CIVIL SOCIETY STATEMENT ON ARMED DRONES

First Committee on Disarmament and International Security

UN General Assembly

October 2019

“When we arrived at the site of the incident, I was shocked, and I collapsed from the brutality of the scene. I wish I would have died before I saw that. This is a crime, and a crime like this has never happened in our lives, and it has not happened to any of the tribes in Al Jawf. Our lives and the lives of our children and women have become in constant danger because of these repeated attacks that have killed innocents without any justification. If we keep quiet about this, these drone strikes will only continue…”

-- Sinan Abdullah Al Wahair (36 years old)\(^1\)

This statement is presented by PAX on behalf of 31 civil society organisations. Together, we are committed to protecting individuals and preventing and mitigating harm from the use of drones in domestic and international deployments of force, including that which constitute violations of international human rights and humanitarian law. Many of our organisations operate under the larger umbrella of humanitarian disarmament, sharing the common goal of preventing and remediating arms-inflicted human suffering through the establishment of norms.

In 2019, the world watched how the growing use of military drones risks serious escalation in the use of force, increase in political tension and more civilian casualties.

We are now entering an acceleration phase where States and non-State actors find it easier to access military drone technology, as production and proliferation have accelerated.

The perception of low-risk and low cost, combined with long-endurance and weaponization, has spurred demand for armed drones. These drones are deployed against armed groups, suspected terrorists, critical infrastructure and a range of other targets. Armed drones leave a trail of death, destruction and psychological trauma and can cause an escalation in force deployments.

For years, experts and human rights groups have been warning the international community to address the range of legal, moral and ethical concerns over the use of drones, in particular their use in extrajudicial targeted killings. UN Special Rapporteurs and drone strike survivors have called for action to prevent such violations and the erosion of legal norms established to protect civilians against harm caused by military action. All States should clearly outline their position on legal frameworks guiding the use of lethal force, and resist attempts by some armed drone users to undermine established norms and interpretations.

The rules-based international order is already under strain. Without action to address these concerns and curtail the use of remote violence, further deterioration of established norms can be expected.

We are concerned that further proliferation of armed drones and their use in support of armed groups, militias or in opaque counter-terrorism operations will lead to more civilian casualties and potentially unlawful deaths; the destruction of civilian infrastructure; and the displacement of communities fearing more strikes.

We urge States that use armed drones to increase transparency by outlining their policies and legal justification for using lethal force. States must also ensure the rights of affected communities are recognised and respected, and provide remedy and assistance including reparation to the non-combatant victims of drone strikes and their families. States not deploying armed drones themselves, but providing material support, intelligence, or other assistance are also a part of the landscape and may be complicit in unlawful strikes.

We understand a core-group of States led by the US has stepped up the drafting of international standards for the “responsible export and subsequent use of drones”. We are among those concerned that this process lacks transparency and inclusion, and will result in weak language which risks undermining existing export control frameworks.

We therefore urge States to establish a multilateral and inclusive process to develop robust, restrictive and meaningful future-proof standards that contribute to holding States accountable for both export decisions and subsequent use of armed drones. The international community has a responsibility to set strong and progressive standards and require regular risk-assessments. These standards should be developed and incorporated into existing arms export control mechanisms, as called for by the UN Secretary-General in his Agenda for Disarmament. The regular review of the rapid technological developments of drone platforms and payloads, and their use in military operations should be made a part of any arms export risk assessment processes.

We expect States party to the Arms Trade Treaty to continue discussing these issues in that forum: the issue of remote warfare requires broad and inclusive participation in all risk-assessment and standards development efforts.

Furthermore, as more States develop, acquire and deploy military drones, and current users increase the rate of strikes, the international community must reaffirm the existing constraints on the use of force - including international human rights and humanitarian law, and export controls. Further, they must actively decide what role – if any – these technologies should play in the use of force. This is essential if we are to prevent the erosion of existing norms and boundaries. A progressive, inclusive process towards an appropriate international policy response must be developed on this issue.

We appreciate the efforts undertaken by the UN Secretary-General in his Agenda for Disarmament over the last years, and call for the stepping up of State efforts to achieve these objectives. Suggestions for this have been made by the directors of UNIDIR and UNODA during
a UN Security Council meeting in early July 2019, organized by Peru\textsuperscript{2}, while there are also a number of calls made by the European Parliament\textsuperscript{3}, UN Special Rapporteurs, the African Commission on Human and People’s Rights\textsuperscript{4}, academic legal experts, and civil society groups.

During First Committee, delegations should:

- Recognise the ethical, legal, and humanitarian concerns that drones represent in the contemporary landscape, and express a commitment to reducing and addressing harm and ensuring the protection of rights;
- Recognise the grave risk that international legal frameworks could be eroded through the use of armed drones, in the context of practices that challenge existing norms;
- Assert the need for transparency in the use of armed drones by any and all states; for the recording of casualties and the addressing of victims’ rights; and for accountability and democratic oversight; and
- Recognise the need for a broader multilateral conversation about what role drones should play in the use of force, and the specific limits and standards for their use.

To reduce harm and prevent civilian casualties, States should:

- Model transparency by outlining their policies and legal justification for using lethal force;
- Conduct thorough investigations into all allegations of civilian harm resulting from the use of armed drones by a State; make public all such findings; and ensure suitable reparations for non-combatant victims.
- Resist attempts by some armed drone users to undermine established norms and interpretations.
- Raise these issues in all relevant forums international and regionally, including human rights-focused forums;
- Establish a multilateral and inclusive process to develop robust, progressive and meaningful future-proof standards that contribute to holding states accountable for both export decisions and subsequent use of armed drones;
- Conduct regular risk-assessment reviews of the rapid technological developments of drone platforms and payloads, and their use in military operations;
- Ensure that issues related to export control are pursued in relevant forums, such as the Arms Trade Treaty; and
- Develop progressive, detailed policies and standards on the use and export of military drones that align with and strengthen international norms.

\textsuperscript{2} https://www.un.org/disarmament/sg-agenda/en/action/19
\textsuperscript{4} https://www.achpr.org/sessions/resolutions?id=450
Endorsed by:
Article 36
PAX
Government Information Watch
Nonviolence International Canada
International Peace Bureau
European Center for Constitutional and Human Rights (ECCHR)
Peace Movement Aotearoa
Rete Italiana per il Disarmo
Acronym Institute for Disarmament Diplomacy
Nuhanovic Foundation - Centre for War Reparations
Drone Wars UK
Irish Council for Civil Liberties
The International Committee for Robot Arms Control
On Earth Peace
Pennsylvania Council of Churches
Nuclear Age Peace Foundation
Sehlac Network
Swedish Peace and Arbitration Society
Somali Human Rights Association(SOHRA)
FundiPau
Saferworld
Control Arms Coalition
The Landmines Resource Center, Faculty of Health Sciences, University of BalamandTech
Inquiry
World BEYOND War
Alliance of Baptists
Women’s International League for Peace and Freedom (WILPF) International
WILPF Nigeria
Airwars
Scientists for Global Responsibility (UK)
Amnesty International
World Federalist Movement - Canada