

CPS Studiedag:
Drones in policing & drone enforcement: juridische uitdagingen voor politie

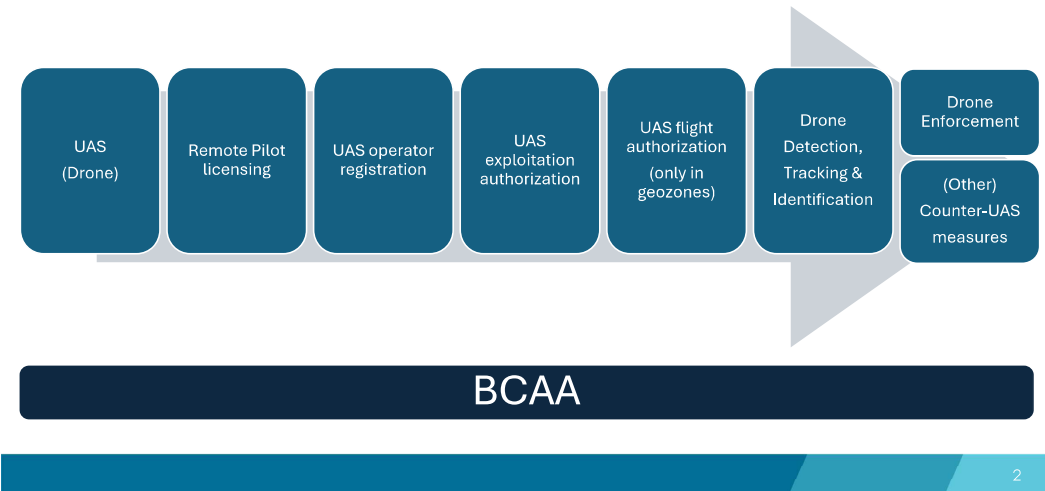
Dronehandhavings- en vervolgingsbeleid vanuit bestuurlijk perspectief

Dinsdag 4 november 2025, De Casino, Sint Niklaas

Lode Ketele, Directeur Luchtvaart, FOD Mobiliteit en Vervoer, DG Luchtvaart (DGLV)



BCAA as competent authority



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Drones in Belgium : Frontrunner

One of the first European countries

• To have certified a single CISP

- On 16/06/2025 Skeyes has been certified as a Common Information Service Provider (CISP) under the U-space program (secure integration of drones into the airspace).

• To have an active U-space soon

- Pre-U-space (Port of Antwerp) already active today with BVLOS flights and deconfliction between manned and unmanned aircraft every day

• With innovative projects, recognized in Europe

- Such as BURDI & SAFIR-MED

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Drones in Belgium : Frontrunner

• With recurring business not only in VLOS, but also in BVLOS

- Included in airport environment (CTR)
- Cargo of hazardous products (first in the world)
- Transport of medicines and blood
- Port security
- Railway inspections
- ...

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Context: Growing Challenge (1/4)

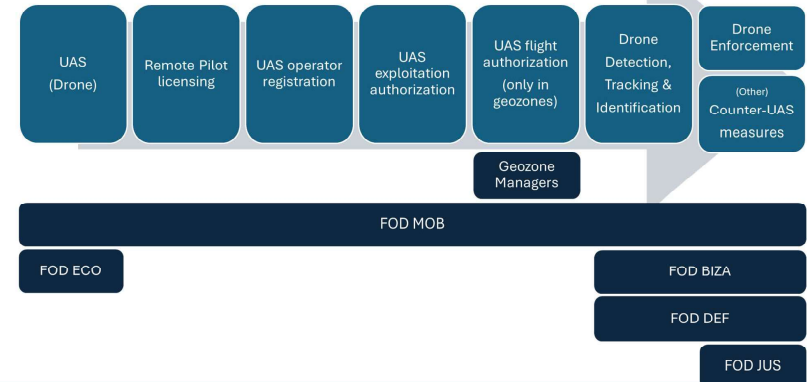
- Exponential growth in UAS use
- Increasing number of (minor but also criminal) incidents and police calls (mostly noise & privacy related)
- Drones can operate almost anywhere, limiting proactive oversight and inspections
- Users often unaware of regulations and risks (Crazy, Clueless, Careless, Criminal)
- Complex EU legislation for the general public and the police
- Basic aviation law dated from 1937 is focused on manned aviation

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Context: Growing Challenge (2/4)

Dynamic environment involving numerous official authorities



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Context: Growing Challenge (3/4)

Need for efficient cooperation and coordination

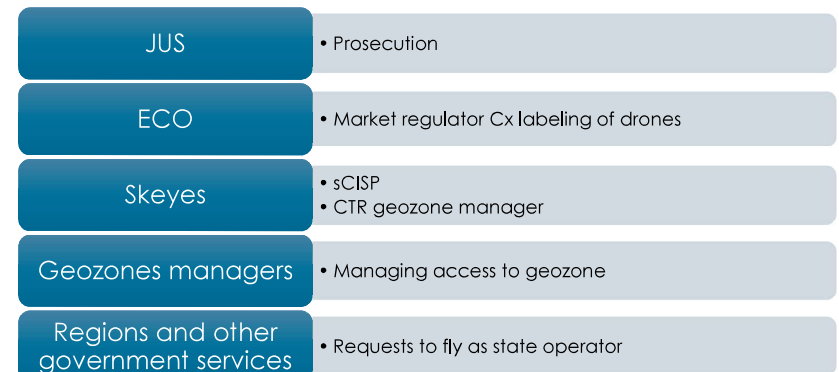


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Context: Growing Challenge (4/4)

Need for efficient cooperation and coordination



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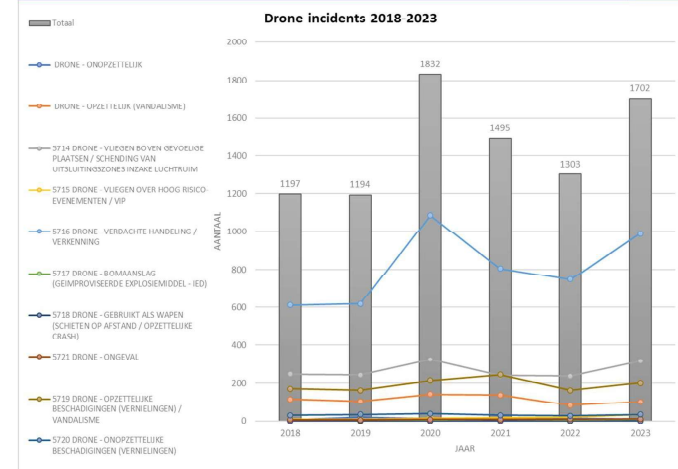
Multiple participants...



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Multiple infractions...



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BCAA's Role in Drone Enforcement

- Competent Belgian aviation authority
- Investigations and inspections carried out by BCAA inspectorate
 - Mandated Aviation Inspectors
- Administrative fines can be imposed
 - Complex and time-consuming procedure
- Part of a wider enforcement chain involving police, prosecutors,...

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Current Enforcement Measures (1/5)



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Current Enforcement Measures (2/5)

Cooperation & Procedures

- BCAA frequently consulted as the competent authority
- Deliver authorization for drone operations in 'High Visibility events'
 - Tomorrowland, GP Franchorchamps, Pukkelpop, Ronde van Vlaanderen, Rally van Ieper, Rock Werchter, Lokerse Feesten, ...
- Ad hoc cooperation with police, prosecutors and BCAA
 - Prison protection, papal visit 2023, events

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Current Enforcement Measures (3/5)

Cooperation & Procedures

- Event risk management
 - Airspace coordination
 - Conditions for organizers
- Pilot project Tomorrowland
 - Efficient multidisciplinary collaboration
 - Experienced "Aviation coordinator" in Ops/Crisis center
- NEW PROJECT: drone enforcement EBBR or EBAW

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Current Enforcement Measures (4/5)

Supervision & Enforcement

- Inspections and investigations by BCAA Inspectorate
- Follow up PV police & BCAA
 - 60 PV/year
- Administrative fines based on risk priorities:
 - Safety of manned aviation
 - Critical infrastructures & airports
 - Temporary geozones at high-visibility events
 - Interference with emergency services
 - Special cases (e.g. drone show)

2022: 8 fines
2023: 12 fines
2024: 22 fines
2025: 30 fines

Limiting factor:
#BCAA Staff

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Current Enforcement Measures (5/5)

Awareness about enforcement

- Annual awareness mailings before summer events
- Planned press release (2026) with results of 2025 enforcement for events

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BCAA : Way forward

Need for a national, integrated action plan

- Coordinated activities
- Increase efficiency & effectiveness
- Reduce costs
- Make optimal use of investments

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BCAA : Way forward

BCAA identified 3 main topics that require close cooperation & thorough consultation to succeed



Integrated drone detection system on national scale



Registry to identify the responsible UAS operator



National legislation on enforcement & state operators

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BCAA : Way forward

Integrated drone detection system on national scale

Why on a national scale?

- High speed of drones
- Reaction time is crucial
- Fragmentation creates blind spots
- Nationwide coverage provides early warning

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BCAA: Way forward

Integrated drone detection system on national scale

TRIPLE USE

Use of a single integrated national drone detection system for

- Aviation safety (DGLV, Skeyes, Defense,...) and scaling up BVLOS drone operations and state flights
- Civil security (police, NCCN, critical infrastructures,...)
- Military security

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BCAA: Way forward

Registry to identify responsible UAS operator

- Detecting the drone is only step 1
 - => **Need for link between drone and responsible person**
- **UAS operator is responsible**
 - Not necessarily linked to ownership of UAS nor to remote pilot
- **Obligation to register as UAS operator already exists**
 - However, not every UAS operator registers

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BCAA: Way forward

Registry to identify responsible UAS operator

- **Remote ID**
 - Physically capturing the UAS is not practical
 - => UAS needs to send out its identification via Remote ID
- However
 - EU legislation does not require all UAS to send out remote ID
 - Remote IDs are not always active

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BCAA: Way forward

Registry to identify responsible UAS operator

PROPOSED SOLUTION: EU legislation adaptation

- Obligation for all UAS to emit Remote ID
 - Obligation that UAS cannot take off as long as
 - UAS operator number is not included in Remote ID and
 - Remote ID is not active
- > Technical UAS update

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BCAA: Way forward

Registry to identify responsible UAS operator

Link between emitted UAS operator number & UAS operator data via BCAA central database

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BCAA: Way forward

National legislation on enforcement & state operators

1. Drone enforcement – Concept Note

2. State Operator

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1. Drone Enforcement – Concept Note

Work in progress

- Tripartite Drone Working Group (public prosecutor, police & BCAA)
- Concept note: shared vision & policy preparation
 - Already approved by FOD Mobility & Transport
- Towards an integrated enforcement & prosecution framework

Three pillars

- Immediate collection ("Onmiddellijke Inning") by police for minor & objectively verifiable infringements
- Administrative fines imposed by BCAA
- Criminal prosecution by public prosecutor

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1. Drone Enforcement – Concept Note

Key Principles

- Simple enforcement measures as incentive for compliance
- Clear guidelines for police
- Focus on safety, security & criminal misuse of drones (not environment/privacy)
- User-profile approach:



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1. Drone Enforcement – Concept Note

Key Principles

- Graduated penalties for repeat offenders
- Infringement categories aligned with traffic law analogy:
 - Immediate collection ("Onmiddellijke Inning") (minor)
 - Administrative fine (medium)
 - Criminal prosecution (severe)
- Police reports = special evidentiary value
- Police court as first instance, appeal at correctional court

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2. State Operator

State operator status = exemption

- BCAA = competent authority to grant exemptions from UAS regulations & SERA regulation
- This is the basis to be allowed to fly as state operator deviating from the standard rules

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2. State Operator

Current situation

- UAS operators claiming to be state operator without having obtained exemption from BCAA
- Not clear in which situation flying as state operator is allowed (urgency? mandate? need?)
- Not clear who takes the responsibility for the state flights
- No risk analysis framework
- No control nor audit
- Pilot training not in line with extra risks
- Questions on visibility of state operator UAS, right-of-way rules between civil and state UAS, access conditions for state drones in geozones

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2. State Operator

Proliferation of UAS operations by state operators brings safety risks :

- Insufficient assurance that the state operators achieve a correct level of safety.
- No safe integration can be guaranteed between civil and state flights (both to unmanned and manned aircraft).
- Hinders already today the development of the civil drone sector

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2. State Operator

Need for a clear framework on

- Access conditions for status of 'state operator'
- Responsibilities associated with it
- Applicable rules, supervision & control



BCAA: InterFOD State Operator Workgroup

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Further Challenges

- **Pilot unawareness:**
 - Many treat drones as toys + zero risk awareness
 - Inaccessible legislation
 - Temporary geozones not visible in drone navigation software
- Rising **risks:**
 - Low-altitude aviation
 - Critical infrastructures, large events, geopolitical evolution
- Limited **capacity** BCAA:
 - Staff shortage
 - Lack of digital tools
 - Excessive number of temporary geozones without effective enforcement

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Conclusion

Impact despite constraints

- BCAA limited resources, staff & tools
- But already concrete enforcement results

Impact demands cooperation

- Call for harmonized approach of drone enforcement

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Thanks for your attention

Questions ?



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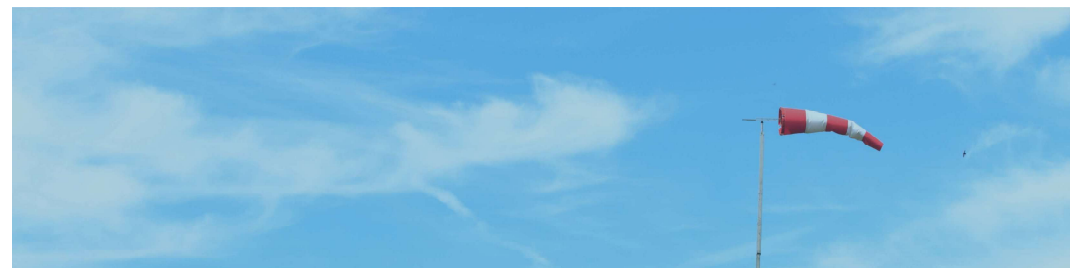
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