

FAQs:

Operation of unmanned aircraft — Restrictive measures Russia, EU restrictive measures against Russia

Question:

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.

Russian citizens are however permitted to fly an unmanned aircraft within the limits of the exception provided for recreational and training purposes in Article 3d(1) of Regulation (EU) No 833/2014, which applies to unmanned aircraft that have a maximum take-off mass of no more than 2000 kg when used for private, non-corporate, flights carried out within Union territory and airspace for recreational purposes or for the purpose of training for private pilot licences and related ratings with Union training providers. 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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Link:

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