European Union Aviation Safety Agency

# Operation of unmanned aircraft — Restrictive measures Russia

*Disclaimer:*

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

## Does the flight ban in Article 3d of Regulation (EU) No 833/2014 apply to unmanned aircraft?

### Answer

Yes. Under Regulation (EU) No 833/2014, it is prohibited for Russian unmanned-aircraft operators to operate within the European Union. The Regulation makes no distinction between manned and unmanned aircraft.

This means in particular that it is not permitted to fly Russian-registered unmanned aircraft or non-Russian-registered unmanned aircraft that are owned or chartered(Note 2) or otherwise controlled(Note 1) by a Russian natural or legal person, entity or body (regardless of the actual registration requirements for such unmanned aircraft). It is also not allowed to operate any other unmanned aircraft that is used for a non-scheduled flight and with regard to which a Russian natural or legal person, entity or body is in a position to effectively determine the place or time of its take-off or landing.

However, unmanned aircraft operated in the “open” category, as defined in Article 4 of Commission Implementing Regulation (EU) 2019/947, and used for private, non-commercial, non-corporate flights carried out within Union territory and airspace for recreational purposes, may be authorised by the competent authorities, under such conditions as they deem appropriate, to land in, take off from or overfly the territory of the Union.

The Member State or Member States concerned shall inform the other Member States and the Commission of any such authorisation granted within two weeks of the authorisation.

This exception is without prejudice to the possibility for EU Member States to establish operational conditions for UAS geographical zones for safety, security, privacy or environmental reasons as provided for in Article 15(1)(a) of Regulation (EU) 2019/947.

*Note 1: Except for non-scheduled flights, with regard to which a Russian natural or legal person, entity or body is in a position to effectively determine the place or time of its take-off or landing, the concept of 'control' is understood in the 'economic' or 'financial' sense and not in the 'technical' or 'operational' sense (cf. para 48 of Judgement of the General Court Case T-233/22).*

*Note 2: The EU aviation law does not define 'aircraft charter'. EU Member States' authorities should apply the definition of 'charter' in accordance with their national legislation and relevant international agreements.*

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https://www.easa.europa.eu/en/faq/136190

## How to conduct operations if a drone operator is formally registered in the European Union but every document that they have provided to the EU Member State with the application for an operational authorisation (including the operations manual and risk assessment) clearly indicates that the actual operator is indeed a Russian operator?

**Answer**

Under the Sanctions Regulations, it is prohibited for Russian unmanned-aircraft operators to operate within the European Union. If the competent authority has grounds to believe that the actual operator is not the EU applicant but the operator from Russia, the application should be rejected.

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