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## **Legal perspectives on the cross- border operations of unmanned aircraft systems**

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Propositions relating to the dissertation on

LEGAL PERSPECTIVES ON THE CROSS-BORDER  
OPERATIONS OF UNMANNED AIRCRAFT SYSTEMS

by Luis Fernando Fiallos Pazmino

1. In the ordinary meaning, a 'pilotless aircraft' means an aircraft without a pilot. Remotely piloted aircraft (RPA), therefore, should not be encompassed within this definition, given that they have a pilot that controls the aircraft.
2. Unmanned aircraft (UA) will always require 'prior authorisation' to fly over the territory of another State, due to the *lex specialis* nature of Article 8 of the Chicago Convention 1944, regardless of whether it engages in non-scheduled flights, scheduled air services or cabotage.
3. The contents of the *International Air Services Transit Agreement* and the ICAO Template of Air Services Agreement have no provisions that impede their application with regard to the operation of UA engaged in international air transport.
4. Non-scheduled flights will be more suitable for the civil cross-border operations of unmanned aircraft systems (UAS), as they present greater flexibility that is necessary to open new markets, maximise the benefits of this new technology and overcome obstacles in reaching the optimum potential of their utilisation.
5. The provisions of air law stipulated in the Chicago Convention 1944 apply to the cross-border operations of UAS.
6. UA can fall into the category of civil aircraft when it engages in civil aircraft functions, which differ from those that Article 3 of the Chicago Convention 1944 lays down for the operation of State aircraft.
7. Because pilotless aircraft can engage in multiple purposes, Article 8 of the Chicago Convention 1944 neither affects nor prohibits UA from engaging in civil functions.

8. Article 4 on Misuse of Civil Aviation of the Chicago Convention 1944 applies to the international operations of UAS.
9. Success is not final; failure is not fatal. It is the courage not to give up and to keep going that counts.
10. The future belongs to those who believe in their dreams.
11. We give circumstances too much power, but none are powerful enough to defeat those individuals who have a strong determination.
12. Our beliefs about who we are and our possibilities determine everything we do, how we do it and ultimately, what we achieve.