAO standards.
- (141) In view of the significant reinforcement of the oversight function already achieved, in combination with the inexistence of AOCs and the only slowly developing demand for new AOCs, in accordance with the common criteria, it is assessed that the Kingdom of Swaziland should be removed from the Community list of air carriers which are subject to an operating ban within the Union.
- (142) The Commission and the Air Safety Committee will continue to closely monitor the capability of the SWACAA to fully exercise its oversight responsibility. The Commission and the Air Safety Committee request SWACAA to notify the Commission of each newly issued or modified AOC. 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 would be forced to take action in accordance with Regulation (EC) No 2111/2005.

Air carriers from Yemen

- (143) The official accident investigation report in relation to the air carrier *Yemen Airways (Yemenia)* accident that occurred on 29 June 2009 at Moroni Comoros Islands was published on 25 June 2013. The report offered three main recommendations: firstly, that the Comorian authorities introduce emergency permanent measures adapted to the research and subsequent salvage of an aircraft accident occurring in the sea near its airfields; secondly, that the Yemeni authorities ensure that all crews performing flights to Moroni are correctly trained for the completion of Visual Manoeuvring with Prescribed Track procedures (MVI); and thirdly, that the Yemeni authorities review the training of *Yemenia* pilots specifically as regards their ability to react to emergency situations.
- (144) On 7 November 2013, the Yemeni Civil Aviation and Meteorological Authority (CAMA) wrote to the Commission. This letter included some detail of safety actions taken in respect of the accident. The Air Safety Committee was informed of these actions and of associated developments during its meeting in November 2013.
- (145) The Commission organised a technical meeting which took place on 9 January 2014 in Brussels. The Commission, experts from EASA and from Member States, as well as representatives from CAMA and *Yemenia*, attended the meeting.
- (146) On 17 December 2013, prior to the technical meeting, the Commission sent specific questions to CAMA in respect to not only the accident report, but also CAMA's wider responsibilities regarding safety oversight of air carriers certified in Yemen. The Commission also sent to CAMA a specific set of questions that were to be distributed to *Yemenia*. Both sets of questions were designed to assist the Commission in assessing the quality of responses by both CAMA and *Yemenia* to the recommendations contained within the accident report.
- (147) In response to the specific recommendations made towards the Yemeni authorities, CAMA explained that its actions included the intensification of the safety oversight of *Yemenia*, including an increase in cabin and cockpit inspections and that it had ordered *Yemenia* to make line and airport qualifications checks for all crews operating to airports categorised as level 'C'. Additional actions included that CAMA had instructed *Yemenia* to make 'Stall and Upset recover' training more frequently.

- (148) In response to the specific recommendations made towards *Yemenia*, the air carrier explained that it had implemented Management and Air Operator Certificate Post Holder changes as well as a review and related changes to policy and procedures. Improvements in auditing, training and implementation were also cited. Furthermore, *Yemenia* re-emphasised its crew emergency procedures training during recurrent simulator training, which was conducted in accordance with the Airbus training syllabus.
- (149) The Air Safety Committee was provided with further detail as to the technical discussions that ensued during the meeting and also provided with a summary of the documentation that had been submitted both by CAMA and *Yemenia*.
- (150) In accordance with the common criteria, it is 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 Yemen. However, the safety performance of all air carriers certified in Yemen, including *Yemenia* will continue to be closely monitored. Should there be indications that international safety standards are not being met, the Commission would be forced to take action in accordance with Regulation (EC) No 2111/2005.
- (151) Member States will continue to verify the effective compliance with relevant safety standards of air carriers certified in the Yemen through the prioritisation of ramp inspections pursuant to Regulation (EU) No 965/2012.

Air carriers from Zambia

- (152) The Commission informed the Air Safety Committee as regards recent correspondence it had received from the Zambian authorities, including that of a letter of 10 December 2013 from the Ministry of Transport. The letter acknowledged earlier correspondence from the Commission of 1 October 2013 that gave guidance on areas that the authorities should focus on as regards bringing further progress and improvements.
- (153) The letter of 10 December 2013 from the Zambian authorities informed that a Board of Directors had been appointed for its Civil Aviation Authority and that they intended to recruit a Director General of Civil Aviation by 31 January 2014.
- (154) The Commission replied on 21 January 2014 confirming that it wished to maintain a constructive engagement with the Zambian authorities. In this reply, the Commission also suggested that a technical meeting should be arranged when the new Director General of Civil Aviation had been appointed, with a view to gaining information with respect to progress, in order that the Air Safety Committee may be kept fully informed.
- (155) The Commission and the Air Safety Committee noted the continued progress which the Zambian Department of Civil Aviation has made, and encouraged the Zambian authorities to continue, with a view to the current restrictions being reconsidered at the appropriate moment after the necessary verification.
- (156) In accordance with the common criteria, 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.
- (157) 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.
- (158) Regulation (EC) No 474/2006 should therefore be amended accordingly.
- (159) 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 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, 10 April 2014.

*For the Commission,
On behalf of the President,
Joaquín ALMUNIA
Vice-President*

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
HELIMALONGO	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/MDCTTTATP-PR/ANAC/DEA/SCS	AEB	Republic of Benin
AFRICA AIRWAYS	Unknown	AFF	Republic of Benin
ALAFIA JET	PEA No 014/ANAC/MDCTTTATP-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/MDCTTTATP-PR/ANAC/DEA/SCS.	LTL	Republic of Benin
COTAIR	PEA No 015/MDCTTTATP-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/MDCTTTATP-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 Gabon Airlines, Afrijet and SN2AG 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 Garuda Indonesia, Airfast Indonesia, Mandala Airlines, Ekspres Transportasi Antarbenua and Indonesia Air Asia, 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
ENGANG 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 TRANSPORT	121-034	IDA	Republic of Indonesia
INTAN ANGKASA AIR SERVICE	135-019	Unknown	Republic of Indonesia
JAYAWIJAYA DIRGANTARA	121-044	Unknown	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
MANUNGAL 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
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
RIAU 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	Unknown	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-0453-11	LMY	Republic of Kazakhstan
AIR TRUST AIRCOMPANY	AK-0455-12	RTR	Republic of Kazakhstan
ATMA AIRLINES	AK-0437-10	AMA	Republic of Kazakhstan
AVIA-JAYNAR/AVIA-ZHAYNAR	AK-067-12	SAP	Republic of Kazakhstan
BEK AIR	AK-0463-12	BEK	Republic of Kazakhstan
BEYBARS AIRCOMPANY	AK-0442-11	BBS	Republic of Kazakhstan
BURUNDAYAVIA AIRLINES	AK-0456-12	BRY	Republic of Kazakhstan
COMLUX-KZ	AK-0449-11	KAZ	Republic of Kazakhstan
EAST WING	AK-0465-12	EWZ	Republic of Kazakhstan
EURO-ASIA AIR	AK-0441-11	EAK	Republic of Kazakhstan
FLY JET KZ	AK-0446-11	FJK	Republic of Kazakhstan
INVESTAVIA	AK-0447-11	TLG	Republic of Kazakhstan
IRTYSH AIR	AK-0439-11	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	AK-0459-12	SOZ	Republic of Kazakhstan
JET ONE	AK-0468-12	JKZ	Republic of Kazakhstan
KAZAIR JET	AK-0442-11	KEJ	Republic of Kazakhstan
KAZAIRTRANS AIRLINE	AK-0466-12	KUY	Republic of Kazakhstan
KAZAVIASPAS	AK-0452-11	KZS	Republic of Kazakhstan
LUK AERO (former EASTERN EXPRESS)	AK-0464-12	LIS	Republic of Kazakhstan
PRIME AVIATION	AK-0448-11	PKZ	Republic of Kazakhstan
SCAT	AK-0460-12	VSV	Republic of Kazakhstan
ZHETYSU AIRCOMPANY	AK-0438-11	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
CLICK AIRWAYS	11	CGK	Kyrgyz Republic
HELI SKY	Unknown	HAC	Kyrgyz Republic
KYRGYZ TRANS AVIA	31	KTC	Kyrgyz Republic
KYRGYZ AIRLINES	Unknown	KGZ	Kyrgyz Republic
KYRGYZSTAN	03	LYN	Kyrgyz Republic
MANAS AIRWAYS	42	BAM	Kyrgyz Republic
S GROUP AVIATION	6	Unknown	Kyrgyz Republic
S GROUP INTERNATIONAL	Unknown	IND	Kyrgyz Republic
SKY BISHKEK	Unknown	BIS	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
SKY KG AIRLINES	41	KGK	Kyrgyz Republic
SKY WAY AIR	39	SAB	Kyrgyz Republic
STATE AVIATION ENTERPRISE UNDER THE MINISTRY OF EMERGENCY SITUATIONS (SAEMES)	20	DAM	Kyrgyz Republic
SUPREME AVIATION	40	SGK	Kyrgyz Republic
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 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
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

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
MEX — MOÇAMBIQUE EXPRESSO, SARL MEX	MOZ-02	MXE	Republic of Mozambique
OHI — OMNI HELICÓPTEROS INTERNACIONAL 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.	035-01	Unknown	Republic of Nepal
AIR KASTHAMANDAP	051/2009	Unknown	Republic of Nepal
BUDDHA AIR	014/96	BHA	Republic of Nepal
BUDDHA AIR (INTERNATIONAL OPERATIONS)	058/2010	Unknown	Republic of Nepal
FISHTAIL AIR	017/01	Unknown	Republic of Nepal
GOMA AIR	064/2010	Unknown	Republic of Nepal
MAKALU AIR	057A/2009	Unknown	Republic of Nepal
MOUNTAIN HELICOPTERS	055/2009	Unknown	Republic of Nepal
MUKTINATH AIRLINES	081/2013	Unknown	Republic of Nepal
NEPAL AIRLINES CORPORATION	003/2000	RNA	Republic of Nepal
SHREE AIRLINES	030/02	SHA	Republic of Nepal
SHREE AIRLINES (INTERNATIONAL OPERATIONS)	059/2010	Unknown	Republic of Nepal
SIMRIK AIR	034/00	Unknown	Republic of Nepal
SIMRIK AIRLINES	052/2009	RMK	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
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
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

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
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
All air carriers certified by the authorities with responsibility for regulatory oversight of Sao Tome and Principe, including			Sao Tome and Principe
AFRICA CONNECTION	10/AOC/2008	ACH	Sao Tome and Principe
BRITISH GULF INTERNATIONAL COMPANY LTD	01/AOC/2007	BGI	Sao Tome and Principe
EXECUTIVE JET SERVICES	03/AOC/2006	EJZ	Sao Tome and Principe
GLOBAL AVIATION OPERATION	04/AOC/2006	Unknown	Sao Tome and Principe
GOLIAF AIR	05/AOC/2001	GLE	Sao Tome and Principe
ISLAND OIL EXPLORATION	01/AOC/2008	IOE	Sao Tome and Principe

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
STP AIRWAYS	03/AOC/2006	STP	Sao Tome and Principe
TRANSAFRIK INTERNATIONAL LTD	02/AOC/2002	TFK	Sao Tome and Principe
TRANSCARG	01/AOC/2009	TRG	Sao Tome and Principe
TRANSLIZ AVIATION (TMS)	02/AOC/2007	TLZ	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	054	AAJ	Republic of the Sudan
ALMAJAL AVIATION SERVICE	015	MGG	Republic of the Sudan
BADER AIRLINES	035	BDR	Republic of the Sudan
BENTIU AIR TRANSPORT	029	BNT	Republic of the Sudan
BLUE BIRD AVIATION	011	BLB	Republic of the Sudan
DOVE AIRLINES	052	DOV	Republic of the Sudan
ELIDINER AVIATION	008	DND	Republic of the Sudan
FOURTY EIGHT AVIATION	053	WHB	Republic of the Sudan
GREEN FLAG AVIATION	017	Unknown	Republic of the Sudan
HELEJETIC AIR	057	HJT	Republic of the Sudan
KATA AIR TRANSPORT	009	KTV	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
KUSH AVIATION	060	KUH	Republic of the Sudan
MARSLAND COMPANY	040	MSL	Republic of the Sudan
MID AIRLINES	025	NYL	Republic of the Sudan
NOVA AIRLINES	046	NOV	Republic of the Sudan
SUDAN AIRWAYS	001	SUD	Republic of the Sudan
SUN AIR COMPANY	051	SNR	Republic of the Sudan
TARCO AIRLINES	056	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)	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-0443-11	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)	State of registry
IRAN AIR ⁽⁴⁾	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: 3 aircraft of type Boeing B737-300, 2 aircraft of type ATR 72-500, 1 aircraft of type ATR 42-500, 1 aircraft of type ATR 42-320 and 3 aircraft of type DHC 6-300.	All fleet with the exception of: 5R-MFH, 5R-MFI, 5R-MFL, 5R-MJE, 5R-MJF, 5R-MJG, 5R-MVT, 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).

COMMISSION IMPLEMENTING REGULATION (EU) No 369/2014**of 10 April 2014****amending for the 212th time Council Regulation (EC) No 881/2002 imposing certain specific restrictive measures directed against certain persons and entities associated with the Al Qaida network**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EC) No 881/2002 of 27 May 2002 imposing certain specific restrictive measures directed against certain persons and entities associated with the Al-Qaida network, ⁽¹⁾ and in particular Article 7(1)(a) and 7a(5) thereof,

Whereas:

- (1) Annex I to Regulation (EC) No 881/2002 lists the persons, groups and entities covered by the freezing of funds and economic resources under that Regulation.
- (2) On 31 March 2014, the Sanctions Committee of the United Nations Security Council (UNSC) decided to remove two persons from its list of persons, groups and entities to whom the freezing of funds and economic resources should apply. Furthermore, on 3 April 2014, the Sanctions Committee of the UNSC decided to remove one person from the list.
- (3) Annex I to Regulation (EC) No 881/2002 should therefore be updated accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to Regulation (EC) No 881/2002 is amended in accordance with the Annex 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, 10 April 2014.

*For the Commission
On behalf of the President
Head of the Service for Foreign Policy*

⁽¹⁾ OJ L 139, 29.5.2002, p. 9.

ANNEX

The following entries under the heading 'Natural persons' of Annex I to Regulation (EC) No 881/2002 are deleted:

'Amran **Mansor** (*alias* Henry). Address: Kg. Sg. Tiram, Johor, Malaysia. Date of birth: 25.5.1964. Place of birth: Johor, Malaysia. Nationality: Malaysian. Passport No: A 10326821. National identification No: 640525-01-5885. Other Information: Released from detention and believed to be in Indonesia. Date of designation referred to in Article 2a (4) (b): 9.9.2003.'

'Abderrahmane **Kifane**. Address: 25 via Padre Massimiliano Kolbe, Sant'Anastasia (NA), Italy. Date of birth: 7.3.1963. Place of birth: Casablanca, Morocco. Nationality Moroccan. Date of designation referred to in Article 2a (4) (b): 17.3.2004.'

'Son Hadi Bin **Muhadjir** (*alias* (a) Son Hadi bin Muhadjr, (b) Son bn Hadi Muhadjir, (c) Son Hadi bin Mujahir). Address: Jalan Raya, Gongdanglegi, RT/RW 1/13 Cangkring Malang, Beji, Pasuran 67154, East Java, Indonesia. Date of birth: 12.5.1971. Place of birth: Pasuran, East Java, Indonesia. Nationality: Indonesian. Passport No: R057803 (Indonesian passport under name Son bn Hadi Muhadjir). National identification No: 3514131205710004 (Indonesian identity card under name Son Hadi). Date of designation referred to in Article 2a (4) (b): 13.4.2012.'

COMMISSION IMPLEMENTING REGULATION (EU) No 370/2014**of 10 April 2014****establishing the standard import values for determining the entry price of certain fruit and vegetables**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation) ⁽¹⁾,

Having regard to Commission Implementing Regulation (EU) No 543/2011 of 7 June 2011 laying down detailed rules for the application of Council Regulation (EC) No 1234/2007 in respect of the fruit and vegetables and processed fruit and vegetables sectors ⁽²⁾, and in particular Article 136(1) thereof,

Whereas:

- (1) Implementing Regulation (EU) No 543/2011 lays down, pursuant to the outcome of the Uruguay Round multilateral trade negotiations, the criteria whereby the Commission fixes the standard values for imports from third countries, in respect of the products and periods stipulated in Annex XVI, Part A thereto.
- (2) The standard import value is calculated each working day, in accordance with Article 136(1) of Implementing Regulation (EU) No 543/2011, taking into account variable daily data. Therefore this Regulation should enter into force on the day of its publication in the *Official Journal of the European Union*,

HAS ADOPTED THIS REGULATION:

Article 1

The standard import values referred to in Article 136 of Implementing Regulation (EU) No 543/2011 are fixed in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the day 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, 10 April 2014.

*For the Commission,
On behalf of the President,*

*Jerzy PLEWA
Director-General for Agriculture and Rural Development*

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 157, 15.6.2011, p. 1.

ANNEX

Standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)		
CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	MA	62,8
	TN	123,3
	TR	122,5
	ZZ	102,9
0707 00 05	EG	170,1
	MK	51,2
	TR	127,6
	ZZ	116,3
0709 93 10	MA	39,8
	TR	98,3
	ZZ	69,1
0805 10 20	EG	51,3
	IL	67,6
	MA	52,2
	TN	49,0
	TR	47,9
	ZZ	53,6
	ZZ	53,6
0805 50 10	MA	63,6
	TR	90,0
	ZZ	76,8
0808 10 80	AR	86,8
	BR	103,0
	CL	102,3
	CN	87,3
	MK	32,3
	NZ	138,7
	US	187,1
	ZA	130,1
0808 30 90	ZZ	108,5
	AR	105,0
	CL	151,6
	CN	79,2
	ZA	94,4
	ZZ	107,6
	ZZ	107,6

⁽¹⁾ Nomenclature of countries laid down by Commission Regulation (EC) No 1833/2006 (OJ L 354, 14.12.2006, p. 19). Code 'ZZ' stands for 'of other origin'.

DECISIONS

COMMISSION IMPLEMENTING DECISION

of 9 April 2014

amending the Annexes to Implementing Decision 2011/630/EU as regards animal health requirements relating to bluetongue and epizootic haemorrhagic disease

(notified under document C(2014) 2256)

(Text with EEA relevance)

(2014/199/EU)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Directive 88/407/EEC of 14 June 1988 laying down the animal health requirements applicable to intra-Community trade in and imports of semen of domestic animals of the bovine species ⁽¹⁾, and in particular Article 8(1), the first subparagraph of Article 10(2) and Article 11(2) thereof,

Whereas:

- (1) Annex I to Commission Implementing Decision 2011/630/EU ⁽²⁾ sets out a list of third countries or parts thereof from which Member States are to authorise imports of semen of domestic animals of the bovine species ('semen'). Section A of Part 1 of Annex II to that Implementing Decision sets out the model animal health certificate for imports into and transits through the Union of semen dispatched from the semen collection centre where the semen was collected. Section C of Part 1 of that Annex II sets out the model animal health certificate for imports into and transits through the Union of semen dispatched from a semen storage centre.
- (2) In the list of third countries or parts thereof from which Member States shall authorise imports of semen in Annex I to Implementing Decision 2011/630/EU the description of additional guarantees for Australia and the United States must be amended in order to take account of the amendments made to the conditions for epizootic haemorrhagic disease (EHD) in points II.5.4.1 and II.5.4.2 of the health attestation in Part II of the model animal health certificate set out in Section A of Part 1 of Annex II to that Decision.
- (3) Annex I to Implementing Decision 2011/630/EU should therefore be amended accordingly.
- (4) The model animal health certificates set out in Sections A and C of Part 1 of Annex II to Implementing Decision 2011/630/EU are drawn up in accordance with Commission Decision 2007/240/EC ⁽³⁾, in a format compatible with the integrated computerised veterinary system (TRACES) set up by Commission Decision 2003/623/EC ⁽⁴⁾ and consist of a description of the consignment in Part I and health attestation in Part II thereof.

⁽¹⁾ OJ L 194, 22.7.1988, p. 10.

⁽²⁾ Commission Implementing Decision 2011/630/EU of 20 September 2011 on imports into the Union of semen of domestic animals of the bovine species (OJ L 247, 24.9.2011, p. 32).

⁽³⁾ Commission Decision 2007/240/EC of 16 April 2007 laying down new veterinary certificates for importing live animals, semen, embryos, ova and products of animal origin into the Community pursuant to Decisions 79/542/EEC, 92/260/EEC, 93/195/EEC, 93/196/EEC, 93/197/EEC, 95/328/EC, 96/333/EC, 96/539/EC, 96/540/EC, 2000/572/EC, 2000/585/EC, 2000/666/EC, 2002/613/EC, 2003/56/EC, 2003/779/EC, 2003/804/EC, 2003/858/EC, 2003/863/EC, 2003/881/EC, 2004/407/EC, 2004/438/EC, 2004/595/EC, 2004/639/EC and 2006/168/EC (OJ L 104, 21.4.2007, p. 37).

⁽⁴⁾ Commission Decision 2003/623/EC of 19 August 2003 concerning the development of an integrated computerised veterinary system known as TRACES (OJ L 216, 28.8.2003, p. 58).

- (5) As in accordance with Article 2(1)(c)(i) and (iii) of Implementing Decision 2011/630/EU the model animal health certificates set out in Section A and Section C of Part 1 of Annex II thereto can only be used for consignments of semen dispatched respectively from a single semen collection or storage centre, the information in point I.11 of the respective model animal health certificate should correspond to the semen collection centre where the semen was collected or the semen storage centre where the semen was dispatched from. Accordingly, only the name, the address and the approval number of a single semen collection or storage centre should be indicated in those points.
- (6) The health attestation in Part II of the model animal health certificate, set out in Section A of Part 1 of Annex II to Implementing Decision 2011/630/EU, lists five alternative conditions for declaring the absence of the bluetongue virus and four alternative conditions for declaring the absence of the EHD virus in donor bulls, including three regimes for the testing of donor bulls for EHD, to be certified when semen is imported from Australia, Canada and the United States. Currently it is only allowed to certify the consignments of semen collected from donor bulls complying with a single condition among those listed in that health attestation. However, certain consignments of semen dispatched to the Union consist of semen collected at different times from donor bulls complying with more than one of those conditions.
- (7) In addition, Section B of Annex III to Commission Regulation (EC) No 1266/2007 ⁽¹⁾ provides that semen intended for intra-Union trade or export to a third country should be collected from donor animals complying with at least one of the conditions listed therein relating to bluetongue which should be specified in the health certificate which model is laid down, inter alia, in Section A of Part 1 of Annex II to Implementing Decision 2011/630/EU.
- (8) As a consequence, there is a need for information on those listed conditions and the applied test regimes of donor bulls for bluetongue and EHD as well as on the dates when those listed conditions were met or tests applied to a particular set of straws of semen collected from an identified donor bull, where imported semen is subsequently dispatched to another Member State.
- (9) Since all five conditions for declaring the absence of the bluetongue and the four conditions for declaring the absence of EHD provide the same level of animal health guarantees, the wording of the health attestation in Part II of the model animal health certificate set out in Section A of Part 1 of Annex II to Implementing Decision 2011/630/EU should be amended in order to allow imports into and transit through the Union of consignments of semen collected from donor bulls complying with more than one listed conditions. Furthermore, detailed information on the conditions and applied test regimes should be included in that model animal health certificate, without necessarily increasing administrative burdens.
- (10) To further reduce administrative burdens for the centre veterinarian and for the official veterinarian, it is appropriate in point I.28 of the model animal health certificate set out in Section A of Part 1 of Annex II to Implementing Decision 2011/630/EU to remove information on the approval number of the centre and to provide in this point entries for the detailed description of the consignment as regards the conditions for bluetongue and EHD applicable to the particular straw of semen collected on a disclosed date from an identified donor bull.
- (11) Annex II to Implementing Decision 2011/630/EU should therefore be amended accordingly.
- (12) Implementing Decision 2011/630/EU should therefore be amended accordingly.
- (13) To avoid any disruption of trade, the use of animal health certificates issued in accordance with Implementing Decision 2011/630/EU in its version prior to the amendments introduced by this Decision should be authorised during a transitional period subject to certain conditions.
- (14) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

⁽¹⁾ Commission Regulation (EC) No 1266/2007 of 26 October 2007 on implementing rules for Council Directive 2000/75/EC as regards the control, monitoring, surveillance and restrictions on movements of certain animals of susceptible species in relation to bluetongue (OJ L 283, 27.10.2007, p. 37).

HAS ADOPTED THIS DECISION:

Article 1

The Annexes to Implementing Decision 2011/630/EU are amended in accordance with the Annex to this Decision.

Article 2

For a transitional period until 31 December 2014, Member States shall authorise imports into and transit through the Union of consignments of semen of domestic animals of the bovine species from third countries which are accompanied by an animal health certificate issued not later than 30 November 2014 in accordance with the model animal health certificate set out in Section A or C of Part 1 of Annex II to Implementing Decision 2011/630/EU, before the amendments introduced by this Decision.

Article 3

This Decision shall apply from 1 January 2015.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 9 April 2014.

For the Commission
Tonio BORG
Member of the Commission

ANNEX

The Annexes to Implementing Decision 2011/630/EU are amended as follows:

(1) Annex I is replaced by the following:

‘ANNEX I

List of third countries or parts thereof from which Member States shall authorise imports of semen of domestic animals of the bovine species

ISO Code	Name of the third country	Remarks	
		Description of the territory (if appropriate)	Additional guarantees
AU	Australia		The additional guarantees concerning testing set out in points II.5.4.1 and/or II.5.4.2 of the certificate in Section A of Part 1 of Annex II are compulsory.
CA	Canada (*)	Territory described as CA-1 in Part 1 of Annex I to Regulation (EU) No 206/2010.	
CH	Switzerland (**)		
CL	Chile		
GL	Greenland		
IS	Iceland		
NZ	New Zealand		
PM	Saint Pierre and Miquelon		
US	United States		The additional guarantees concerning testing set out in points II.5.4.1 and/or II.5.4.2 of the certificate in Section A of Part 1 of Annex II are compulsory.

(*) The model certificate to be used for imports from Canada is set out in Commission Decision 2005/290/EC of 4 April 2005 on simplified certificates for the importation of bovine semen and fresh pig meat from Canada and amending Decision 2004/639/EC (only for the semen collected in Canada) laid down in accordance with the Agreement between the European Community and the Government of Canada on sanitary measures to protect public and animal health in respect of trade in live animals and animal products, as approved by Council Decision 1999/201/EC.

(**) The model certificates to be used for imports from Switzerland are set out in Annex D to Directive 88/407/EEC, with the adaptations set out in point 4 of Chapter VII(B) of Appendix 2 of Annex 11 to the Agreement between the European Community and the Swiss Confederation on trade in agricultural products as approved by Decision 2002/309/EC, Euratom of the Council, and of the Commission as regards the Agreement on Scientific and Technological Cooperation of 4 April 2002 on the conclusion of seven Agreements with the Swiss Confederation.’

(2) In Annex II, Part 1 is amended as follows:

(a) Section A is replaced by the following:

SECTION A

Model 1 — Animal health certificate applicable to imports into and transits through the Union of semen of domestic animals of the bovine species collected, processed and stored in accordance with Council Directive 88/407/EEC, dispatched from a semen collection centre where the semen was collected

COUNTRY:

Veterinary certificate to EU

Part I: Details of dispatched consignment	I.1. Consignor Name Address Tel.				I.2. Certificate reference No		I.2.a.		
					I.3. Central competent authority				
					I.4. Local competent authority				
	I.5. Consignee Name Address Postal code Tel.				I.6. Person responsible for the load in EU Name Address Postal code Tel.				
	I.7. Country of origin		ISO code	I.8. Region of origin		Code	I.9. Country of destination		
							I.10. Region of destination		
	I.11. Place of origin Name Address Approval number				I.12. Place of destination Name Address Postal code				
	I.13. Place of loading				I.14. Date of departure				
	I.15. Means of transport Aeroplane ☐ Ship ☐ Railway wagon ☐ Road vehicle ☐ Other ☐ Identification Documentary references				I.16. Entry BIP in EU I.17.				
I.18. Description of commodity						I.19. Commodity code (HS code) 05 11 10		I.20. Quantity	
I.21.						I.22. Number of packages		I.24.	
I.23. Seal/Container No									
I.25. Commodities certified for: Artificial reproduction ☐									
I.26. For transit through EU to third country ☐ Third country ISO code				I.27. For import or admission into EU ☐					
I.28. Identification of the commodities Species Quantity (total) (Scientific name)									
Donor/s identity		Identification of straw/s		Date/s of collection		Information relating to			
						BT ₍₆₎		EHD ₍₇₎	

COUNTRY		Bovine semen — Section A	
II. Health information		II.a. Certificate reference No	II.b.
Part II: Certification	I, the undersigned official veterinarian, hereby certify that:		
	II.1.	 (name of exporting country) ⁽²⁾	
		was free from rinderpest and foot-and-mouth disease during the 12 months immediately prior to collection of the semen for export and until its date of dispatch to the Union and no vaccination against these diseases has taken place during the same period.	
	II.2.	The centre ⁽³⁾ described in Box. I.11 at which the semen to be exported was collected:	
	II.2.1.	meets the conditions laid down in Chapter I(1) of Annex A to Directive 88/407/EEC;	
	II.2.2.	is operated and supervised in accordance with the conditions laid down in Chapter II(1) of Annex A to Directive 88/407/EEC.	
	II.3.	The centre at which the semen to be exported was collected was free from rabies, tuberculosis, brucellosis, anthrax and contagious bovine pleuropneumonia during 30 days prior to the date of collection of the semen to be exported and the 30 days after collection (in the case of fresh semen until the day of dispatch to the Union).	
	II.4.	The bovine animals standing at the semen collection centre:	
	II.4.1.	come from herds which satisfy the conditions of paragraph 1(b) of Chapter I of Annex B to Directive 88/407/EEC;	
	II.4.2.	come from herds or were born to dams which comply with the conditions of paragraph 1(c) of Chapter I of Annex B to Directive 88/407/EEC, or were tested at the age of at least 24 months in accordance with paragraph 1(c) of Chapter II of Annex B to that Directive;	
	II.4.3.	underwent the tests required in accordance with paragraph 1(d) of Chapter I of Annex B to Directive 88/407/EEC in the 28 days preceding the quarantine isolation period;	
	II.4.4.	have satisfied the quarantine isolation period and testing requirements laid down in paragraph 1(e) of Chapter I of Annex B to Directive 88/407/EEC;	
	II.4.5.	have undergone, at least once a year, the routine tests referred to in Chapter II of Annex B to Directive 88/407/EEC.	
	II.5.	The semen to be exported was obtained from donor bulls which:	
		II.5.1.	satisfy the conditions laid down in Annex C of Directive 88/407/EEC;
⁽¹⁾ either	II.5.2.	have remained in the exporting country for at least the last six months prior to collection of the semen to be exported;	
⁽¹⁾ or	II.5.2.	have remained in the exporting country for at least 30 days prior to the collection of the semen since entry and they were imported from ⁽²⁾ during the period of less than six months prior to the collection of the semen and satisfied the animal health conditions applying to donors of the semen which is intended for export to the European Union;]	
	II.5.3.	comply with at least one of the following conditions as regards bluetongue, as detailed in the table in point I.28.:	
⁽¹⁾ either	II.5.3.1.	were kept in a bluetongue virus-free country or zone for at least 60 days prior to, and during, collection of the semen;]	
⁽¹⁾ and/or	II.5.3.2.	were kept during a bluetongue virus seasonally free period in a seasonally free zone for at least 60 days prior to, and during, collection of the semen;]	
⁽¹⁾ and/or	II.5.3.3.	were kept in a vector-protected establishment for at least 60 days prior to, and during, collection of the semen;]	
⁽¹⁾ and/or	II.5.3.4.	were subjected to a serological test for the detection of antibody to the bluetongue virus serogroup, carried out in accordance with the OIE Manual of Diagnostic Tests and Vaccines for Terrestrial Animals, with negative results, at least every 60 days throughout the collection period and between 21 and 60 days after the final collection for this consignment of semen;]	
⁽¹⁾ and/or	II.5.3.5.	were subjected to an agent identification test for bluetongue virus, carried out in accordance with the OIE Manual of Diagnostic Tests and Vaccines for Terrestrial Animals, with negative results, on blood samples taken at commencement and final collection for this consignment of semen and at least every 7 days (virus isolation test) or at least every 28 days, if carried out as polymerase chain reaction (PCR), during collection for this consignment of semen;]	
	II.5.4.	comply with at least one of the following conditions as regards epizootic haemorrhagic disease (EHD), as detailed in the table in point I.28.:	
⁽¹⁾ either	II.5.4.1.	were resident in the exporting country which according to official findings is free from epizootic haemorrhagic disease (EHD);]	

COUNTRY

Bovine semen — Section A

II.	Health information	II.a. Certificate reference No	II.b.
(¹) (⁵) and/or	[II.5.4.2. were resident in the exporting country in which according to official findings the following serotypes of epizootic haemorrhagic disease (EHD) exist: and were subjected with negative results in each case to the following tests carried out in an approved laboratory:		
(¹) either	[II.5.4.2.1. a serological test (⁴) for the detection of antibody to the EHD virus serogroup, carried out on samples of blood taken on two occasions not more than 12 months apart prior to and not less than 21 days following collection for this consignment of semen;]]		
(¹) and/or	[II.5.4.2.2. a serological test (⁴) for the detection of antibody to the EHD virus serogroup, carried out on samples taken at intervals of not more than 60 days throughout the collection period and between 21 and 60 days after the final collection for this consignment of semen.]]		
(¹) and/or	[II.5.4.2.3. an agent identification test (⁴) carried out on blood samples collected at commencement and conclusion of, and at least every 7 days (virus isolation test) or at least every 28 days, if carried out as PCR, during collection for this consignment of semen.]]		
II.6.	The semen to be exported was collected after the date on which the centre was approved by the competent national authorities of the exporting country.		
II.7.	The semen to be exported was processed, stored and transported under conditions which satisfy the terms of Directive 88/407/EEC.		
Notes			
Part I:			
Box I.6: <i>Person responsible for the load in EU</i> : this box is to be filled in only if it is a certificate for transit commodity.			
Box I.11: <i>Place of origin</i> shall correspond to the semen collection centre listed in accordance with Article 9(2) of Directive 88/407/EEC on the Commission website: http://ec.europa.eu/food/animal/semen_ova/bovine/index_en.htm and where the semen was collected.			
Box I.22: <i>Number of packages</i> shall correspond to the number of containers.			
Box I.23: Identification of container and seal number shall be indicated.			
Box I.26: Fill in according to whether it is a transit or an import certificate.			
Box I.27: Fill in according to whether it is a transit or an import certificate.			
Box I.28: <i>Species</i> : select amongst ' <i>Bos taurus</i> ', ' <i>Bison bison</i> ' or ' <i>Bubalus bubalis</i> ' as appropriate. <i>Donor identity</i> shall correspond to the official identification of the animal. <i>Date of collection</i> shall be indicated in the following format: dd/mm/yyyy.			
Part II:			
(¹) Delete as necessary.			
(²) Only third countries listed in Annex I to Implementing Decision 2011/630/EU.			
(³) Only semen collection centres listed in accordance with Article 9(2) of Directive 88/407/EEC on the Commission website: http://ec.europa.eu/food/animal/semen_ova/bovine/index_en.htm .			
(⁴) Standards for EHD virus diagnostic tests are described in the Bluetongue Chapter (2.1.3) of the Manual of Diagnostic Tests and Vaccines for Terrestrial Animals.			
(⁵) Compulsory for Australia, Canada and the United States.			
(⁶) Referring to each straw or batch of straws indicate applicable condition (for example II.5.3.1)			
(⁷) Referring to each straw or batch of straws indicate applicable condition (for example II.5.4.1 or II.5.4.2.1)			
— The signature and the stamp must be in a different colour to that of the printing.			

COUNTRY**Bovine semen — Section A**

II. Health information	II.a. Certificate reference No	II.b.						
Official veterinarian <table border="0" data-bbox="220 353 1182 501"><tr><td data-bbox="220 353 954 387">Name (in capital letters):</td><td data-bbox="960 353 1182 387">Qualification and title:</td></tr><tr><td data-bbox="220 412 954 445">Date:</td><td data-bbox="960 412 1182 445">Signature:</td></tr><tr><td data-bbox="220 470 954 501">Stamp:</td><td></td></tr></table>			Name (in capital letters):	Qualification and title:	Date:	Signature:	Stamp:	
Name (in capital letters):	Qualification and title:							
Date:	Signature:							
Stamp:								

(b) Section C is replaced by the following:

SECTION C

Model 3 — Animal health certificate for imports into and transits through the Union of semen of domestic animals of the bovine species collected, processed and stored in accordance with Council Directive 88/407/EEC, and of stocks of semen of domestic animals of the bovine species collected, processed and stored before 31 December 2004 in conformity with Directive 88/407/EEC, applying until 1 July 2004, and imported after 31 December 2004 in accordance with Article 2(2) of Directive 2003/43/EC dispatched from a semen storage centre

COUNTRY:

Veterinary certificate to EU

Part I: Details of dispatched consignment	I.1. Consignor Name Address Tel.				I.2. Certificate reference No		I.2.a.	
					I.3. Central competent authority			
					I.4. Local competent authority			
	I.5. Consignee Name Address Postal code Tel.				I.6. Person responsible for the load in EU Name Address Postal code Tel.			
	I.7. Country of origin	ISO code	I.8. Region of origin	Code	I.9. Country of destination	ISO code	I.10. Region of destination	Code
	I.11. Place of origin Name Address Approval number				I.12. Place of destination Name Address Postal code			
	I.13. Place of loading				I.14. Date of departure			
	I.15. Means of transport Aeroplane ☐ Ship ☐ Railway wagon ☐ Road vehicle ☐ Other ☐ Identification Documentary references				I.16. Entry BIP in EU			
					I.17. No(s) of related original certificates			
	I.18. Description of commodity					I.19. Commodity code (HS code) 05 11 10		
I.21.								I.22. Number of packages
I.23. Seal/Container No								I.24.
I.25. Commodities certified for: Artificial reproduction ☐								
I.26. For transit through EU to third country ☐ Third country ISO code				I.27. For import or admission into EU ☐				
I.28. Identification of the commodities Species (Scientific name) Donor identity Date of collection Approval number of the centre Quantity)								

COUNTRY		Bovine semen – Section C	
II.	Health information	II.a. Certificate reference No	II.b.
I, the undersigned official veterinarian of , hereby certify that: (name of exporting country) ⁽²⁾			
II.1	The centre ⁽³⁾ described in Box I.11 at which the semen to be exported to the European Union was stored:		
	II.1.1. meets the conditions laid down in Chapter I(2) of Annex A to Directive 88/407/EEC;		
	II.1.2. is operated and supervised in accordance with the conditions laid down in Chapter II(2) of Annex A to Directive 88/407/EEC.		
II.2.	The semen to be exported to the European Union:		
	II.2.1. has been collected, processed and stored for a minimum period of 30 days immediately following collection in an approved semen collection centre ⁽⁴⁾ operated and supervised in accordance with Chapter I(1) and Chapter II(1) of Annex A to Directive 88/407/EEC, and		
	⁽¹⁾ either [located in the exporting country;]		
	⁽¹⁾ and/or [located in ⁽²⁾ , and has been imported to the exporting country under conditions at least as strict as for imports of semen of bovine species into the Union in accordance with Directive 88/407/EEC;]		
	II.2.2. was moved to the centre described in Box I.11 under conditions at least as strict as described in:		
	⁽¹⁾ either [Model 1 in Section A of Part 1 of Annex II to Implementing Decision 2011/630/EU ⁽⁵⁾ ;]		
	⁽¹⁾ and/or [Model 2 in Section B of Part 1 of Annex II to Implementing Decision 2011/630/EU ⁽⁵⁾ ;]		
	⁽¹⁾ and/or [Model 3 in Section C of Part 1 of Annex II to Implementing Decision 2011/630/EU ⁽⁵⁾ ;]		
	II.2.3. was stored under conditions which satisfy the terms of Directive 88/407/EEC;		
	[II.2.4. was sent to the place of loading in a sealed container under conditions which comply with Directive 88/407/EEC and bearing the number detailed in Box I.23.		
Notes			
Part I:			
Box I.6: Person responsible for the load in EU: this box is to be filled in only if it is a certificate for transit commodity.			
Box I.11: Place of origin shall correspond to the semen storage centre of dispatch of the semen.			
Box I.12: Place of destination: this box is to be filled in only if it is a certificate for transit commodity.			
Box I.17: Number(s) of related original certificate(s) shall correspond to the serial number of the individual official document(s) or health certificate(s) that accompanied the semen described above from the approved semen collection centre of its origin to the centre described in Box I.11. The original(s) of those document(s) or those certificate(s) or the officially endorsed copies thereof must be attached to this certificate.			
Box I.22: Number of packages shall correspond to the number of containers.			
Box I.23: Identification of container and seal number shall be indicated.			
Box I.26: Fill in according to whether it is a transit or an import certificate.			
Box I.27: Fill in according to whether it is a transit or an import certificate.			
Box I.28: Donor identity shall correspond to the official identification of the animal.			
Date of collection shall be indicated in the following format: dd/mm/yyyy.			
Approval number of the centre shall correspond to the approval number of the semen collection centre where the semen was collected.			
Part II:			
⁽¹⁾ Delete as necessary.			
⁽²⁾ Only third countries listed in Annex I to Implementing Decision 2011/630/EU.			
⁽³⁾ Only semen storage centres listed in accordance with Article 9(2) of Directive 88/407/EEC on the Commission website: http://ec.europa.eu/food/animal/semen_ova/bovine/index_en.htm .			

COUNTRY**Bovine semen – Section C**

II. Health information	II.a. Certificate reference No	II.b.
(⁴) Only semen collection centres listed in accordance with Article 5(2) and 9(2) of Directive 88/407/EEC on the Commission websites: http://ec.europa.eu/food/animal/approved_establishments/establishments_vet_field_en.htm; http://ec.europa.eu/food/animal/semen_ova/bovine/index_en.htm. (⁵) Only third countries listed in Annex I to Implementing Decision 2011/630/EU and the EU Member States. (⁶) The original(s) of the document(s) or the health certificate(s) or the officially endorsed copies of thereof that accompanied the semen described above from the approved semen collection centre in which the semen was collected to the approved semen storage centre of the semen dispatch described in Box I.11 must be attached to this certificate. — The signature and the stamp must be in a different colour to that of the printing.		
Official veterinarian Name (in capital letters): Date: Stamp: Qualification and title: Signature:		

