EU PERSPECTIVES ON REMOTE WARFARE

CONFERENCE REPORT
15 May 2019
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Introduction

On 15 May 2019, PAX hosted a conference, in collaboration with Chatham House, which explored European perspectives on remote warfare. The event brought together experts on European and international security, emerging technologies, and the ethics and conduct of war, to discuss key issues related to remote warfare. Participants included those working in academia, think-tanks, NGOs and the media.

The conference included a keynote speech, followed by four different panels which covered different issues on remote warfare. Each of the panel discussions was also preceded by a short, interactive poll where the audience answered questions on the European role and perspectives in regard to remote warfare.

Keynote Speech

Jean-Baptiste Jeangène Vilmer, Director, Institute for Strategic Studies (IRSEM), Ministry for the Armed Forces, France

During his keynote speech, Dr Vilmer maintained that far from being a new phenomenon, remote warfare can be seen as a natural evolution in the increase of engagement ranges with the development of new military technologies, the most recent being long-range missiles and remotely-piloted vehicles, including aircraft such as armed drones.

Additionally, whilst the nebulous concept of remote warfare is often perceived in a negative light characterized as part of Western state-led operations, hidden from the public, and resulting in governments being unaccountable for military interventions, these are misconceptions that need addressing. Hence, the conduct of remote warfare is also increasingly a strategic choice for non-state actors and often involves the use of local mercenaries or private military companies that hire local fighters. Adding to this, countries like Iran, Iraq and China have used drones in conflicts since the 1980s and, when it comes to cyberattacks, most of the known cases have been carried out by Russia and China. Remote warfare is therefore not limited to either state actors or to Western interventions.

It is also important to acknowledge that the West is not a unitary actor and Western states do not engage in remote warfare for the same reasons. For example, unlike the US and the UK, which struggle with war fatigue and have a risk-aversion approach to military interventions, this is not the case with France. In fact, the French approach to remote warfare is more nuanced and can be understood with reference to General Jean-Pierre Bosse, Chief of Staff of the French Army, who has argued that a war conducted entirely from a distance would amount to projecting power without projecting vulnerability. The only vulnerability in this type of engagement would be that of the enemy, in being reduced to a target, and this poses a major concern with regards to the ethics of war - soldiers in a
war conducted entirely at a safe distance would no longer be anything but technicians of death.\footnote{Closing Address at Conference on Long Distance Warfare, Winning on Contact, 31 January 2019, https://www.cdec.terre.defense.gouv.fr/contents-in-english/our-publications/military-thinking/long-distance-warfare-winning-on-contact} So, in the French case, drones operate \textit{in situ}, with pilots stationed in location, which means that risks are therefore not completely absent.

Finally, it should be noted that remote warfare is not invisible. In the digital age, it has become increasingly difficult to conduct military operations in secret, and soldiers are now subject to more scrutiny on their compliance with rules and guidelines in relation to the use of force. In addition, there is an increasing judicialization of external military action, whereby states are being taken to court as a result of their military engagements.

Dr Vilmer also pointed out that the current proliferation of armed drones is due to the military and economic advantages they can offer, including allowing for more accurate targeting, which also makes the use of drones more humane. However, more operational experience is required with regards to the use of drones, so that an alternative to the US model can be developed.

In addition, there are certain misconceptions with regards to drones that should be given further consideration:

1) The use of drones does not equate to targeted killings;
2) Drones are not lethal autonomous weapon systems;
3) Unmanned does not mean the absence of a human operator; there is still a person controlling the system.
4) The particularity of drones is not that they allow for killing at a distance, risk-free, but that they facilitate aerial occupation and intelligence gathering;
5) With regards to civilian casualties, numbers are disputed and difficult to prove; in addition, the ethical argument in favour of drones is not that they do not cause civilian casualties, but that they result in fewer numbers;
6) Whilst it has been suggested that the use of drones leads to a ‘playstation mentality’, the diagnoses of PTSD among drone pilots disprove that idea;
7) There is a gap between the perception of what war should be and the reality of what it has become. The former is still based on the symmetrical model of conventional war, whilst the reality is that war is irregular and asymmetric, now based on the avoidance of a frontal confrontation. Drone strikes are an asymmetric response to an asymmetric threat, hence reflecting this reality.

On the practice of targeted killing, this is and will always be preferable over untargeted killings. However, opponents argue that targeted killings are ineffective and even counterproductive. But fear can be a very powerful tool to use against your opponent. With regards to the legality of targeted killings, this depends on whether they are conducted outside a recognized armed conflict, but often this can be difficult to determine as a result of existing grey zones and interpretations of what constitutes direct participation in hostilities. If there is no recognized armed conflict, then killing individuals is almost always illegal. However, there may be exceptional circumstances where France may have to conduct targeted killings outside a recognized armed conflict, with great discretion. Here,
Vilmer introduced ‘a third way’ of using armed drones, that seeks to find a balance between the UK and US approach: Overall, more transparency is desirable on the use of drones and measures are needed to satisfy the democratic requirements for such transparency as well as responsibility. But the disclosure of information must be done in a way so as not to hinder military operations.

Key Discussion Points

Out of the discussion that followed the keynote speech, questions emerged over the extent to which remote warfare is visible. For example, the number of civilian casualties resulting from contemporary military operations, is not widely reported or known by the public. In addition, with regards to suggestions that the digital age makes it more difficult to conduct secret operations, thus rendering war more visible, it was also noted that several communities living under conflict are not able to use smartphone technologies and social media due to government restrictions. Relatedly, it is also crucial that belligerents acknowledge responsibility for monitoring and reporting on civilian casualties, rather than expecting civilians to do so, even though the work of investigative journalists and organisations such as Bellingcat is invaluable in the information they make available to the wider public.

Panel 1: Technological Developments and the Way Forward

Panellists in this session discussed the development, proliferation and deployment of military technologies as well as trends that are to be expected in the coming decades. With a particular focus on the European Union, consideration was also given to the European Defence Fund (EDF) and its implications.

Speakers:  
Dr Jacob Parakilas, Deputy Head, US and Americas Programme, Chatham House  
Dr Raluca Csernatoni, Guest Professor, Institute for European Studies  
Dr Bruno Oliveira Martins, Senior Researcher, Peace Research Institute Oslo

Moderator: Wim Zwijnenburg, Project Leader, Humanitarian Disarmament, PAX Netherlands and Coordinator, European Forum on Armed Drones
Jacob Parakilas, provided an overview of recent developments in military weapon technology, highlighting a number of trends. Amongst the technological competition between large states, such as the US, Russia, and China, aimed at developing a military advantage and thus creating an asymmetry in military and defense capability. Also, importantly, there has been a proliferation of guided weaponry, which has become not only more readily available but is now more widely applicable. Such weapon technology is therefore used more frequently and by a more diverse group of actors, including non-state actors.

With regards to developments in artificial intelligence (AI) and robotics, it is unlikely that humans will be completely replaced as a result, in the near future. Finally, it is also of note that the US monopoly on the use of tactical military drones has come to an end and that these weapons are deployed with a focus on addressing asymmetric threats. The questions going forward are how this use translates into strategy and how ethical and moral questions are taken into consideration.

Raluca Csernatoni focused on the development and production of new security technologies in the European Union, particularly in regard to dual use technologies, which can be used for both military and civil purposes. The development of these technology is carefully framed by the EU, for example within the Horizon 2020 funding framework where most of these technologies are presented with a focus on surveillance and intelligence gathering when they could also be used to deliver force. It is also of note that out of the 13 billion euros allocated to the European Defence Fund, around 4-8% is to be invested in the development of disruptive technologies\(^2\), which could include human-machine cooperation platforms, intelligence acquisition, and AI-enabled cyber defenses.

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Bruno Oliveira Martins pointed out that whilst the EU had previously invested in security-related research, this could not be used for military ends. With the EDF, however, and for the first time in EU integration history, a significant amount of money is being spent in military technology research alongside the civilian ‘security’ domain.

These new investments should also be understood against the background of a recent shift in the EU’s geopolitical context, where its relationship with US has come under pressure, and also with Russia seen as a growing threat. In other words, these geopolitical developments have changed the research and development (R&D) culture in Europe, leading to a search for strategic autonomy and thus greater investment in military technologies. Nonetheless, it is also the case that many technological developments that can be used for military ends are now driven by the commercial sector, as it invests in dual-use technologies. This can be contrasted with an earlier time, when research and development of military technologies was state-led.

Treaty on European Union Discussion Points
During the panel discussion, questions emerged over who has oversight power over the EU-funded programs and who manages how they’re executed. Others agree that ‘strategic autonomy could be an issue in the future’, which raised new questions. For example, the need for achieving strategic autonomy could be used by states as a justification to develop the same technologies as other military powers, and to adopt similar policies so as not to be dependent on the latter for security. With emerging developments in robotics, it is also important to consider how humans interact with robots, as well as to what extent and how human agency will be retained in terms of decision making.

Panel 2: Legal, Ethical and Transparency Implications
In this session, panellists explored the legal and ethical implications related to the development and the use of unmanned technologies, as well as challenges posed to transparency as a result. Much of the debate focused on artificial intelligence and its use in war.

Speakers:  
Dr Larry Lewis, Director, Center for Autonomy and Artificial Intelligence, CNA  
Dr Elke Schwarz, Lecturer, Queen Mary University, London  
Dr Elena Lazarou, Policy Analyst, European Parliament Research Service

Moderator:  
Bianca Torossian, Strategic Analyst, The Hague Centre for Strategic Studies
Larry Lewis highlighted that militaries have always striven to leverage technology with the aim of achieving a military edge. Hence, advances in AI and related technology will affect every area of human life, including how wars are fought. An important question to consider as these new technologies emerge is therefore how their deployment in war will affect civilian in conflict areas.

Whilst concerns over artificial beings are not new, current debates on artificial intelligence pit many in government and the military against civil society groups, with the former wanting to make use of AI and related technologies, and the latter being largely supportive of a ban on lethal autonomous systems. However, those in government often lack an understanding of the technology, including its specifics, limitations and requirements whilst, on the other hand, civil society groups do not make the necessary distinction between general and narrow AI, and also tend to have a narrow view of human control and the ‘operational context’. In addition, whilst the commercial sector is the lead in the development of AI technologies, when it comes to ethics, it gives limited or no attention to issues of safety and the application of international law.

With regard to mitigating civilian casualties, the broader exercise of human control is beneficial. However, using AI also has its benefits, for example monitoring collateral damage in real time, mining data, pushing critical situational information to operational troops, and assisting to improve military training.

Taking all of the above into account, discussions on AI should therefore consider of the commercially driven R&D, the growing influence of civil society in debates on the conduct of armed conflict, and of the development of new strategies and policies by the military for using AI.
Elke Schwarz pointed out that ‘issues related to ethics are difficult. It is also problematic that ethical questions are often folded into discussions on legality and thus become a blind spot for many policy makers. Furthermore, ethical issues are not a technological problem; in fact, it is crucial to consider our values, what we want to achieve, and how technology limits or enables this. For example, in the case of Project Maven, a collaboration between Google and the US Department of Defense aimed at developing AI capabilities to identify objects and analyse imagery captured by drones. In other words, this was based on programming AI for identifying targets, which is a very sensitive and politically charged issue. It is also problematic that an AI application will include the biases of its programmers and in addition, we should question how moral values are translated into binary code. Ultimately, if we want to take the issue of ethics seriously, we have to consider what our values are.

Elena Lazarou highlighted how, with current EU defence investments including funds for disruptive technology, it is likely that a strong emphasis will be placed on AI and related technologies. It is therefore important to consider ethics and the moral implications of AI and how general standards can be established when there are differences between regions. In terms of guidelines, these should be designed for and applied both at the stage of developing AI and once an AI application is being used. It is also paramount to consider the strategy and goals behind the development of AI.

With regards to the EU, there is an increasing demand for transparency but with security and defence policy being predominantly a competence of the member states, setting commons rules is a difficult task. However, to the extent that transparency is a way of doing things, once it is integrated at a certain level of governance, it can trickle down, and this is currently is happening in the EU.

Key Discussion Points

A number of issues came to light in the discussion, amongst these that there is a need for increasing understanding of the impact of future technologies amongst defence officials. With regards to drone warfare, with some questioning the extent to which drone warfare is more humane than previous types of war, it was pointed out by Dr Larry Lewis that existing data\(^3\) demonstrates that drone strikes cause more civilian casualties than strikes by manned aircraft. This is however not due to the platform, but a result of the process and information used for deciding where and who to target. In order to have an informed dialogue on this process it is necessary to implement a mechanism for ensuring transparency, as it is not so much the drone as a vehicle, but the network or system that shapes practices related to drone use in certain ways and it is important to investigate all potential outcomes.

In terms of ethics, it is also important to question if measuring civilian casualties is enough. For example, continued surveillance inflicts psychological damage on those who live in affected communities. If war is framed simply as an engineering matter rather than as a social problem, there will be crucial aspects of warfare that will be missed, and this will impact on how goals are achieved with regards to engagement in conflict.

Panel 3: State Perceptions on Remote Warfare

Speakers in this panel considered how the US and European countries engage in remote warfare, as well as the positions on emerging military technologies.

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Shannon Dick focused on the US experience of remote warfare, explaining that it means a shift to a lighter footprint approach characterized by tools that facilitate a type of warfare that is more secretive and generates new challenges. In terms of secrecy, information on troop placements, civilian harm, or guidance on the use of lethal force is often lacking. With the public often not having access to information on where the battlefield is and what operations are being conducted, democratic oversight is undermined. If civil society or lawmakers do not know where the US military operates it is hard to ensure government accountability. Adding to this, remote warfare has also expanded the conduct of war more, driving decisions to use force in places where it would otherwise not have been used.

Whilst some might consider that the public may care less if there are no troop losses, it is concerning that remote warfare could facilitate an endless, ‘forever war’, also fed by narratives on the need for armed drones. There is also a general misconception that remote warfare prevents ‘body bags’ – the truth is that not only do local ground forces suffer losses but civilians have also been wrongfully targeted with their families having no means of finding out who might have been responsible due to a lack of transparency and accountability on the part of belligerents.
It is also necessary to consider the extent to which remote warfare facilitates military objectives. So far, a strategic review has not been conducted that looks at short and long-term political goals and investigates if these objectives are being met.

**Emily Knowles** expanded on the concept of remote warfare, explaining that in contemporary conflicts, Western countries are increasingly working with local forces to counter threats. In practice this often entails joint operations with partner forces and providing local forces on the ground with air support. As a broader strategy, remote warfare includes a series of tactics and strategies for international partners to work more with local forces on the ground, without deploying many of their own troops. Important questions now emerging are on what tactics and strategies qualify as remote warfare, and also on how remote warfare will be used as a strategy.

When it comes to an ‘EU approach’ to remote warfare, it is very difficult to generalize because each country uses a different approach. There are however commonalities in the training programmes given by the EU in countries like Mali and Somalia, which focus on providing basic, low-level tactical training to large numbers of individuals. But there are a number of issues that have come to the fore, identified as a result of those programmes. For example, although non-military issues are addressed – such as gender and international law – insufficient attention has been given to the political, economic and social drivers of conflict. Additionally, there is very little feedback on the effectiveness of the training. For example, information on those participating in the training is often unclear, as the EU does not have much to say on the matter. The same goes for how the knowledge and skills acquired during the training are used and, additionally, there are also no details on whether those who were given the training performed better afterwards and on the short and long-term impact of the training being provided. Finally, the idea that it is possible to fight a certain threat by supporting local groups without becoming involved in local complexities is incorrect. By training local actors, Western partners are inevitably caught up in local politics and conflicts.

At a different level it is very difficult to access any information on what is happening on the ground. This lack of transparency on the part of states causes many challenges. With regards to civilian casualties, there should be impact assessments on both the short and long-term impact. Victory should be as much about winning the narrative battle as it is about winning the battle on the ground.

**David Dunn** also highlighted how warfare is taking place outside the public eye and with reluctance by European states to take a position on this shift. This move to remote warfare entails not only the use of new technologies but also the increased deployment of special forces. With regard to armed drones, however, it seems that states have created a coordinated un-coordination, a consensus free zone moving towards a direction that is more permissive on the use of such armed drones. For instance, if the French engage in targeted killings outside a recognized armed conflict that is framed as illegal but passing intelligence on to Iraqi forces or supporting those forces in other ways is allowed.

The above shows that there are no clear categories and criteria for the use of lethal force. There is however a moral question that always should be asked in terms of what is done in the name of citizens. This is especially important because when harm is done, there will most likely be a blowback. And although the use of drones might not be very present in Western media, that does not mean that it is out of public sight in the areas where it takes place. Furthermore, the lack of debate on these new
Key Discussion Points

Issues highlighted during the discussion included the consequences of US air strikes across the Lower Shabelle region, in Somalia. Amnesty International found credible evidence that fourteen civilians, including children, were killed in strikes that took place between April 2017 and December 2018. The US government carried out at least 76 more air strikes in other regions in Somalia within this period, which suggests that the real number of casualties is significantly higher. This stands in stark contrast with the American narrative where these casualties have been repeatedly classified as militants, combatants and terrorists and commanders have insisted that no civilians were killed or injured. In addition, communities affected by the airstrikes often had not means of communicating with either the Somali or the US governments.

Panel 4: European Foreign Policy in Conflict Theatres

The final panel focused on the European Union and its engagement with issues related to remote warfare, defence investments, and what the ramifications may be in terms of foreign and defense policy and with regard to transparency and accountability.

Speakers:  
Beatrice Godefroy, Director, Europe Program, Center for Civilians in Conflict  
Ben Hayes, Fellow, The Transnational Institute  
Frank Meeussen, Policy Officer, Disarmament, Non-proliferation and Arms Export Control, European External Action Service

Moderator: Delina Goxho, Independent Consultant

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4 Somalia: The Hidden US War In Somalia; Civilian Casualties From Air Strikes In Lower Shabelle (2019), Amnesty International. [https://www.amnesty.org/download/Documents/AFR5299522019ENGLISH.PDF](https://www.amnesty.org/download/Documents/AFR5299522019ENGLISH.PDF)
Beatrice Godefroy emphasized the need for questioning the operational efficacy of remote warfare and how this strategy contributes to lasting peace and to the protection of civilians. This is a fundamental issue that so far has not been addressed by the EU. Nonetheless, since many different interventions (from light footprint through to partnerships) fall under the term, it is also necessary to look at remote warfare more carefully and clarify its different elements.

When it comes to the new European Defence investments, it would be beneficial to slow down the process, to help prevent the misuse of weapons. It is already difficult to ensure oversight on how weapons are used at the national level and implementing an oversight mechanism at the EU level of governance is even more complex, so this is an important conversation to be had.

Ben Hayes suggested that the European Union has been captured by the interests of large corporations in the defense and security sector, which are taking advantage of the current international security configuration. Building on the consensus among European States that asymmetrical security threats demand a new approach, and that geopolitical relations require military autonomy, corporations have created a demand-driven supply chain to fund the development, production, and sale of new weapon technologies. This has led to a rapid development and procurement of weapon technologies and is only worsened by the window shopping provided by the European Defense Fund⁵.

With regards to the implementation of an ethical framework on the use and proliferation of armed drones by European countries, this is a matter of political and financial will. At the moment, such

ethical guidelines are not in place, and no efforts have been made to developed basic mechanisms on fundamental issues such as transparency and accountability. In fact, unmanned aerial vehicles are seen as the solutions to problems that are still undefined or unclear and often, there is no broader political analysis of how power operates.

Frank Meeussen focused on how civil society can best engage the European Union on transparency and accountability. With many different voices involved, this can be a difficult task at times. There is however an established civil society dealing with issues related such as arms control, for instance Current attention being given to the EDF is a good example. Civil society groups can also engage the EU and member states in bilateral meetings, and should be encouraged to do so

With regards to defence matters, it would be wrong to create the impression that the EU 'was never about armed forces'. Whilst the EU has a limited mandate regarding foreign and defense policies, it is in favour of a rule-based order and it supports the implementation of international laws such as International Humanitarian Law and International Human Rights Law.

It should also be noted that Article 346 of Treaty on the Functioning of the European Union, is not always applicable. Military grade weapons, for example, are excluded from the common market and there is a ban on lethal autonomous weapons. Notwithstanding, the EU has a limited mandate in this area and, with regards to the use of armed drones, it is unable to take a clear standpoint because a consensus hasn’t been reached on this matter

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