



TEM POLICY & ETHICS OF IAS

FROM PRINCIPLES TO PRACTICE: *WHY CONTEXT IS KEY FOR A GOOD NARRATIVE*

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** Views expressed in this presentation are my own and do not necessarily represent
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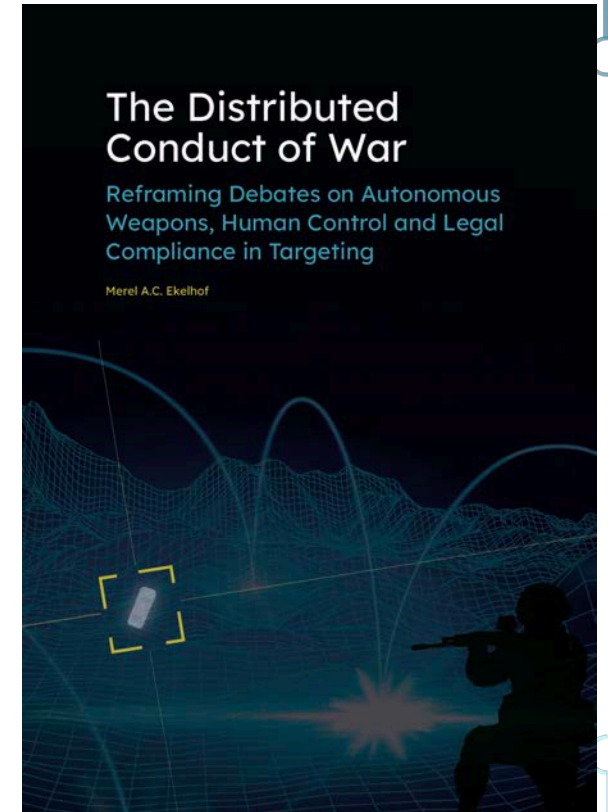
UN CCW GGE on LAWS



IHL/LOAC implementation



Targeting practices



OBJECTIVES FOR TODAY

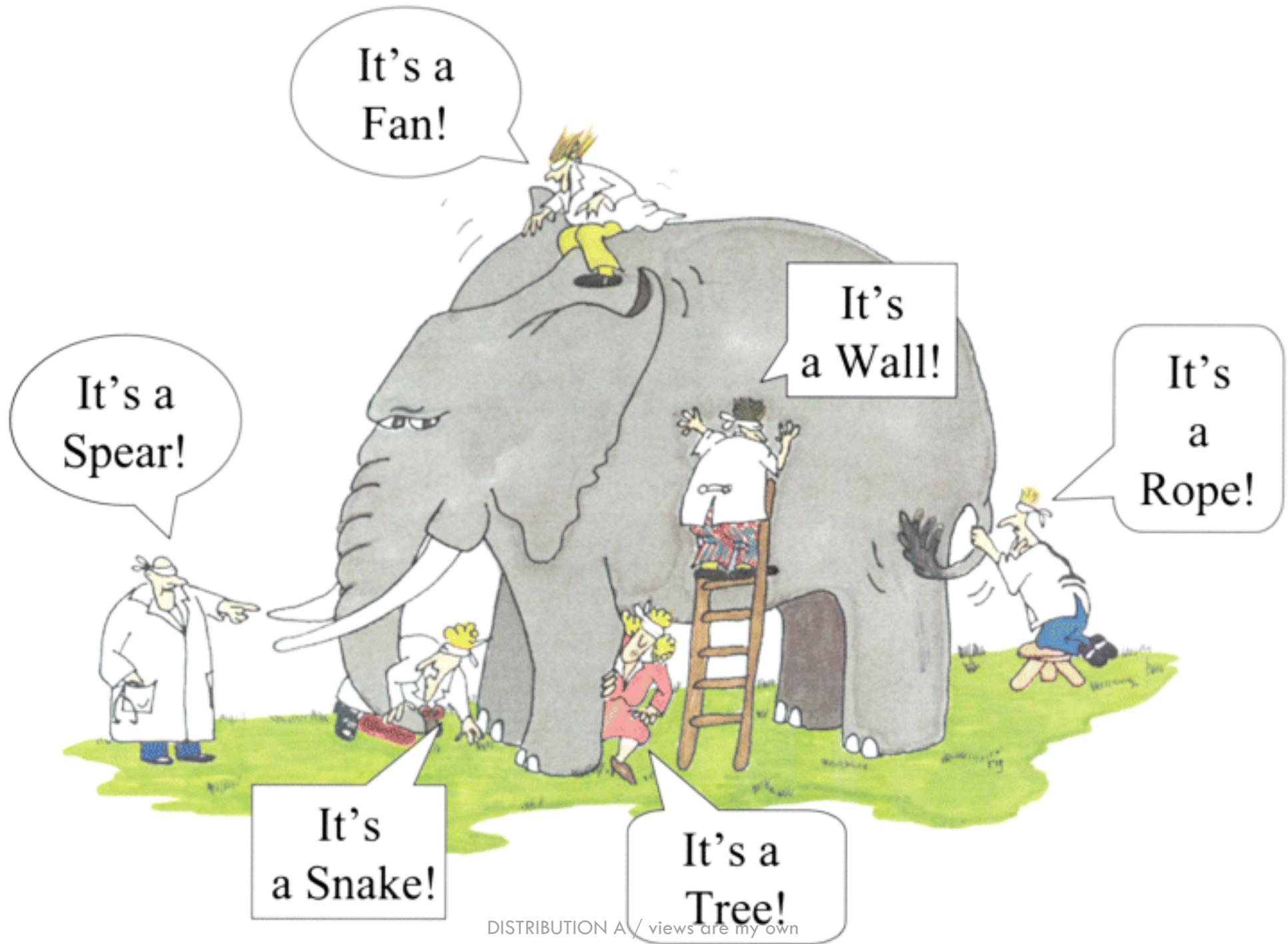
- 1 The importance of a good **narrative**
- 2 **Targeting** as a framework to examine the operationalization of principles: *beyond the **trigger pull***
- 3 Final **take-aways**

NARRATIVE 1

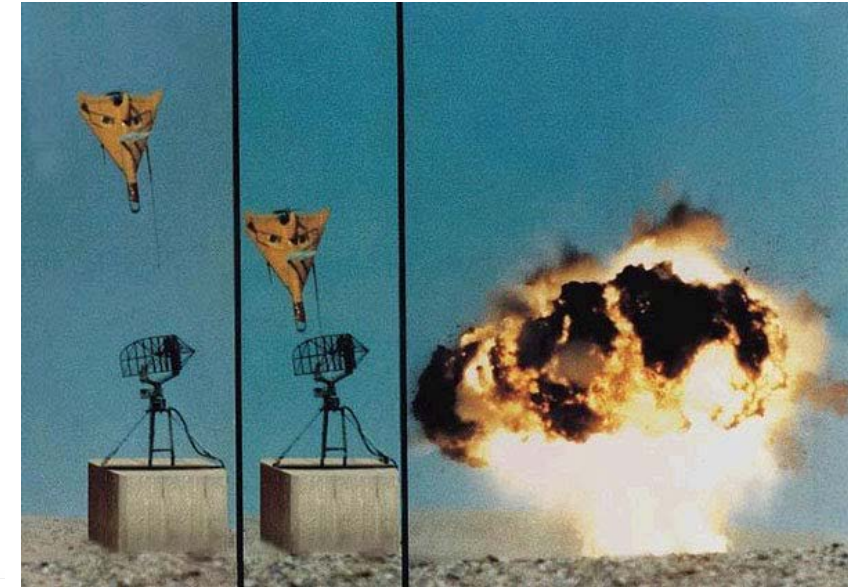
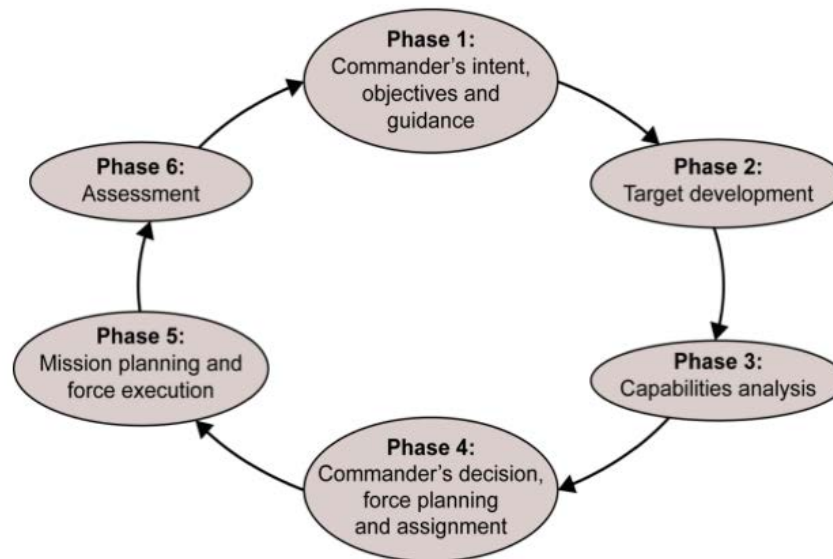
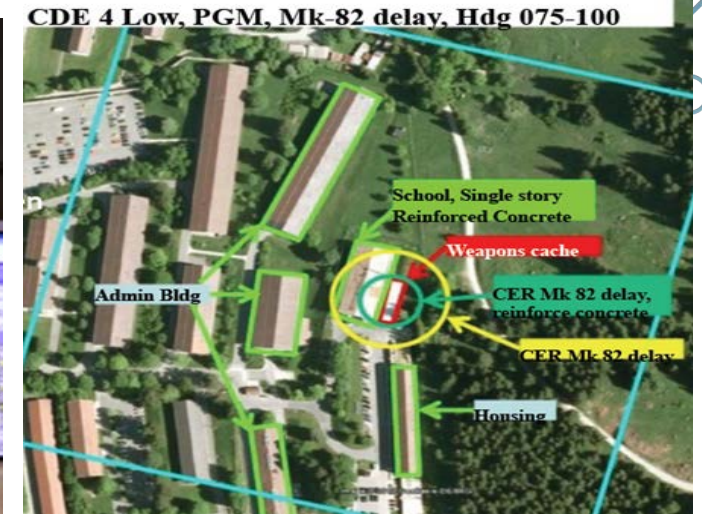


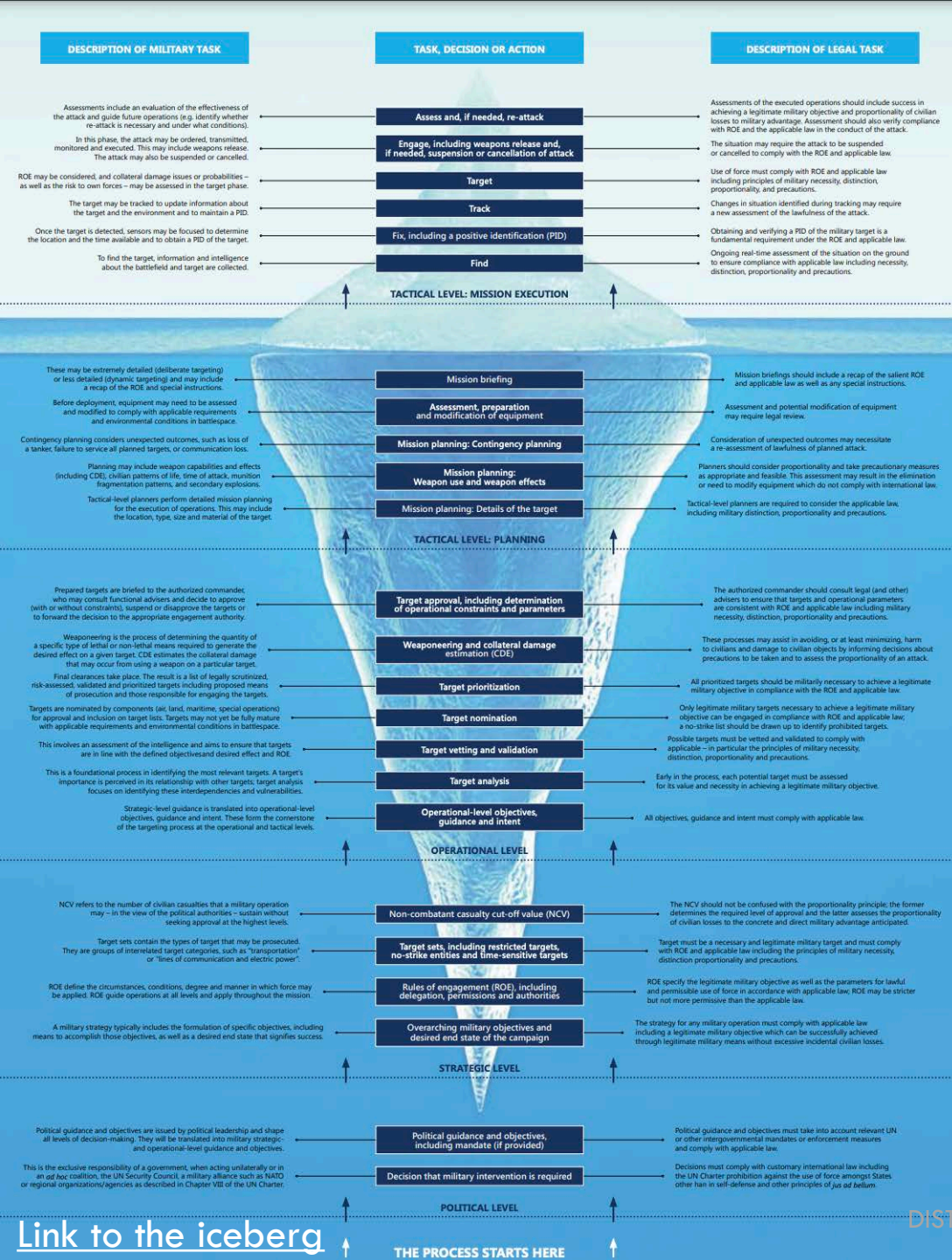
NARRATIVE 2





TARGETING IS MORE THAN DROPPING BOMBS

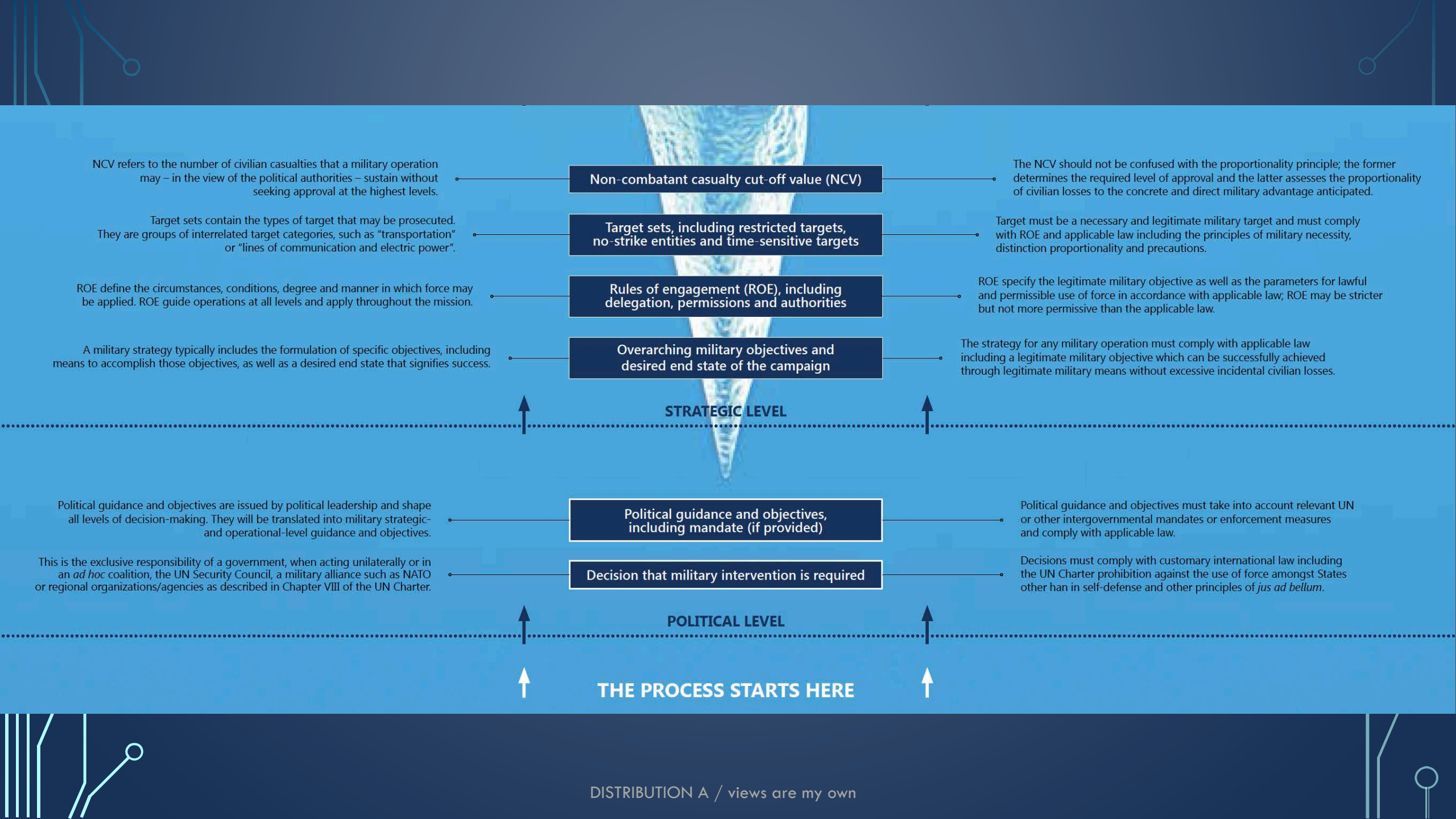




Mission execution / F2T2EA / "the loop" / "kill chain"

KEY TAKE-AWAYS

1. Human judgment and control are **distributed**
2. Implementation of law, policy, and ethics is a **collective responsibility** distributed across the entire process and, more broadly, the organization



Prepared targets are briefed to the authorized commander, who may consult functional advisers and decide to approve (with or without constraints), suspend or disapprove the targets or to forward the decision to the appropriate engagement authority.

Weaponneering is the process of determining the quantity of a specific type of lethal or non-lethal means required to generate the desired effect on a given target. CDE estimates the collateral damage that may occur from using a weapon on a particular target.

Final clearances take place. The result is a list of legally scrutinized, risk-assessed, validated and prioritized targets including proposed means of prosecution and those responsible for engaging the targets.

Targets are nominated by components (air, land, maritime, special operations) for approval and inclusion on target lists. Targets may not yet be fully mature with applicable requirements and environmental conditions in battlespace.

This involves an assessment of the intelligence and aims to ensure that targets are in line with the defined objectives and desired effect and ROE.

This is a foundational process in identifying the most relevant targets. A target's importance is perceived in its relationship with other targets; target analysis focuses on identifying these interdependencies and vulnerabilities.

Strategic-level guidance is translated into operational-level objectives, guidance and intent. These form the cornerstone of the targeting process at the operational and tactical levels.

Target approval, including determination of operational constraints and parameters

Weaponneering and collateral damage estimation (CDE)

Target prioritization

Target nomination

Target vetting and validation

Target analysis

Operational-level objectives, guidance and intent

OPERATIONAL LEVEL

The authorized commander should consult legal (and other) advisers to ensure that targets and operational parameters are consistent with ROE and applicable law including military necessity, distinction, proportionality and precautions.

These processes may assist in avoiding, or at least minimizing, harm to civilians and damage to civilian objects by informing decisions about precautions to be taken and to assess the proportionality of an attack.

All prioritized targets should be militarily necessary to achieve a legitimate military objective in compliance with the ROE and applicable law.

Only legitimate military targets necessary to achieve a legitimate military objective can be engaged in compliance with ROE and applicable law; a no-strike list should be drawn up to identify prohibited targets.

Possible targets must be vetted and validated to comply with applicable – in particular the principles of military necessity, distinction, proportionality and precautions.

Early in the process, each potential target must be assessed for its value and necessity in achieving a legitimate military objective.

All objectives, guidance and intent must comply with applicable law.

Assessments include an evaluation of the effectiveness of the attack and guide future operations (e.g. identify whether re-attack is necessary and under what conditions).

In this phase, the attack may be ordered, transmitted, monitored and executed. This may include weapons release. The attack may also be suspended or cancelled.

ROE may be considered, and collateral damage issues or probabilities – as well as the risk to own forces – may be assessed in the target phase.

The target may be tracked to update information about the target and the environment and to maintain a PID.

Once the target is detected, sensors may be focused to determine the location and the time available and to obtain a PID of the target.

To find the target, information and intelligence about the battlefield and target are collected.

Assess and, if needed, re-attack

Engage, including weapons release and, if needed, suspension or cancellation of attack

Target

Track

Fix, including a positive identification (PID)

Find

Assessments of the executed operations should include success in achieving a legitimate military objective and proportionality of civilian losses to military advantage. Assessment should also verify compliance with ROE and the applicable law in the conduct of the attack.

The situation may require the attack to be suspended or cancelled to comply with the ROE and applicable law.

Use of force must comply with ROE and applicable law including principles of military necessity, distinction, proportionality, and precautions.

Changes in situation identified during tracking may require a new assessment of the lawfulness of the attack.

Obtaining and verifying a PID of the military target is a fundamental requirement under the ROE and applicable law.

Ongoing real-time assessment of the situation on the ground to ensure compliance with applicable law including necessity, distinction, proportionality and precautions.

TACTICAL LEVEL: MISSION EXECUTION

These may be extremely detailed (deliberate targeting) or less detailed (dynamic targeting) and may include a recap of the ROE and special instructions.

Before deployment, equipment may need to be assessed and modified to comply with applicable requirements and environmental conditions in battlespace.

Contingency planning considers unexpected outcomes, such as loss of a tanker, failure to service all planned targets, or communication loss.

Planning may include weapon capabilities and effects (including CDE), civilian patterns of life, time of attack, munition fragmentation patterns, and secondary explosions.

Tactical-level planners perform detailed mission planning for the execution of operations. This may include the location, type, size and material of the target.

Mission briefing

Assessment, preparation and modification of equipment

Mission planning: Contingency planning

Mission planning: Weapon use and weapon effects

Mission planning: Details of the target

Mission briefings should include a recap of the salient ROE and applicable law as well as any special instructions.

Assessment and potential modification of equipment may require legal review.

Consideration of unexpected outcomes may necessitate a re-assessment of lawfulness of planned attack.

Planners should consider proportionality and take precautionary measures as appropriate and feasible. This assessment may result in the elimination or need to modify equipment which do not comply with international law.

Tactical-level planners are required to consider the applicable law, including military distinction, proportionality and precautions.

TACTICAL LEVEL: PLANNING

FINAL TAKE-AWAYS

- **Language** is important, but not everything;
- Be specific about which **capabilities** are autonomous;
- Look at **use-cases** to inform how principles can be *operationalized*;
- Go further and look at what you need to do in your **organization** to ensure responsible AI & autonomy;
- **Talk** about it!

THANK YOU

“...there exist no fully autonomous systems, just as there are no fully autonomous soldiers, sailors, airmen or Marines”

DEPARTMENT OF DEFENSE
DEFENSE SCIENCE BOARD

TASK FORCE REPORT:
The Role of Autonomy in DoD Systems

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