



The Bottom Line

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U.S. UPDATES POLICY ON MILITARY DRONE EXPORTS

Summary

The State Department announced that the Trump administration approved a policy change to reinterpret an arms control agreement to facilitate exports of unmanned aerial systems designed for military use and help U.S. allies meet their national security requirements.

Background

Established in April 1987, the voluntary Missile Technology Control Regime (MTCR) aims to limit the spread of ballistic missiles and other unmanned delivery systems that could be used for chemical, biological, and nuclear attacks. The regime urges its members, which include most of the world's key missile manufacturers, to restrict their exports of missiles and related technologies capable of delivering any type of weapon of mass destruction.

As a member of the MTCR, the United States and other members establish national export control policies for ballistic missiles, cruise missiles, unmanned aerial vehicles (UAV), space launch vehicles, drones, remotely piloted vehicles, sounding rockets and underlying technologies. These items are separated into Category I (complete missiles and rockets, major sub-systems and production facilities) and Category II (specialized materials, technologies, propellants and sub-components).

Current Status

The MTCR was primarily introduced to regulate the sale of cruise missiles, but the interpretation also covers certain unmanned vehicles. The regime identifies five factors to consider when evaluating an export:

- Whether the intended recipient is pursuing or has ambitions for acquiring weapons of mass destruction;
- The purposes and capabilities of the intended recipient's missile and space programs;

- The potential contribution the proposed transfer could make to the intended recipient's development of delivery systems for weapons of mass destruction;
- The credibility of the intended recipient's stated purpose for the purchase; and
- Whether the potential transfer conflicts with any multilateral treaty.

Previously, the U.S. government's interpretation of the MTCR led to a blanket denial of most countries' requests to buy Category I systems. The U.S. government will now treat a carefully selected subset of unmanned aerial systems (UAS) with maximum airspeed less than 800 kilometers per hour as Category II, but will maintain particular restraint, including a strong presumption of denial, on transfers of those UAS that present higher risk for weapons of mass destruction (WMD) delivery, such as cruise missiles, hypersonic aerial vehicles, and advanced unmanned combat aerial vehicles.

Impact

The Trump administration has sought to modify this designation since at least 2017 to compete with China's armed drone sales to Middle Eastern governments that typically buy American weapons. China is not a party to the MTCR. The administration argues that a boom in drone technology over the past two decades has made the inclusion of unmanned aerial systems in the category obsolete, pointing out that drones pose no current risk of carrying nuclear payloads.

Michael Horowitz, a professor and director of the Perry World House at the University of Pennsylvania, argues that "Treating uninhabited aircraft as missiles for export policy purposes doesn't work. It has allowed China to capture a significant chunk of the drone export market, including with U.S. allies and partners."

RESOURCES:

- [U.S. Policy on Export of Unmanned Aerial Systems](#) (DOS)
- [State Dept. Updated Military Drone Exports Policy](#) (GovConWire)
- [Trump Admin to Ease Drone Export Rules](#) (Defense News)
- [The Missile Technology Control Regime at a Glance](#) (ACA)