

Client Alert

International Trade & Litigation Practice Group

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Armed Drone Export Control Update *United States Proposes Joint Declaration on Export and Use*

Following the Federal Aviation Administration's rollout of final regulations governing the use of certain commercial drones in the National Airspace, Defense News reports that the United States has taken steps to facilitate the future adoption of global standards for exports of armed unmanned aerial systems (UAS). At a recent Arms Trade Treaty review conference in Geneva, the U.S. Department of State (State) confidentially circulated draft guidelines entitled *Proposed Joint Declaration of Principles for the Export and Subsequent Use of Armed or Strike-Enabled Unmanned Aerial Systems (UAS)*.

The draft Joint Declaration reportedly identifies several principles for any future international norms associated with the sale, transfer, and subsequent use of armed UAS. Press reports indicate that the principles include an affirmation of the applicability of international legal and human rights measures to the use of armed UAS, consideration of the potential recipient country's adherence to international obligations and commitments, and appropriate transparency measures, among others. Press reports indicate that the United States may publicly announce any signatories to the Joint Declaration at the upcoming United Nations meetings in October.

This effort follows State's release of the *U.S. Export Policy for Military Unmanned Aerial Systems* in February 2015. Although that policy is limited to U.S.-origin military and commercial UAS, State confirmed that it was "part of a broader United States UAS policy review which includes plans to work with other countries to shape international standards for the sale, transfer, and subsequent use of military UAS." Thus, it is likely that the United States' position in negotiations to achieve consensus on the Joint Declaration will be consistent with this policy.

These developments occur against the backdrop of a growing market for armed UAS, which is estimated to reach \$10 billion by 2024. Key players at this stage of the industry's development include the United States, Israel, and China. For example, China has already exported armed UAS to several countries in Africa and the Middle East. Whether China, Israel, and other leading exporters of armed UAS will participate in this initiative will be watched closely in the months ahead.

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