# THE EU AND MILITARY AI GOVERNANCE

## FORGING VALUE-BASED COALITIONS IN AN AGE OF STRATEGIC COMPETITION

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The use of Artificial Intelligence (AI) has increased dramatically, driving discussion on the best way to govern it. While much of the discussion has focused on AI in the civilian domain, its usage in military applications raises distinct ethical and legal questions that actors increasingly seek to address. Governance initiatives are becoming more common, even though strategic competition between major powers remains a challenge.

The EU navigates this governance landscape more hesitantly than in the civilian domain with its Artificial Intelligence Act (AIA). More information is needed regarding what kind of regulation, and especially with whom the Union could pursue such avenues. This paper seeks to address these questions by presenting and analyzing results from an expert survey conducted in autumn 2023 by researchers at Erasmus University Rotterdam. It argues that the EU needs to pursue a broad range of cooperation formats to advance its values and interests in the context of military AI. Strategic multilateralism is needed, especially with like-minded states that share values with the Union.

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## FORGING VALUE-BASED COALITIONS IN AN AGE OF STRATEGIC COMPETITION

### INTRODUCTION

The development of Artificial Intelligence (AI) has profound transformative potential for human society, presenting prospects for progress and innovation across diverse sectors.[1] Nevertheless, the transformative capabilities of AI also give rise to substantial concerns, particularly in its military applications. The development of military AI is unpredictable and covert in nature, not to mention potentially accessible to a broad spectrum of actors, both benevolent and malevolent. The pressing need for comprehensive global regulation and oversight therefore parallels past efforts concerning nuclear energy and chemical materials,[2] among others.

While the European Union (EU) has already started to consider addressing the issues in civilian applications of AI, its AI Act explicitly excludes military applications. Other limitations and challenges also loom large. Over the past two decades, the multilateral system has shown signs of erosion from within and fraying at its periphery. This erosion, combined with the ongoing power shift in the global system, renders the global regulation of military AI complicated at best and extremely difficult at worst. In particular, the spillover effects of military AI on the strategic competition between the United States and China constitute a significant hurdle. Both great powers, along with other stakeholders, seek to secure a qualitative advantage in this domain, making negotiations on governing military AI a formidable task.

In this context, a pragmatic yet promising approach to the global regulation of military AI involves the emergence of diverse governance models, which may sometimes overlap or even clash in certain applications or cases of use. This approach would lead to the natural formation of ad hoc or durable coalitions centred around specific governance models. The dominant coalition would be the one whose core belief system and vision for military AI governance resonated the most with other stakeholders, including states and blocs.

Given that discussions on the regulation and oversight of military AI are still in their infancy, the forging of such coalition(s) necessitates the emergence of a proactive stakeholder that promotes a functional and legitimate vision for military AI regulation.

Questions persist about the capacity of the EU to assume this role as the champion of such a coalition, as military applications have been excluded from the now agreed-upon AI Act, and the EU's competence in the field of military and defence cooperation is highly limited. Yet, with the EU lagging behind in both investments and development of AI in comparison to the US and China, it can only hope to leverage its potential as a normative or regulatory power.[3]

There are two prospective components to consider. First, it remains to be seen whether the EU is capable of identifying and articulating a coherent vision for military AI regulation. Second, it is unclear whether such a vision could attract diverse stakeholders across the world and possibly even establish the dominant coalition in this arena. The present paper is primarily concerned with the latter, although these two dimensions are difficult to disentangle in practice.

In pursuit of this objective, the paper progresses from general to specific, and descriptive to prescriptive. It first discusses the current state of AI governance globally, and regulatory measures by key actors. The discussion then turns to military AI as a particular case of AI governance, describing the nascent attempts to regulate this space and the EU's current and potential role therein. To understand how the EU should direct its efforts in forging coalitions for global governance of military AI, the authors administered an online survey to experts specializing in the field. Soliciting expert opinions equips the authors with information regarding which stakeholders the EU should or could align with in order to pursue an active role in the global governance of military AI.

This mapping exercise is informed by insights gleaned from the Advocacy Coalition Framework (ACF).[4] Given that the governance of military AI is still

3    Manners 2002; Bradford 2020.

4    Haar 2010; Haar & Pierce 2021.

in its infancy, it is important to map the relevant actors in the field in order to pursue coalition-building in the future. Only through building such coalitions can the EU promote the turning of its core beliefs with respect to (military) AI into frameworks governing policy at the global level.

## 1. GLOBAL GOVERNANCE OF AI

Governing AI is one of the biggest challenges facing the international community, as AI has arrived at the centre of global affairs more or less in a regulatory vacuum – at least when it comes to a global framework. Yet the number of developers, deployers and users is increasing rapidly. For example, 2023 witnessed record levels of AI use, with OpenAI, for example, launching its processing tool ChatGPT in November 2022. Some have even argued that the rapid development of AI augurs the advent of a "'techno-polar' order", wherein "technology companies wield the kind of power in their domains once reserved for nation-states".[5]

While the governance debate on AI today has moved from questioning *whether* it should be regulated to *how* it should be regulated, the exact regulatory contours remain open. Uncertainty prevails about "what is to be policed, how, and by whom".[6] What appears certain, however, is that the inherent attributes of AI, that is "speed, autonomy and opacity", necessitate cooperation across stakeholders for any governance framework to be meaningful.[7] Moreover, the "interconnectedness" and "sophistication" of AI systems arguably also calls for advancing a global approach to regulation.[8]

### 1.1 Heightened interest in AI governance amid waning multilateralism

The context within which AI governance is advanced is challenging overall, with multilateralism under pressure and great powers increasingly embroiled in strategic competition.[9] Trust in post-Second World War institutions, such as the UN, is rapidly declining, and international legal agreements are becoming ever harder to make. Traditional great powers such as the United States and Russia fail to see eye to eye on questions of world order and how global challenges should be handled. In addition, China's rise has further redistributed global power, diffused worldviews, and hampered international regulation in the process.

Yet another power broker is the EU. The Union's ability to navigate strategic competition will ultimately define its approach to multilateralism and global challenges, including the governance of AI. However, along with numerous global constraints, the EU also battles another limitation – it is severely constrained in terms of formal powers to make decisions related to defence and security matters. There are nevertheless examples of EU member states overcoming this limitation by deciding to act together. The Permanent Structured Cooperation (PESCO) – one of the building blocks of EU defence policy – enables the rapprochement of member states by allowing them to "jointly develop defence capabilities, invest in shared projects, and enhance the operational readiness and contribution of their armed forces".[10] The European Defence Fund (EDF) and its funding of research and development also testifies that Europe is an actor in its own right in military applications of AI.[11]

While the overall AI regulatory field remains scattered, recent years have witnessed a proliferation of national, regional and global initiatives. Currently, the AI governance landscape can at best be defined as a "regime complex – a structure of partially overlapping and diverse governance arrangements without a clearly defined central institution or hierarchy".[12] Interestingly, despite challenges in multilateral cooperation in general, the level of inter-governmental initiatives in the field of AI has increased and factually exceeds comparable national efforts since 2020.[13] Besides states and the various constellations among them, a broad sphere of actors are contemplating AI governance, ranging from the UN to the OECD and even the G groups.

The European Union has been a pioneer in holistic civilian AI governance.[14] Indeed, "the Brussels Effect"[15] explains the EU's position as a world regulator in the digital domain, manifested, inter alia, in the Artificial Intelligence Act (AIA), the Digital Markets Act (DMA) and the Digital Services Act (DSA). The EU's approach is risk-based, formed around a classification of risks ranging from banning AI that involves unacceptable

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5    Bremmer and Suleyman 2023.
6    Bletchley Park 2023; Bradford 2023, p. 6.
7    Chesterman 2021, p. xv.
8    Butcher and Beridze 2019, p. 95; Bremmer and Suleyman 2023.
9    Jokela et al. 2023.

10   Council of the European Union 2021.
11   European Commission 2023, p. 21.
12   Tallberg et al. 2023, p. 4.
13   Tallberg et al. 2023, p. 5; Council of Europe 2023.
14   Ibid.
15   Bradford 2023.

risk, to not regulating AI that entails little or no risk. Data protection through the GDPR is also a crucial element of user protection.

The US and the EU, traditional partners in many policy sectors, have also found limited common ground on AI governance. Their Trade and Technology Council (TTC) has distanced the two powers from using AI for social scoring systems, a practice employed in China and other authoritarian states.[16] Yet the US and the EU have adopted different approaches to AI governance. Unlike the Union, the US has received criticism for being reluctant to enter the AI regulatory game. To date, little progress has been made in Congress in the way of legislation: Capitol Hill has focused on maintaining the US edge in AI with a laissez-faire approach, and on steering government adoption of AI with guidelines. The Biden administration has taken a more hands-on approach, with the adoption of a (voluntary) Blueprint for an AI Bill of Rights in October 2022 and an Executive Order on Safe, Secure, and Trustworthy Artificial Intelligence, issued on 30 October 2023.[17] The latter focuses on "increased transparency and the use of testing, tools, and standards",[18] touching on risks like deepfakes and the use of AI to develop nuclear and biological weapons, as well as questions of privacy, civil rights, innovation, and responsible government use of AI.[19] The US has also sought to prevent China from getting hold of advanced chips that are vital for creating large language models, hoping to thwart its plans to surpass the US in the development of AI. This type of incipient containment has taken the form of legislation (the CHIPS and Science Act of August 2022) and controls on exports of semiconductors to "countries of concern".[20]

China, in turn, sees technology as the central arena in its competitive relationship with the United States.[21] There are signs that Beijing is gearing up for long-term competition with domestic restructuring and investments, while doubling down on its "Military-Civil Fusion" strategy.[22] However, China has also emerged as a leader in the domestic regulation of Artificial Intelligence. The Cyberspace Administrator of China (CAC) has pioneered rules on recommendation algorithms, synthetic videos, images, audio and text – the latter of which were updated when ChatGPT came online.[23]

The UN is another actor whose expansive agenda – such as the Global Digital Compact – has come to include fostering cooperation on AI as well. It has sought to respond to the demand for regulation by including the issue of AI on the agenda of its Summit of the Future, and by seeking to establish a separate UN agency on the matter in the coming years.[24] UN Secretary-General António Guterres recently launched a High-Level Advisory Body to explore how to link the various AI governance initiatives in a better way. One of the first tasks of this multi-stakeholder body of 32 experts will be to explore the best options for international governance of AI. In December 2023, it published its first interim report on how to harness AI for the common good.[25]

## 1.2 Military AI governance

In tandem with the ongoing efforts to regulate civilian AI, there has been a noticeable increase in interest regarding the governance of military AI,[26] although it has not yet reached the level of intensity seen in the civilian domain. States of varying sizes, from major powers to smaller nations, openly acknowledge the significance of military AI governance for numerous purposes, including its impact on global strategic stability.[27] Military AI governance is also critical for addressing ethical concerns and mitigating unintended consequences associated with the deployment of artificial intelligence in the military domain. The overarching obstacle is AI's generality: as a general-purpose technology, it permeates a vast spectrum of applications, both civilian and military. Attempting to curb its military applications without impeding its civilian potential is a herculean task.

The paucity of rules regulating military AI beyond rules of international humanitarian law has triggered a discussion on how to achieve effective global military AI governance. One approach involves the

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16    Larsen 2021.

17    Pouget and O'Shaughnessy 2023.

18    Lewis, Benson and Frank 2023.

19    White House 2023a.

20    For this reading of containment, see Gaens, Sinkkonen and Vogt 2023.

21    Engelke and Weinstein 2023.

22    Lee 2023.

23    McCarthy 2023; Sheehan 2023.

24    Henshall 2023.

25    UN AI Advisory Body 2023.

26    Separating military applications from civilian ones may appear redundant or even misleading due to AI being a general-purpose technology, yet this paper is largely formed around the distinction. This separation is motivated by the fact that there are distinct ethical and legal considerations regarding civilian and military AI, unique challenges, and different stakeholders. Addressing military AI governance separately enables a more concentrated examination of security risks, strategic implications, and potential misuse inherent in military applications. This focused approach facilitates the establishment of clear guidelines and safeguards.

27    Kühn 2023, 4–5.

development of treaties that articulate clear norms governing the development and deployment of military AI.[28] Within the UN, discussions on military AI have predominantly revolved around the United Nations General Assembly First Committee and the Group of Governmental Experts (GGE) on emerging technologies related to lethal autonomous weapons systems (LAWS), operating under the Convention on Certain Conventional Weapons (CCW).[29] The primary focus in this context has been on regulating LAWS and ensuring "human control over weapons, critical functions of weapons, attacks, the targeting process, and ultimate decisions to use force".[30]

However, the UN's attention to AI for military purposes is expanding beyond these specific parameters. In his 9th policy brief, the UN Secretary-General recognizes AI as a technology that demands the development of national strategies, norms, and rules within a global framework.[31] On 18 July, 2023, AI became the focal point of a Security Council (UNSC) session examining the implications of AI for global peace and security. This marked the first time that such a discussion had taken place. The session highlighted the constructive and revolutionary aspects of AI, while also addressing its potential to alter the landscape of threats and warfare on a broader scale.[32]

Some states, particularly the United States, consider it necessary to move beyond the UN and its hitherto prevalent focus on weapons systems.[33] One such forum has been NATO, which has encouraged the development of guidelines for military AI. NATO's efforts are structured around three key pillars: (1) ethics and values, (2) legal norms, and (3) safety and security. NATO has established procedures and competence to operationalize AI governance through standardization and policy planning.[34] NATO's activities stem from its AI Strategy of 2021,[35] which also addressed issues related to the responsible use of AI, even though it did not go beyond reiterating a commitment to the principles of international law.[36]

In addition to initiatives undertaken within international organizations, several nations, including the Netherlands, South Korea, and the United States, have collectively and independently taken proactive steps to establish frameworks for the responsible application of military AI.

Bringing together an inclusive assembly of state and non-state stakeholders, the Summit on Responsible Artificial Intelligence in the Military Domain (REAIM 2023) took place in The Hague in February 2023, co-organized by the Netherlands and South Korea. The Summit's concluding statement – the REAIM Call to Action – gained endorsement from 57 states, including major players such as the United States and China. It underscores the importance of responsible use of AI in the military domain, in strict accordance with international legal obligations and without compromising global security, stability, and accountability. However, it also refers to widespread concerns and proposes 25 actions and measures that governments, industries, knowledge institutions, international organizations, and others should support.

In addition to the discussions at the REAIM Summit, the United States has launched an initiative called 'The Political Declaration on Responsible Military Use of Artificial Intelligence and Autonomy', which establishes a normative framework addressing responsible applications of AI and autonomy in the military. As of February 2024, the Declaration has garnered endorsements from 51 states.[37] It aims to serve as a basis for exchanging best practices, building states' capacities, and facilitating the sharing of experiences and ideas. In early 2024, the endorsing states are expected to meet to discuss the next steps.

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28    Engler 2023.
29    United Nations, 2023b.
30    Ekelhof and Paoli 2020.
31    Grand Clément 2023.
32    United Nations 2023a.
33    US Mission Geneva 2023.
34    Stanley-Lockman & Trabucco 2022.
35    NATO 2021.
36    NATO 2023.

37    U.S. Department of State 2023a.

## 2. EXTENDING STRATEGIC MULTILATERALISM TO MILITARY AI GOVERNANCE

Given the intricate nature of global military AI regulation, key responsible stakeholders should be involved in addressing specific challenges within this realm; otherwise, applications of military AI could undermine global stability and increase strategic risks. To this end, the EU has demonstrated an interest in military AI (which it is potentially capable of actively regulating) for various compelling reasons.

First, despite the fact that the use of AI in military applications may have both beneficial and detrimental effects upon the conduct of hostilities, apprehensions have been raised about its potential harm to civilians, violations of international humanitarian law, and the use of indiscriminate or disproportionate force, all of which run counter to the EU's commitment to humanitarian norms. More generally, the EU champions principles of transparency, accountability, and human-centredness in AI development.[38]

Second, the EU envisages a framework that guides responsible AI use in global security and defence through the establishment of international norms and agreements.[39] Third, the EU seeks to influence the development of AI technologies for defence and security, safeguarding its security interests amid global competition in AI-related defence technologies.[40] Fourth, as part of the EU's broader strategy to maintain technological autonomy and reduce dependency on non-European AI and defence technology providers, the regulation of AI in the military sector becomes instrumental in encouraging the development of indigenous AI capabilities for defence and security.[41]

Fifth, the EU could actively promote the regulation of military AI to garner public trust and ensure accountability. In this respect, the EU leverages popular demand, as evidenced by the 2023 European Tech Insights survey, where 88% of European participants expressed a strong desire for the EU to assume an influential role in guiding technological advancements. Notably, respondents placed considerable trust in the EU's ability to regulate AI, even in comparison to national governments.[42]

### 2.1 Survey and results

To understand how the EU should direct its efforts in global governance of military AI, an online survey was administered to experts specializing in the field of military AI. The survey was conducted by Erasmus University Rotterdam between 24 October and 23 November 2023, targeting researchers with expertise in European defence and military policy. In total, 2,996 individuals were approached, 479 of whom responded, achieving a response rate of 15.98%.[43]

One segment of the survey focused on gathering experts' opinions on the degree and breadth of the EU's involvement in regulating military AI on a global scale. These inquiries sought opinions on the EU's willingness and capability to take a leading role in military AI regulation as well as prioritization matters. In addition, the survey included questions about the stakeholders and actors that the Union should consider, and the format in which cooperative endeavours should take place.

The survey indicated strong support, with 73.2% of respondents agreeing with the statement that the EU is willing to form a coalition for global military AI regulation, as shown in Figure 1. This suggests a prevailing sentiment among respondents that the EU recognizes the importance of international collaboration and partnership in managing the challenges posed by military AI. Overall, the majority of respondents therefore agreed with the growing global awareness of the need for coordinated efforts to address the ethical, security, and strategic implications of military AI on an international scale through coalition-building efforts.

Respondents were also asked whether they agreed with the assertion that the EU possesses the capability to form coalitions with third countries and international organizations for the global regulation of military AI. Figure 2 depicts the dispersion of views. A slim majority of respondents, comprising 50.8%, expressed a level of optimism, indicating that they agreed with the statement.

38   European External Action Service 2022.
39   Stokes, Sullivan & Greene 2023.
40   Glaser 2023.
41   Csernatoni 2021.
42   de Tena and de Viedma 2023.

43   A diverse set of sources was used to compile the list of experts for this survey: (1) experts registered in the Confederation of Laboratories for Artificial Intelligence Research in Europe (CLAIRE); (2) researchers based at the 251 European research institutions highlighted in the 2020 Global Go To Think Tank Index (GGTTI); (3) researchers from the top 50 European universities in the 2023 QS World University Rankings for Politics; (4) authors or academics who have published on military AI, specifically emphasizing the European Union or other European countries; (5) speakers at the 2023 REAIM Summit; and (6) active individual users of X (formerly Twitter), who have created original content on the subject of military AI within the European Union between 2021 and 2023.

**The EU is willing to forge a coalition with other third countries and regional/inter-national organizations aimed at the global regulation of military AI**



Figure 1. Responses to the statement "The EU is willing to forge a coalition with other third countries and regional/international organizations aimed at the global regulation of military AI".
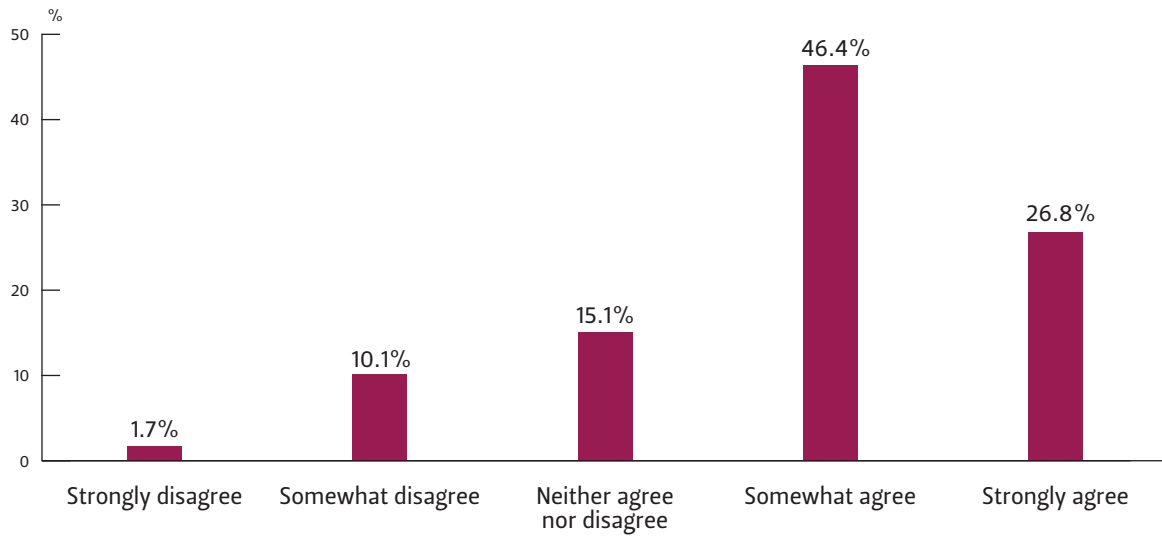
**The EU is able to forge a coalition with other third countries and regional/international organizations aimed at the global regulation of military AI**



Figure 2. Responses to the statement "The EU is able to forge a coalition with other third countries and regional/international organizations aimed at the global regulation of military AI".
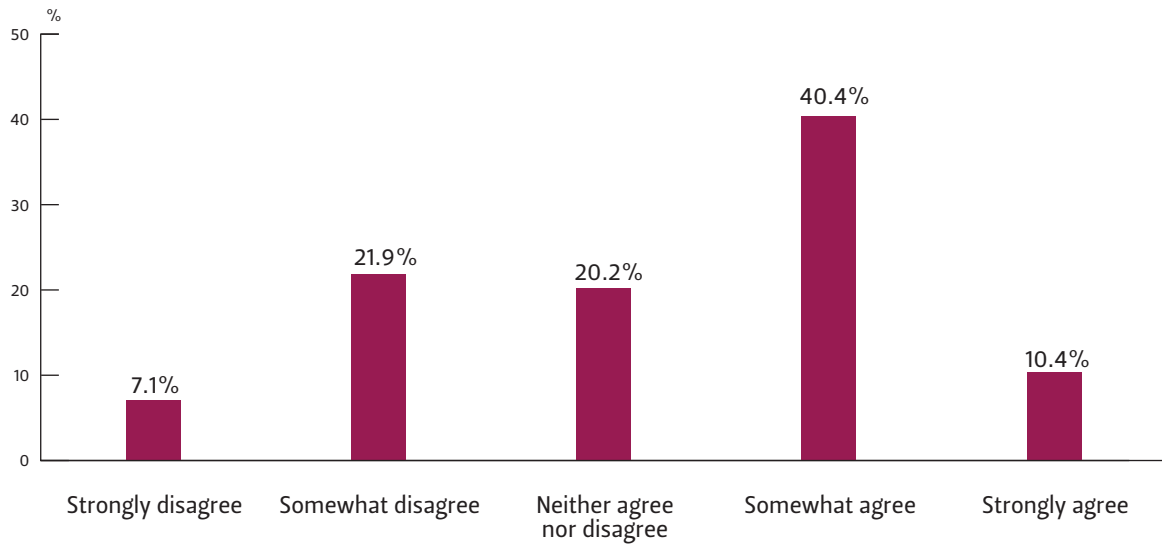
This indicates a belief in the EU's diplomatic and collaborative prowess in navigating the complex landscape of international relations to achieve common regulatory frameworks for military AI technologies. However, a substantial proportion, 29% of respondents, disagreed, indicating a more cautious stance, potentially driven by scepticism regarding the EU's ability to effectively coordinate diverse entities, while 20.2% remained neutral, suggesting that a significant proportion of respondents acknowledged the inherent uncertainties in predicting the EU's coalition-building success.

Figure 3 shows the survey results for the statement regarding the EU's prioritization of cooperation on the global regulation of military AI. The answers reveal a diverse range of opinions among respondents. A substantial majority, 61.9%, disagreed with prioritizing cooperation with the Global South over the United States, suggesting a preference for maintaining strong ties with the latter or simply a realistic assessment regarding the vital importance of tying the US to such global regulatory frameworks. Meanwhile, 15.6% expressed agreement, suggesting some support for forging collaborations with the Global South in regulating military AI. The context for these results could be multifaceted, encompassing geopolitical considerations, historical alliances, and differing views on the role of

military AI in global security. The findings underscore the intricate nature of international relations in the context of emerging technologies and the necessity for inclusive deliberation on regulatory frameworks.

The survey also reveals divided opinions among experts regarding the proposition that the EU should prioritize bilateralism to advance its efforts in globally regulating military AI. The distribution of the perspectives is illustrated in Figure 4. A substantial 39% agreed with this proposition, suggesting that a contingent of experts sees merit in the EU emphasizing bilateral approaches. On the other hand, a significant 35.7% strongly disagreed. The middle ground was occupied by 25.3%, who neither agreed nor disagreed, reflecting a notable level of uncertainty or nuanced perspectives. These results collectively underscore the complexity of opinions within the expert community regarding the most effective strategies for the EU in navigating the regulation of military AI on a global scale.
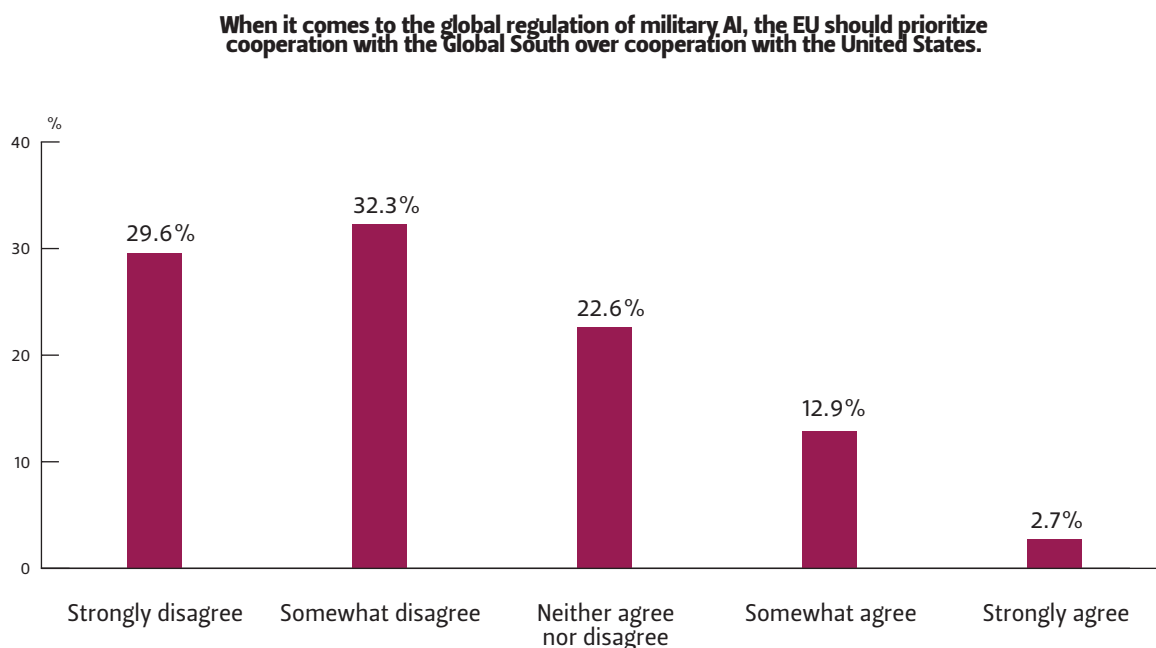
**When it comes to the global regulation of military AI, the EU should prioritize cooperation with the Global South over cooperation with the United States.**



Figure 3. Responses to the statement "When it comes to the global regulation of military AI, the EU should prioritize cooperation with the Global South over cooperation with the United States".

**The EU should prioritize bilateralism to advance its efforts in globally regulating military AI.**

%
- 9.3% — Strongly disagree
- 26.4% — Somewhat disagree
- 25.3% — Neither agree nor disagree
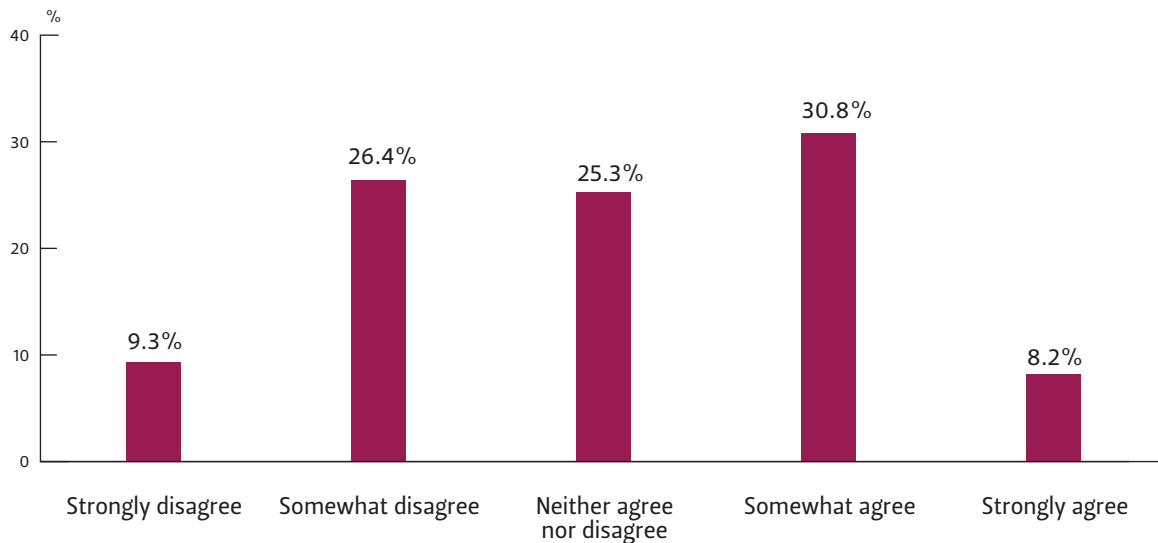- 30.8% — Somewhat agree
- 8.2% — Strongly agree

Figure 4. Responses to the statement "The EU should prioritize bilateralism to advance its efforts in globally regulating military AI".

According to the survey, a significant majority (59.5%) of respondents supported the notion that the EU should prioritize the UN's CCW to enhance global regulation of military AI, as shown in Figure 5. This suggests a prevailing belief among respondents in the efficacy of a multilateral framework, such as the CCW, in addressing the challenges associated with military AI. The 24.5% disagreement may stem from concerns about the practicality or adequacy of the CCW in effectively governing rapidly advancing AI technologies. Contextually, the results underscore the ongoing discourse on the need for collaborative international efforts to navigate the ethical, legal, and security dimensions of military AI.

**The EU should prioritize the United Nations' Convention on Certain Conventional Weapons (CCW) to advance its efforts in globally regulating military AI.**

- 8.9% — Strongly disagree
- 15.6% — Somewhat disagree
- 16.1% — Neither agree nor disagree
- 42.8% — Somewhat agree
- 16.7% — Strongly agree

Figure 5. Responses to the statement "The EU should prioritize the United Nations' Convention on Certain Conventional Weapons (CCW) to advance its efforts in globally regulating military AI".
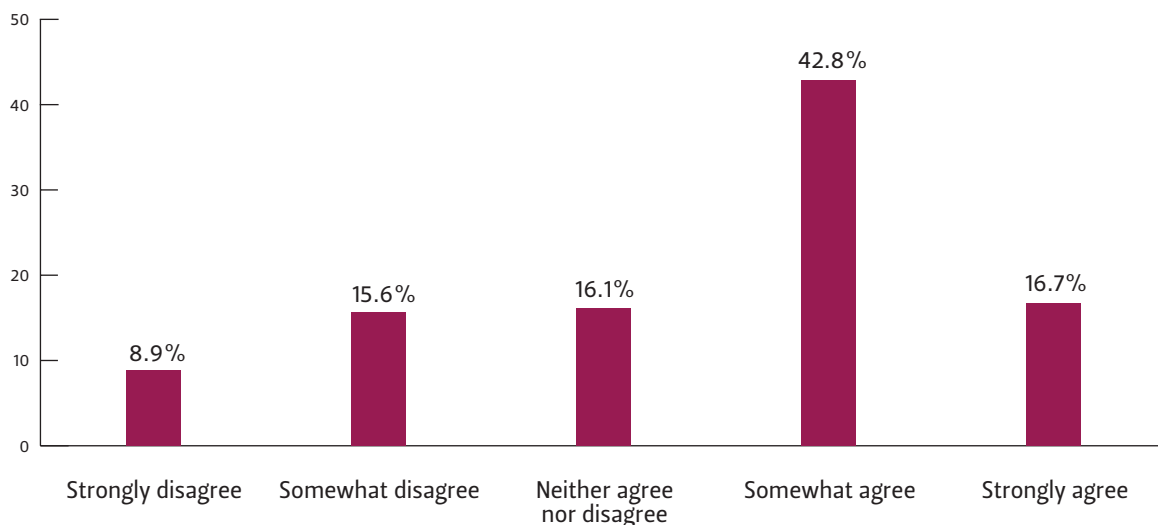
**The EU should establish a new multilateral set–up to advance its efforts in globally regulating military AI.**
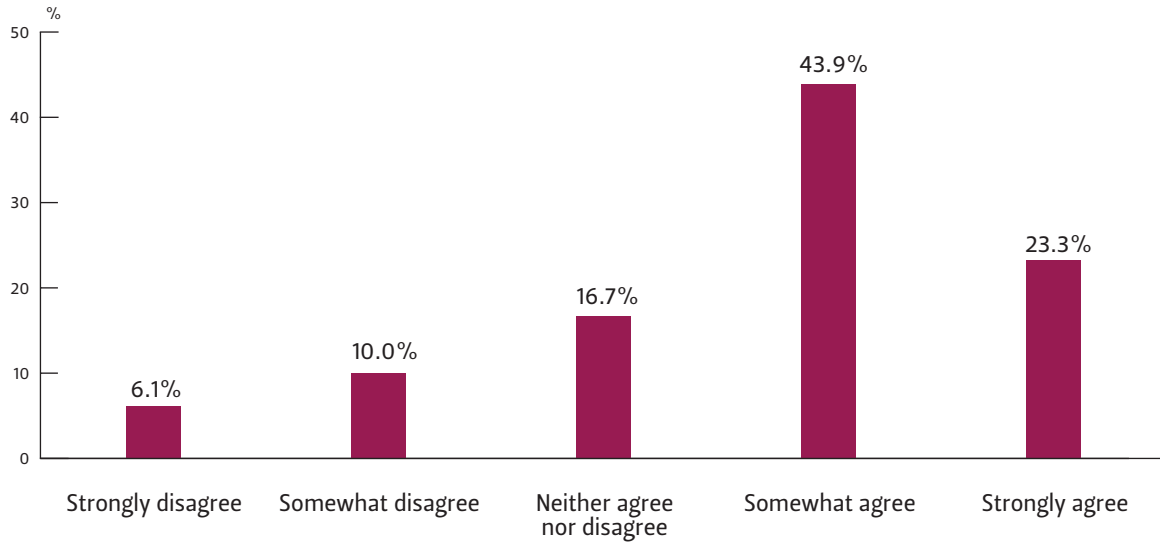


Figure 6. Responses to the statement "The EU should establish a new multilateral set-up to advance its efforts in globally regulating military AI".

Figure 6 shows that a clear majority of experts, 67.2%, agreed that the EU should establish a new multilateral set-up to enhance global regulation of military AI. This suggests a prevailing belief among respondents that a collaborative, multilateral approach is essential for effectively managing the challenges and risks associated with military AI on a global scale. The significant agreement may stem from the recognition that AI in military (as well as civilian) applications poses complex ethical, legal, and security concerns that demand coordinated international efforts, which the EU could be ideally placed to lead.

The results of the expert survey regarding the statement "To promote the global regulation of military AI, the EU should refrain from assessing its partners based on whether they are democracies or not", reveal a nuanced perspective among respondents. Figure 7 highlights the distribution of their perspectives.

**To promote the global regulation of military AI, the EU should refrain from assessing its partners based on whether they are democracies or not.**
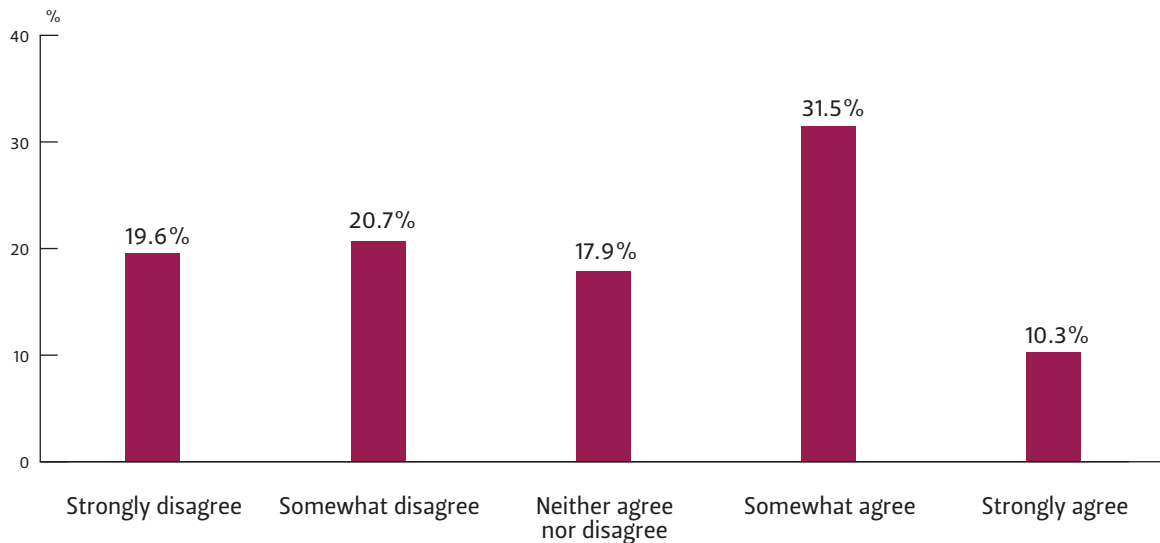


Figure 7. Responses to the statement "To promote the global regulation of military AI, the EU should refrain from assessing its partners based on whether they are democracies or not".

**The geostrategic rivalry between the United States and China hinders the EU's efforts to champion the global governance of military AI.**
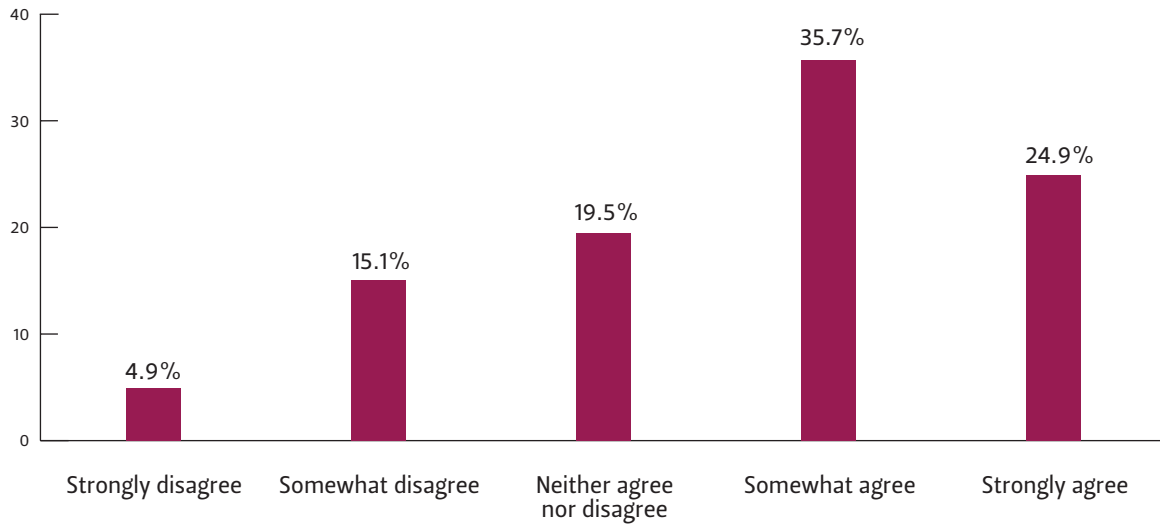


Figure 8. Responses to the statement "The geostrategic rivalry between the United States and China hinders the EU's efforts to champion the global governance of military AI".

A notable 41.8% expressed agreement, suggesting a belief in the need for global cooperation on regulating military AI irrespective of a country's democratic status. On the other hand, 40.3% disagreed, possibly reflecting concerns about the implications of engaging non-democratic entities in shaping international norms for AI in the military domain.

The survey results suggest a prevailing sentiment among experts that the geostrategic rivalry between the United States and China significantly impedes the EU's endeavours to lead global governance efforts in military AI (see Figure 8). With 60.6% of experts expressing agreement, it underscores the widely held belief that the intense competition between the US and China creates challenges for the EU when it comes to asserting its influence in shaping norms and regulations around military AI. The 20% who disagreed may believe that the EU can navigate this rivalry effectively or that other factors play a more substantial role. In the context of an evolving geopolitical landscape, these results highlight the complexity and nuances of the EU's role in shaping the future of military AI governance amid great power competition.

The experts were also queried about the alignment of the EU's interests in military AI with non-EU countries. The question sought to identify which nations share common ground with the EU regarding military AI. The responses, sorted from the highest to the lowest frequency, reveal intriguing patterns. The distribution of the experts' views is shown in Table 1.

At the forefront of alignment, the United States emerged as the most frequently cited partner, with 99 respondents pointing to a convergence of interests. This result is hardly surprising given the historical ties between Europe and the US in terms of security and defence cooperation. The strong alignment likely reflects shared liberal democratic values, strategic goals, and a long-standing history of collaboration within the transatlantic security (and values) community.[44]

Other like-minded states followed closely behind. The United Kingdom garnered 66 mentions, underlining the continued significance of the EU-UK relationship in defence matters even after Brexit, followed by Canada and Australia with 49 and 47 mentions, respectively. These countries seem to be important allies for the EU in the realm of military AI. The similarities in democratic values, commitment to international security, and historical alliances likely contribute to this alignment.

New Zealand and Israel, with 26 and 24 mentions, respectively, demonstrated a notable degree of alignment, albeit to a slightly lesser extent. Japan and

44    Sinkkonen and Vogt 2020.

| | Most frequently cited for | |
|---|---|---|
| | Country outside the EU with the most aligned interests with the EU on military AI | Primary partners for the EU on cooperation regarding military AI (excluding the EU member states) |
| United States of America | 99 | 76 |
| United Kingdom | 66 | 47 |
| Canada | 49 | 30 |
| Australia | 47 | 30 |
| New Zealand | 26 | 17 |
| Israel | 24 | 22 |
| Japan | 23 | 20 |
| South Korea | 17 | 19 |
| China | 13 | 6 |
| Russia | 7 | 4 |
| Norway | 5 | 5 |
| Brazil | 5 | 5 |

Table 1: Non-EU Countries with Aligned Interests and Partnership Potential with the EU in Military AI.

South Korea followed suit with 23 and 17 mentions, emphasizing the growing importance of cooperation between the EU and Asian nations in the realm of military AI.

China and Russia, with 13 and 7 mentions, respectively, occupied the lower rungs of the alignment scale. The relatively lower frequency of responses for these nations suggests a pronounced divergence of interests between the EU and these major global actors, possibly due to differences in political ideologies, strategic priorities, or concerns about the competitive nature of military AI development.

Shifting the focus to the question about primary partners for cooperation on the military application of AI, the results offer additional insights into the dynamics of international collaboration. Once again, the United States led the way with 76 mentions, reaffirming its central role in military AI partnerships for the EU. The UK, Australia, and Canada followed closely, underlining the consistency of key allies in both questions.

Israel and Japan, with 22 and 20 mentions, respectively, maintained their positions as significant partners for the EU in military AI cooperation. South Korea and New Zealand also featured prominently, suggesting a multifaceted approach to international collaboration that extends beyond traditional alliances.

In conclusion, the survey results highlight the complex landscape of international cooperation in military AI for the EU. The prominence of traditional allies such as the United States and the United Kingdom is complemented by a diverse set of global partners. These findings underscore the global nature of military AI development and the need for the EU to navigate a complex web of coalitions and partnerships to advance its interests in this critical domain.

Finally, the survey explored experts' views regarding the fundamental principles that should form the foundation of the EU's initiatives to strengthen global regulation of military AI. When asked to express the key words or phrases that come to mind when envisioning these foundational principles, 'human control' emerged with 38 mentions, followed by 'transparency'

Figure 9. Core principles underpinning the EU's efforts to enhance global regulation of military AI.

with 21 mentions, and 'accountability' with 20 mentions. Notably, both human rights and international humanitarian law received over 10 mentions. The detailed results are illustrated in Figure 9.

## 2.2 Analysis: strategic multilateralism with like-minded partners

The starting point for this Working Paper and the conducted survey was that the EU has, and is willing to pursue, actorness in governing – potentially even regulating – military AI at a global level. Yet its ambitions are not unequivocal, and the capability-expectations gap regarding the Union's international actorness remains clearest in the defence sector.[45] This ambivalence was reflected in Ursula von der Leyen's State of the Union address in 2023, in which AI governance was widely addressed, but its military dimension was not.[46] Contrary to the EU's achievements in the civilian AI domain with the AIA, the Union is still described as "the hesitant regulator of military AI",[47] and has not escaped criticism for excluding military AI from its regulatory remit.[48] "The Brussels Effect" manifests itself in the civilian AI domain, but may well be

reversed as regards military AI. It remains to be seen whether global governance efforts will lead to EU regulation on military AI or whether the EU will only engage globally but not at a Union level.

Questions of competence may provide an explanation for the way in which the EU approaches military AI, but reportedly so could the "specificities of Member States' and the common Union defence policy".[49] The AIA preparatory work also shows a preference for international legal frameworks when it comes to "the regulation of AI systems in the context of the use of lethal force and other AI systems in the context of military activities".[50] Hence, the EU is indeed at this point more likely to advance governance initiatives at a global level rather than starting at home. The results of our expert survey appear positive regarding the EU's willingness to forge coalitions, even though the belief in its capability to act upon this resonates slightly less in the addressed expert community.

### 2.2.1 Using a broad spectrum of cooperation formats on military AI

The rationale for advancing governance on military AI is logically based on reciprocity, as it would not make

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45   This has been the case for decades. See Hill 1993.
46   von der Leyen 2023.
47   Bode and Huelss 2023.
48   Franke and Torreblanca 2021.
49   European Centre for Not-for-Profit Law 2023.
50   Ibid.

sense politically or militarily for any state, and specifically great powers, to impose one-sided limitations on the development and use of military AI. Thus, the question of whom to work with, and how, in order to advance military AI governance becomes critical. The recent evolution of military AI governance is another example of how the world is moving towards a 'flexilateral' age, defined by actors engaging in multi-, mini-, bi- and unilateral policies simultaneously.[51] The trick is to choose the fora that best advance one's preferred mix of interests and values.

The results of the expert survey point to a widely-shared perception that the EU's logical partners in regulating military AI are like-minded states. Chief among them are the United States and the UK, as well as key EU partners (and America's traditional military allies and partners) such as Canada, Australia, New Zealand, Israel and Japan. A suitable group encompassing these countries is the Group of 7 (G7). In fact, cooperation on military AI has already materialized to an extent with the so-called Hiroshima process of the G7, whereas the forum's bigger counterpart, the G20, has not to the knowledge of the authors proceeded with concrete steps for AI regulation. Moreover, the G7 practice of inviting third countries, such as Australia and South Korea, to attend its meetings augments its relevance for conversations on AI.[52]

Another forum that could provide common ground for the EU and its like-minded partners is the Organization for Economic Co-operation and Development (OECD). Indeed, the 2019 OECD Principles on Artificial Intelligence are based on values that the EU and its like-minded partners share, namely human rights and democracy. However, it is noteworthy that these forums do not cover cooperation on military issues, which makes it difficult to move the discussion from civilian AI to the military side. An extension would not, however, be unprecedented. For example, over the years, the G20 agenda has expanded from macro-economics to refugee flows and terrorism.

In addition to prioritizing cooperation with partners who share values with the EU, the survey indicates that the Union should not forsake bilateral solutions in seeking to govern military AI. The results point to the importance of the transatlantic relationship, with the US–EU summits and the Trade and Technology Council

(TTC) providing concrete platforms for AI conversations. Another partner in terms of AI is Japan, with whom the EU has already developed collaborative frameworks for AI.

At the same time, the evenly divided take on prioritizing cooperation with democracies as opposed to other states shows that some respondents harbour a sense of pragmatism towards China. In fact, this is the approach that has been taken by the Union and its key partners in recent multilateral and bilateral forays. Examples include the attempts by the Biden administration to engage China on the use of AI in nuclear command and control (C2), as well as the REAIM Call to Action and the Bletchley Declaration, both of which invited backing from Beijing. They exemplify that the collective "West" acknowledges the pressing need to engage with Chinese leaders on military AI.[53]

However, it remains unclear how the Union might assume a leading coalition-building role, beyond seeking to work with like-minded states for more robust regulation, and pushing China to agree on lowest common denominator red lines, such as maintaining a 'human loop' in nuclear weapon employment.[54] To further complicate matters, while the US remains a partner of choice for survey respondents – and by most accounts for the relevant policy players within the Union – a possible Trump presidency could create further divergence between the EU and the US on AI in general,[55] with a concomitant impact on prospects for cooperation on military AI. Here, the Union's best bet would be to rely on "the Brussels Effect" by pushing the risk assessment framework in the AI Act into the realm of defence.[56] In the best-case scenario, this would push American companies wishing to do business in Europe to comply with Europe-wide regulations,[57] or risk losing ground to (European) competitors. Of course, in order to work, this would necessitate a concerted effort by Europe to catch up with the US (and China) in the development of military AI, as the EU seeks to refashion its military role in a post-February 24, 2022 world. With 22 member states in common, the EU's development of AI in military applications is nevertheless closely tied with NATO.[58]

Notwithstanding bilateralism, 'club politics', and

51    Faure 2019.
52    CFR.org editors 2023.

53    Bresnick 2023.
54    Depp 2023.
55    Hutton 2023.
56    Fanni 2023; Meyers 2023.
57    Cf. Bertuzzi 2023.
58    For EU–NATO relations, see Iso-Markku 2024.

navigating US-China rivalry, the expert survey shows that broad-based multilateralism should constitute a salient feature of the EU's toolbox in governing military AI. This holds true for both advancing existing legal frameworks within the UN and establishing new ones. In the UN, efforts have focused on revising the CCW to include autonomous weapons, and the organization's First Committee adopted its first resolution to that effect in November 2023. With 164 states voting for the resolution, including all the EU member states, the majority of the international community signalled a desire for legally binding frameworks on military AI. Notably, China and Israel abstained, while Russia voted against.

In parallel with the quest for new international law on military AI, the survey displays a strong preference for the EU to pursue *new* multilateral frameworks. One way of proceeding in this direction could be coalition-building around voluntary declarations, such as REAIM. Alternatively, the EU could capitalize on the momentum generated by the comparable US Political Declaration on Responsible Military Use of Artificial Intelligence and Autonomy to acknowledge the initiative, but steer it towards areas of greater EU focus, such as inclusiveness and normative development. Two questions remain open, however. One is how to take the step from soft to much-needed hard law, and the other is how to engage China as the country that currently seems to be stalling over any creation of legally binding norms on military AI.[59]

### 2.2.2 Strategic AI multilateralism

The results of the survey highlight multiple options for how the EU should proceed in building coalitions regarding military AI governance. Bilateral, minilateral and global frameworks should all be pursued, in addition to which voluntary guidelines need to be complemented with new international law. This means that established forums should be utilized without excluding ad hoc coalitions with like-minded partners.

In this manner – and in line with our expert survey results – the Union needs to double down on its self-envisaged international role as a 'strategic multilateralist':[60] an actor that is "less apologetic in the promotion of its interests, [...] increasingly ready to put its economic and diplomatic resources to use, and more problem-solving oriented when choosing frameworks for cooperation".[61] In an age of strategic competition, multilateralism is less an end in itself than a means to an end, even for an actor like the EU, which has for decades been conceptualized as a 'normative' or 'civilian' power and in this respect a vanguard of the multilateral rules-based order. The need for such pragmatic, even opportunistic thinking remains even in the case of a technology like military AI, one with potentially existential implications for humankind.

## CONCLUSIONS

This paper has sought to present an opening salvo for thinking analytically and critically about the role of the European Union in the governance of military AI – a vital and potentially extremely disruptive emerging technology. However, in doing so, it also speaks to broader points regarding how to study, conceptualize and concretize the Union's role in a world of increasingly tense great power relations, shared global challenges and fracturing multilateral cooperation.[62] First, the expert survey illustrates how the research community can be engaged to assess the Union's advocacy-building potential in an arena where the knowledge differential between policymakers and experts is likely to be particularly high. Second, given the multitude of initiatives currently underway in the military AI space, the paper presents pathways for how the EU can assume a flexible yet strategic role as a coalition builder – this is particularly relevant in a technology space wherein the Union is not (at least yet) a leader in terms of development or innovation. Finally, and relatedly, the paper contributes to the broader debates on EU actorness and even "strategic autonomy":[63] it is obvious that the Union cannot aspire to have a global impact on the governance of new technologies without thinking pragmatically and opportunistically about the kinds of coalitions it can harness to pursue its interests and values. /

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59    Marijan 2023.
60    European Commission/High Representative of the EU (2021), p. 2.

61    Helwig 2022, p. 3.
62    Schütte and Dijkstra 2023.
63    Rhinard and Sjöstedt 2019; Helwig and Sinkkonen 2022.

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