



## DIRECTORS GENERAL OF CIVIL AVIATION-MIDDLE EAST REGION

### First Meeting (DGCA-MID/1) (Abu Dhabi, UAE, 22-24 March 2011)

#### Agenda Item 5: Aviation Safety

#### U.S. SANCTIONS AND THEIR INDIRECT EFFECT ON AVIATION SAFETY

*(Presented by Sudan)*

#### SUMMARY

This paper proposes lifting U.S. Sanctions by addressing any unintended safety implications.

Action plan by the meeting is at paragraph 3.

#### 1. INTRODUCTION

1.1 There are a number of different and unrelated ways in which aviation safety has been compromised due to U.S. embargoes issued in the form of Sanctions Regulations.

#### 2. DISCUSSION

2.1 Indirect trade prohibitions, enforced anywhere in the world, have created side effects for the aviation safety as a whole, especially in the Middle East Region.

2.2 Transshipment of imports is prohibited and consequently, essential spare parts are not made available to the aviation industry in the banned countries.

2.3 Commercial dealings handled by financial institutions are prohibited and accordingly have had unintended side effects in the aviation safety.

2.4 This embargo impacts on safety, communications and normal financial dealings with firms involved in the aviation industry. Examples range from the inability to procure air navigation service equipment to aircraft engine spare parts and maintenance arrangements.

2.5 These embargoes have indirect effects and complicate virtually all normal trade in the aviation business.

2.6 Banned States have not been able to comply with current airworthiness codes of practice.

2.7 Manufacturers and aviation companies have refused to provide services and give safety related information. This is because of the threat of sanctions and possible consequences.

2.8 New aircraft cannot be purchased from the US or any aircraft that contains US parts.

2.9 AOC Holders are forced to circumvent national laws and are obliged to register aircraft outside the original State of the Registry. Registrations are changed unnecessarily due to difficulties to comply with maintenance responsibilities.

2.10 Commercial Air Transport Operations are consequently leased to foreign operators in accordance with foreign regulations. Therefore, the industry of banned Contracting States has been diminished to the absolute minimum, with lower standards and lower level of safety.

2.11 This has obstructed the transference and sharing of responsibilities of ICAO Contracting States as regards to certification and surveillance. The continued surveillance and responsibilities of the States make it difficult to be maintained adequately for the sake of public interest and safety.

2.12 All sectors in the country are struck by this negative effect, but some of them affect human lives by compromising safety in the civil aviation systems.

2.13 At this stage, the ban itself will place Civil Aviation authorities many steps back from future development. Sanctions negative impact on developments in aviation safety and improvements are need to be removed at a global level.

2.14 At the same time, it is important for all stakeholders to have a better understanding, of this problem, thus properly representing their concerns about global aviation safety.

2.15 Unintended human suffering and fatalities maybe the result of sanctions.

2.16 ICAO has mature systems to address concerns of the global aviation community on any issues affecting flight safety

### **3. ACTION BY THE MEETING**

3.1 The meeting is invited to approve the statement in the **Appendix A** to this working paper, which include:

- a) Recommending that ICAO addresses the negative impact of sanctions on aviation safety as a serious aviation safety concern; and
- b) Recommend that the ICAO Contracting States will address this ban for the sake of the aviation safety as a whole.

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**APPENDIX A**

**STATEMENT OF THE MEETING**

With the goal to mitigate the negative safety impact of the financial sanctions against ICAO Contracting States, the Meeting of Directors' General of Civil Aviation in the Middle East recommends that ICAO addresses the negative impact of sanctions to aviation safety as a serious concern.

The Meeting recommends that the ICAO Contracting States will address this ban for the sake of the aviation safety as a whole.

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