

Update of Airline Black List

by Mauro Miceli

On 8 April 2009, the European Commission updated its list of banned airlines due to safety issues. This update by the European Commission follows the publication of the first version of the black list in November 2008. This report was updated following the unanimous opinion of the Air Safety Committee.

Reacting to the publication of this new list, European Commissioner for Transport Antonio Tajani, who is also Vice-President of the European Commission stated that “The Commission will continue to actively pursue a dialogue with everyone involved in aviation to ensure that all aircraft and air carriers conform to internationally required levels of air safety. Air passengers are entitled to feel safe and to be safe when their plane takes off”.

All aircraft can be put on this list irrespective of nationality. The rules apply to all commercial transportation of both cargo and persons, though it does not apply to private and non-commercial flights. The list can be updated at any time the European Commission deems fit or at the request of any Member State. For an airline to be added or removed from this list, a thorough assessment is made by the Air Safety Committee of experts.

The assessment criteria are based on the long and rich experience that Member States have in the field of aviation safety. The criteria focus on verifiable documented evidence such as ramp checks held at European airports, use of poorly maintained, old or obsolete aircraft and the failure to solve problems reported during various inspections held on the aircraft. A decision to ban an aircraft is only taken after these main points have been analysed and after giving the airline enough time to explain its position and rectify the situation.

The European Commission’s aim is solely to protect its citizens when using any form of transportation and in no way to affect or influence a country and its economic or social development. The main reason behind this list is to improve aviation safety and countries affected by this ban can introduce certain technical assistance measures to help affected airlines reach the minimum targets. The European Commission has also always been willing to cooperate with third countries which show plans to solve any issues with regard to aviation safety.

Countries on the blacklist hail mainly from African and Eastern Asian countries but the list is not only limited to these states. The public can check the latest list which is available online on http://ec.europa.eu/transport/air-ban/pdf/list_en.pdf. The European Commission works closely with international travel agents to ensure that they are informed immediately of any changes to the list, whilst also obliging airports and national civil aviation bodies to bring the list to the attention of the public. The blacklist regulation also establishes rights for passengers. It gives the right to reimbursement or re-routing if a carrier with which a booking has been made is subsequently added to the blacklist.

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