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**- distribution per e-mail only -**

**Subject: Update on Third Country Operator Authorisation No. EASA.TCO.PAK-0001.01 – Your letter dated 7 January 2022**

Reference: Ares(2022)120634

Dear Air Marshal Malik,

I hereby confirm receipt of your letter dated 7 January 2022 and the information provided. We are pleased to hear that ICAO was able to remove the Significant Safety Concern (SSC) that was raised against Pakistan Personnel Licensing (PEL) following the on-site USOAP activities performed in Pakistan from 29 November to 10 December 2021. As you rightly say, the closure of this SSC was an important step towards a potential lifting of the suspension of your TCO Authorisation (TCOA).

As indicated in our letter dated 31 March 2021, the emerging situation on the above-mentioned SSC indicated serious degradation of the Pakistan Civil Aviation Authority (PCAA) certification and oversight capabilities. Such information shall be taken by EASA when lifting the suspension.

As you might already know, since the suspension of PIA TCOA, the European Union (EU) Commission entered formal consultation with PCAA and several meetings took place under the remits of the EU Air Safety List (ASL) Regulation (EC) 2111/2005 with the active participation of the EU Commission, PCAA and EASA. These discussions revealed the need to address the overall oversight capacity of PCAA.

Even if Pakistan is not listed on the EU ASL, these consultations are still on-going and according to Commission Implementing Regulation (EU) 2021/2070 of 25 November 2021, amending Regulation (EC) No 474/2006, EU Commissions will continue to engage with PCAA and monitor the further measures adopted and actions taken to address the situation in Pakistan, including through the outcome of the planned ICAO USOAP audit, as well as through a Union on-site assessment visit to Pakistan.

Additionally, in accordance with Article 235(d) of the TCO Regulation (EU) No 452/2014, EASA shall conduct an audit of the operator prior to lifting the suspension. Since deficiencies in the State oversight were a contributor to the suspension decision, such audit will have to include an assessment to verify if these deficiencies have been properly addressed and corrected.

Further to the abovementioned article of the TCO Regulation, the audit shall take place under the pre-conditions that:

- (1) the third country operator agrees to be audited;
- (2) the outcome of the assessments indicates that there is a possibility that the audit will have a positive result; and
- (3) the audit can be performed at the third country operator's facilities without the risk of compromising the security of the Agency's personnel.

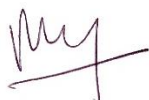
As regards to element (2) above, EASA will have to evaluate the latest USOAP audit report in its entirety to determine the robustness of the certification and oversight capacity of PCAA in general and beyond the shortcomings that led to the SSC. Furthermore, in view of the on-going consultation under the EU ASL, the on-site technical evaluation must be performed with the European Commission. Therefore, EASA will need further coordination for the planning of any mission to Pakistan closely with the European Commission.

As regards to element (3) above, EASA will explore with help of the responsible EU services the necessary conditions under which EASA staff is authorised to travel to Pakistan without compromising their security.

Finally, as you will certainly understand, on-site activities are currently heavily depending on the COVID-19 pandemic and its daily evolutions.

I remain at your disposal for any further information or clarification you might need.

Yours sincerely,



Patrick Ky

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