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Position Paper – U-Space

Key principles for the integration of drones in non-segregated airspace

Introduction

The European Commission and - more recently EASA – are considering the gradual integration of unmanned aircraft (drones) in non-segregated airspace of any class at least since 2012 (Staff working document, SWD(2012) 259 final). The EU sees drones as “a leverage for jobs and new business opportunities” (Warsaw Declaration, November 2016). It has continued to develop its drones strategy (e.g. Amsterdam Declaration, November 2018) over the years and Europe Air Sports has followed developments in this area very closely.

With the entry into force of the new EASA Basic Regulation (2018/1139/EU) the European Commission now has the regulatory competence and obligation to come forward with a legal framework to regulate all civil drones. These new powers, in combination with a strong push by the drones industry for a common regulatory framework and a hope for European industry leadership in this segment have clearly accelerated the level of activities since 2018.

With the publication of common European rules on the technical and operational requirements for drones in June 2019 (2019/945/EU, 2019/947/EU) the regulator has completed a first significant step in creating this regulatory framework. Europe Air Sports has contributed to this process and supports the adopted regulatory framework as a workable solution for our segment of aviation.

U-Space - GA as highly affected stakeholder

As the European association representing sports and recreational aviation, Europe Air Sports represents a segment of aviation which is at risk of being negatively affected by the insertion of drones into non-segregated airspace, where traffic separation is based on the principle of “see and avoid”, and where the responsibility of traffic avoidance solely rests upon the pilot.

Within this context we wish to recall that the vast majority of our flying activities, many of which are undertaken in non-powered aircraft including gliders and hang-gliders, takes place in non-controlled airspace (G), and controlled airspace (Class E), according to the Visual Flight Rules (VFR) and in Visual Meteorological Conditions (VMC). These activities are performed by citizens as part of their free time and are paid for with their taxed income.

Key principles

While Europe Air Sports has - and will continue to - contribute to the technical rulemaking related to the Commission's U-Space draft regulation, this position paper intends to underline the key principles that should be applied in order to ensure a fair and collaborative co-existence of sports/recreational aviation and drones in U-Space.

1. Access to U-Space airspace

Air sports and recreational aviation cannot exist without easy, free and abundant access to airspace, especially non-controlled airspace. Airspace is our playing field and we must be allowed to use it. Airspace is also used by some of our members for their individual mobility needs (A to B flights).

Of particular concern is safety, cost of access (access currently is free), technical requirements (visual and electronic conspicuity), and ease of access (administrative and operational requirements).

We call upon the regulator to ensure that access to U-Space will be:

- **Safe**, according to the principle of the Basic Regulation (2018/1139/EU) that "a high and uniform level of civil aviation safety should be ensured at all times".
- **Free**, as the only beneficiary of the provided services are drones. Indeed, the *raison d'être* of U-Space is the wish of drone operators to fly safely in a fully automated way. Europe Air Sports is unaware of any manned aircraft operations that have any need for U-Space.
- **Simple**, by ensuring that the administrative and operational requirements for access do not add a layer of complexity to planning and conducting a flight.
- **Technologically feasible**, considering the very limited resources of light aircraft, in particular non-motorised ones, such as gliders and hang-/paragliders or even aeromodels

Based on these principles we insist that the future regulatory framework on U-Space must ensure that:

- Manned aircraft always have priority traffic rights over unmanned aircraft.
- Access to airspace shall not be subject to a flight authorisation.
- Any requirement for manned aircraft to provide to the U-Space service their intention (route, altitude, etc.) must be kept to a minimum.
- The cost of expected additional equipment required for aircraft used by the air sports community must be borne by the drones industry (beneficiary pays principle)
- Manned aircraft will not pay for U-Space services unless they derive a benefit other than what is necessary to communicate their intentions.

2. Designation of U-Space airspace

It is impossible to predict reliably what areas will be designated as U-Space, in particular because this power lies firmly with the individual EU Member States. Some global industry players - mainly from outside the EU - would suggest they need U-Space in order to operate freight and passenger drones in densely populated urban areas. These areas already tend to be controlled airspace (Class A, C, D) and some are restricted to IFR-traffic only.

GA aircraft overflying populated areas are bound by SERA and must maintain a safety altitude. Low-level drone operations would suggest that this safety requirement cannot be met by such drone operations. This raises serious safety and public acceptance questions.

Other drone operations are expected to take place in rural areas and could include inspection activities (e.g. power lines) currently performed typically by helicopters. These activities can take place in non-controlled airspace (Class G) and are used frequently by sports and recreational aviation.

Thus the principles established in point 1. must be seen against this background of immense unpredictability regarding the extent to which U-Space will be designated. Sports and recreational aviation stands at risk to being severely affected mainly regarding the designation of U-Space in Class G airspace. The more U-Space will be designated the more our sector is likely to be affected. Consequently, getting the access rules right is of vital importance to Europe Air Sports

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