

Unmanned Weapons Technologies: Has the Law of Armed Conflict Been Stretched to the Limit?

Unmanned military technology has introduced new characteristics and *mores novos* into the realm of war, putting pressure on the existing law of armed conflict and testing its relevance in 21st century high-tech warfare. Fifteen years since the first drone strike, and yet the persistent and troubling questions regarding the influence of unmanned weapons on the normative system of warfare as delineated by the law of armed conflict remain unsettled. Unmanned weapons technology enables states to conduct a war without sending soldiers into harm's way and fight it remotely far removed from armed conflict actuality. Unmanned weapons make it physically easier to target individuals whenever and wherever they are found, reach a wider range of targets, and operate in situations and settings beyond what we would traditionally think of as conflict zones. At the same time, the practice of drone warfare revealed that unmanned warfare can take on the characteristics of an individualised and 'unilateral' violent enterprise, which can be spatially unbounded and temporally unlimited, altering perceptions and our conceptual understanding of war and its limits.

This paper consists in an effort to examine how, and the extent to which, unmanned weapons technologies change the fundamental structures of the legal regulation of war. To this end, this paper looks at the military paradigm of the current law of armed conflict, as reflected in the principles underpinning its operation, its precepts and its background assumptions. In this context, this paper identifies the normative and conceptual challenges posed by unmanned weapons to a legal regime designed for the regulation of the conduct of traditional military activities and manned warfare, and delineates the new military paradigm represented by new weapons technologies. Furthermore, this paper questions part of the literature which defends drones as 'humanitarian' weapons that facilitate compliance with the existing rules. Moreover, this paper argues that what emerges from fifteen years of drone praxis is that the law of armed conflict has been stretched to its limits, and thus the line between adaptation and violation has become difficult to distinguish clearly. Notwithstanding the dynamic character of the law of armed conflict, this paper asserts that the existing normative framework of the law cannot be synchronised with the new type of warfare introduced by unmanned weapons technologies. Acknowledging the profound changes in the landscape of conflict brought about by the technological transformation of weapons' capabilities, this paper is intended to show that we need to develop a new framework for the regulation of unmanned warfare.