

Consultation: Civil UAS Flights Over the High Seas

CAP 3312

A large, abstract graphic in shades of blue and purple, featuring a curved, wave-like shape that occupies the lower half of the page.

Published by the Civil Aviation Authority, 2026

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First published September 2026

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The latest version of this document is available in electronic format at: www.caa.co.uk/cap3312

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Introductory Note

Introductory note

The CAA is seeking stakeholder feedback on a proposed interim approach to coordinating civil UAS activity over the high seas¹ within UK-delegated Flight Information Regions (FIRs) (London, Scottish and Shanwick Oceanic) to protect the safety of civil aircraft. This document provides an overview of the CAA's proposed approach to enabling civil UAS flights over the high seas.

The proposals include:

- Treating all non-certified UAS activity in the high-seas areas of UK-delegated FIRs² as 'activities potentially hazardous to civil aircraft' for the purposes of coordination.
- Expecting UAS operators intending to fly in these areas to provide a defined set of basic information in advance of operations.
- Tasking CAA airspace regulation – working with NATS and other relevant parties – to use the information provided by operators to determine what airspace coordination measures are necessary to protect the safety of civil aircraft.

Input to this consultation is invited from UAS operators, the general aviation community, Air Traffic Service (ATS) providers and other stakeholders to ensure that the proposals are effective, proportionate and consistent with current operational practices.

Responding to this consultation

The CAA welcomes views on the approach contained within this paper, from the public and aviation community. The consultation period began on 28 September 2026 and will run until 8 November 2026. Please ensure that your response reaches us before the closing date, by using the form on consultations.caa.co.uk.

¹ In this document, 'the high seas' means outside of territorial waters, i.e. beyond 12 NM of the nearest shoreline.

² In this document, 'high-seas portions of UK-delegated FIRs', means airspace over the high seas within which the UK has accepted responsibility for the provision of ATS under international arrangements.

Executive Summary

Executive summary

The CAA is proposing an interim UK approach to coordinating civil UAS activity over the high seas within UK-delegated FIRs (London, Scottish and Shanwick Oceanic) to protect the safety of civil aircraft. The UK cannot apply its domestic UAS rules beyond 12 nautical miles (NM) from the UK coastline. However, under the Chicago Convention, supported by Annex 11, paragraph 2.19.1, the UK has a clear obligation, as the State responsible for the provision of air traffic services within the delegated flight information regions, to coordinate activities potentially hazardous to civil aviation.

The International Civil Aviation Organisation (ICAO) has recognised that the current Convention and Annex framework does not provide a practical pathway for the authorisation of non-certified UAS operations over the high seas, including operations broadly equivalent to those conducted in the 'open' or 'specific' category within sovereign airspace³. ICAO has also acknowledged the need for further work on guidance material for the provision of Air Traffic Services to remotely piloted aircraft systems over the high seas. The UK requires a simple, proportionate process to ensure that UAS operations over the high seas in UK-delegated FIRs are visible to the UK and coordinated with affected airspace users.

This document proposes that the CAA:

- Regards all UAS activity in the high-seas areas of UK-delegated FIRs as 'activities potentially hazardous to civil aircraft' for the purposes of coordination;
- Requests that all UAS operators intending to fly in these areas provide a defined set of basic information in advance of operations; and
- Use the information provided by operators to determine what airspace coordination measures, if any, are necessary (for example, promulgation of information, use of existing airspace structures or establishment of special use airspace (SUA) through airspace change).

This model would be implemented through a new section in the UK AIP describing the information from operators and the coordination process to be followed.

³ In this paper, 'UK sovereign airspace' means airspace over UK territory and territorial waters.

Chapter 1

Introduction

Background

UAS are used for a range of offshore activities such as infrastructure inspection, survey, research and environmental monitoring. Some of these flights extend beyond, or are proposed to extend beyond, the UK's territorial waters into high seas airspace where the UK has accepted responsibility for the provision of ATS under regional air navigation agreements made in accordance with the International Convention on Civil Aviation; hereafter referred to as the Chicago Convention. This includes portions of the London, Scottish and Shanwick Oceanic FIRs.

Evidence that this activity is expanding includes UK Operational Authorisations (OAs) held by organisations conducting work for offshore oil and gas and renewable energy companies, and enquiries from both domestic and foreign operators about the legality of operating UAS in high-seas portions of UK-delegated FIRs.

Within the land territory and territorial seas of Great Britain and Northern Ireland, the UK has implemented an 'open' and 'specific' category framework for UAS operations through domestic legislation.

By contrast, the UK's arrangements for the provision of ATS in the high-seas portions of the UK-delegated FIRs are based on the Chicago Convention and the national provisions that implement ICAO Annex 11 – Air Traffic Services. In addition, Annex 2 – Rules of the Air, applies to aircraft on the register of a Contracting State wherever they operate, including over the high seas.

As the State responsible for the provision of ATS in these FIRs, the UK is required by the Chicago Convention, supported by Annex 11, paragraph 2.19.1, to ensure that activities potentially hazardous to civil aircraft are coordinated effectively and that appropriate arrangements are in place to protect civil aviation safety. UAS activity is already occurring in high seas airspace for which the UK has accepted ATS responsibilities but there is currently no agreed approach for how such activity should be notified to, or coordinated by, the UK.

Summary of the issue

The domestic UAS framework and associated Operational Authorisation regime are limited to UK sovereign airspace and cannot be used to approve operations beyond 12 NM. Extending that regime offshore would exceed the UK's jurisdiction. There are, at present, no dedicated ICAO Standards and Recommended Practices (SARPs) that provide a practical pathway for authorising the types of non-certified UAS operations over the high seas that are within the scope of this paper.

As a result, UAS flights may occur in high-seas portions of UK-delegated FIRs without notification or coordination, reducing situational awareness for civil aviation and complicating the discharge of the UK's safety responsibilities. This creates a risk of inconsistent handling, unsafe or negligent activity going undetected, and potential criticism of the UK's oversight should an incident occur. A blanket prohibition on such operations would be difficult to enforce, could conflict with wider Government objectives for offshore activity and innovation, and might unnecessarily prevent operations that could be conducted safely with appropriate coordination.

Chapter 2

Discussion

Jurisdictional context

UK operational authorisations

Operational authorisations issued under UK domestic UAS legislation apply only within UK territory and territorial waters. Extending those authorisations to cover high seas airspace would exceed UK jurisdiction. No UK operational authorisation is therefore required, or legally effective, for operations conducted wholly over the high seas, regardless of whether the operator is UK-based or foreign.

Nevertheless, an existing operational authorisation for similar activity in UK sovereign airspace can provide useful evidence of an operator's systems, procedures and competence. In the proposed model this information can inform the CAA's assessment of the hazard to civil aircraft, without implying that the authorisation itself extends offshore or constitutes approval for the high seas segment of the operation.

International regulatory context

At present, ICAO has not adopted a legal framework, interim framework, SARPs, Procedures for Air Navigation Services (PANS) or guidance material that would allow States to authorise the types of non-certified UAS operations over the high seas that are in scope of this paper. Existing ICAO provisions for remotely piloted aircraft are focused on certified UAS and do not provide a practical pathway for operations broadly equivalent to those conducted in the open or specific category within sovereign airspace.

Recent ICAO engagement reinforces this position. Feedback received following discussion at the ICAO ATM Operations Panel indicated that ICAO is not aware of a current legal framework that would allow open or specific category UAS operations over the high seas in compliance with the Chicago Convention and relevant Annex provisions. The Panel did not support progressing guidance on airspace reservations over the high seas. However, it did accept that there is a need to develop guidance material on the provision of ATM services to UAS over the high seas.

Why authorisation is not proposed

As outlined above, the UK's jurisdiction to regulate UAS through its domestic framework is limited to sovereign airspace, and primary responsibility for oversight and enforcement rests with the State of Registry. On that basis, creating a detailed UK regulatory regime intended to mirror future ICAO provisions for UAS over the high seas would be complex, resource-intensive and duplicative of work already underway in ICAO. It would also risk

divergence from and/or the need to be unwound in light of any interim measures ICAO agrees.

In the absence of an agreed ICAO framework, the CAA is not proposing to create a UK authorisation framework for UAS operations over the high seas. Instead, it is proposing an interim coordination process that allows responsible operators to provide information in advance, enables the UK to assess whether the activity is potentially hazardous to civil aircraft and supports consideration of appropriate ATS coordination, promulgation or airspace measures.

This approach provides a practical avenue for industry to continue beneficial offshore activity where it can be appropriately coordinated, while preserving ICAO's role in developing any future international framework.

Basis for coordination

ICAO Annex 11 responsibilities

ICAO Annex 11 requires activities potentially hazardous to civil aircraft, whether over a state's territory or the high seas, to be coordinated with the appropriate ATS authority. In high-seas portions of UK-delegated FIRs, non-certified UAS of the type discussed in this paper do not fit neatly within the existing SARPs and PANS framework for international aviation and therefore present as a non-standard hazard to other airspace users.

Using the Annex 11 hazardous-activity provisions as the organising mechanism allows the CAA to:

- Request advance information about UAS activity;
- Assess the associated hazard to civil aircraft; and
- Implement airspace coordination measures where necessary, without asserting regulatory control beyond 12 NM.

This is how other hazardous activity (for example, military exercises or rocket launches) is currently managed in the high seas airspace.

Domestic airspace management framework

The CAA discharges its air navigation functions within the domestic framework set by the Transport Act 2000 and Secretary of State directions. Under Section 66 of this Act, the Secretary of State may give directions to the CAA imposing duties or conferring powers in relation to air navigation in a managed area. The CAA must exercise its air navigation functions to maintain a high standard of safety in the provision of air traffic services.

The CAA's airspace change process is the published procedure for making changes to notified airspace design, developed in accordance with directions from the Secretary of State. Airspace design for these purposes includes airspace over the sea within which the UK is committed by international treaty to provide air navigation services, and changes are

notified through the UK Aeronautical Information Publication (AIP) and or Notice to Aviation (NOTAM). The process can be scaled where proportionate, and short notice changes may be handled outside the planned process where required.

For avoidance of doubt, the CAA's proposed coordination approach is intended to operate within the existing domestic airspace management framework. Where a change to notified airspace design is required, it would be progressed using the established published procedures and implemented through an update to the UK AIP or the issue of a NOTAM, as applicable.

Implementation of a coordination model

Need for advance notification

UAS flights outside sovereign airspace can create safety and situational-awareness challenges for ATS units when operators do not notify or coordinate their intentions. In these cases, controllers have limited ability to understand the location, profile and duration of UAS activity, or to brief other airspace users on associated hazards.

By requesting a standard set of operational details, such as the nature of the activity, geographical area and altitudes, planned dates and times, and how the UAS will be controlled and recovered, the CAA can determine whether specific airspace-management measures, such as a NOTAM or SUA, are required. This supports the safe and efficient use of the airspace without imposing a full regulatory authorisation regime over the high seas.

ICAO material identifies that, in high seas airspace, the only form of airspace structure that can notify hazardous activity is a danger area. A danger area is an airspace of defined dimensions within which activities dangerous to the flight of aircraft may exist at specified times.

Information required to support coordination

Information supporting hazard assessment and coordination is likely to require more than a basic notification of intended activity. In order to assess the potential hazard to civil aircraft and determine appropriate coordination measures, consideration may need to be given to factors such as the proposed operating area, location, flight profile, duration, communications arrangements, contingency procedures and other relevant operational information. The effectiveness of any coordination activity will depend upon the accuracy and completeness of the information available.

There is also a wider question of how confidence can be established that the information used to support airspace coordination reasonably reflects the activity that will take place in practice. Whilst this paper does not propose a regulatory approval or oversight framework, the effectiveness of any coordination model is likely to depend upon operators engaging openly and providing sufficient information to support assessment of the activity and any associated hazards to other airspace users.

Where information is incomplete, inaccurate or later found not to reflect the activity conducted, the assumptions underpinning any coordination measures may no longer be valid. This could reduce situational awareness and limit the effectiveness of measures established to protect other airspace users. Consideration should therefore be given to how information quality, operator engagement and post-activity learning can support an effective coordination model.

As operations of this nature continue to emerge, information gathered before and after activities may also provide valuable evidence to support future policy development, engagement with ICAO and other aviation authorities, and the development of guidance material for operators.

Accordingly, any future coordination model is likely to require more than simple notification of intended activity. A proportionate mechanism is needed through which operators can voluntarily provide additional information, engage with the CAA where clarification is required and support confidence that the activity will be conducted in accordance with the information relied upon for hazard assessment and airspace coordination.

Operator identification and accountability

Article 17 of the Chicago Convention establishes that every aircraft must have a nationality and registration, which in turn identifies the State of Registry. For conventional aviation, this underpins clear allocation of responsibility for oversight, compliance monitoring and enforcement. In practice, however, there is currently no single international registration framework for UAS, and many UAS used in offshore operations will not display ICAO-compliant nationality or registration marks.

Despite this, many States have implemented domestic UAS registration systems that record operator identity, contact details and any relevant authorisations. Although these systems sit outside the ICAO registration framework, they provide a practical route for identifying operators. When foreign UAS operate within UK-delegated FIRs, these domestic registers enable the CAA to notify the State of Registry or equivalent national aviation authority of unsafe, negligent or non-cooperative activity, consistent with Article 12 obligations on enforcement.

Chapter 3

Proposed Approach

Proposal

Under the approach being proposed by the CAA, all UAS activity in high-seas portions of UK-delegated FIRs would be treated as ‘potentially hazardous to civil aircraft’ for the purposes of Annex 11, paragraph 2.19.1. Operators intending to conduct such activity would be asked to provide a defined set of information in advance, and the CAA, working with NATS and other relevant parties, would use that information to determine whether any specific airspace coordination measures are required.

Intended outcomes

This interim approach is intended to:

- Reduce the risk of conflict between UAS and civil aircraft operating in the high-seas portions of UK-delegated FIRs.
- Provide a single, consistent coordination process for both UK and foreign UAS operators.
- Support the UK’s responsibilities under the Chicago Convention in relation to activities potentially hazardous to civil aviation over the high seas.
- Promote responsible operating practices through early engagement and information sharing.
- Improve awareness of emerging UAS activity over the high seas and support future policy development.

Implementation action

Adopting this approach is likely to increase the volume of notifications relating to UAS activity over the high seas and will require:

- A clear process for assessing information and determining appropriate coordination measures.
- Updates to the UK AIP and supporting guidance material.
- Engagement with NATS and other stakeholders.
- Continued monitoring of ICAO developments relating to UAS operations over the high seas.

Benefits

The CAA is proposing to implement this policy as it provides a clear, lawful and proportionate mechanism for the UK to obtain advance information on UAS operations, assess the associated hazard to civil aircraft and implement appropriate coordination measures (for example, promulgation of information, use of existing structures or, where required, the establishment of a danger area and associated promulgation arrangements). Moreover, the policy:

- Aligns directly with the UK's responsibilities under the Chicago Convention and Annex 11 as the State responsible for the provision of ATS in the relevant FIRs, without asserting new regulatory powers beyond 12 NM;
- Operates within the domestic framework for discharge of air navigation functions, including published procedures for changes to notified airspace design;
- Allows both UK and foreign operators to continue beneficial offshore activity, subject to appropriate coordination, and can be adapted or withdrawn once ICAO interim measures are available, and
- Can be implemented through concise AIP text and internal procedures without the need for new primary legislation or a parallel ICAO-style authorisation regime.

Chapter 4

Conclusion and Consultation Questions

Conclusion

Civil UAS activity is already occurring within high seas portions of UK-delegated FIRs despite the absence of a practical international framework for the authorisation of the types of non-certified operations considered in this paper. Whilst the UK cannot apply its domestic UAS regulatory framework beyond sovereign airspace, it retains responsibility for the provision of ATS and the coordination of activities potentially hazardous to civil aircraft within those FIRs.

Treating UAS operations as activities potentially hazardous to civil aircraft for the purposes of Annex 11 provides a lawful and proportionate basis for addressing this issue. By obtaining sufficient information to assess the nature of the activity and determine any necessary airspace coordination measures, the UK can discharge its international obligations without creating a national authorisation framework or asserting regulatory control beyond its jurisdiction.

This approach provides a practical interim solution pending further ICAO development, improves awareness of emerging UAS activity in UK-delegated FIRs, supports the protection of civil aircraft and creates an evidence base that may inform future policy, guidance and international engagement.

Consultation questions

Question 1.

Using the scale below, please indicate if you agree or disagree with our proposal to regard all UAS activity in the high-seas areas of UK-delegated FIRs as ‘activities potentially hazardous to civil aircraft’ for the purposes of coordination.

Response options:

- (a) Strongly agree**
- (b) Agree**
- (c) Neither agree nor disagree**
- (d) Disagree**
- (e) Strongly disagree**

Question 2.

Using the scale below, please indicate if you agree or disagree with the proposal for all UAS operators intending to operate in high-seas areas of UK-delegated FIRs to be expected to provide a defined set of basic information in advance of operations?

Response options:

- (a) Strongly agree**
- (b) Agree**
- (c) Neither agree nor disagree**
- (d) Disagree**
- (e) Strongly disagree**

Question 3.

Please provide any further views you have on the CAA's proposed approach to enabling Civil UAS flights over the high seas areas of UK-delegated FIRs.

APPENDIX A

Abbreviations

Abbreviations	
AIP	Aeronautical Information Publication
AR	Airspace Regulation
ATS	Air Traffic Service
CAA	Civil Aviation Authority
DA	Danger Area
FIR	Flight Information Region
ICAO	International Civil Aviation Organisation
NATS	National Air Traffic Service
NM	Nautical Mile
NOTAM	Notice to Aviation
PANS	Procedures for Air Navigation Services
SARPs	Standards and Recommended Practices
SUA	Special Use Airspace

