

“Flying Without Souls”: A Comparative Analysis of Laws Governing Drones in Sri Lanka and the European Union

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Abstract

This research evaluates whether the degree of consistency and relevancy of drone and Unmanned Aerial Vehicle (UAV) laws existing in Sri Lanka (SL) is sufficient to cater for society’s needs compared to the laws governing the European Union (EU). To reach the objective of the research, it adopted a qualitative research method that includes personnel interviews, a library-based black letter approach, and a comparative analysis of international materials. In the inception of the discussion, this research highlights the challenge of formulating a viable and normative law in character pertaining to drones, which is an inevitably necessary and integral task. In the research, both the EU Regulation 2019/947 of 2019 and the Civil Aviation Authority of SL’s regulation UAS-IS-2022 on implementing standards requirements for the operation of pilotless aircraft were extensively examined to identify the credentials for the operation of unmanned aircraft in the two regimes. In the analysis of EU Regulation 2019/947, it was found and appreciated that higher consistency prevailed in the regulations governing drones on the regulations affecting registration, certification, privacy rights, assessing operator competency, and commercial utilisation compared to the SL regime. The research concludes that the SL regulation for Implementing Standards UAS-IS-2022 and the requirements for the operation of pilotless aircraft entails significant legal flaws in the areas of registration, certification, privacy rights, assessing operator competency, and commercial utilisation. Finally, the research proposes six recommendations based on its findings to rectify the existing defaults in the prevailing drone regulations in SL.

Keywords: *Unmanned Aerial Vehicle, Drone, European Union, European Union Regulation 2019/947, Sri Lankan Regulation UAS-IS-2022*