Drones

Drones, also known as unmanned aerial vehicles (UAVs), are aircraft either controlled by ‘pilots’ from the ground or increasingly, autonomously following a pre-programmed mission. There are dozens of different types of drones, however, they can be categorized as either those that are used for reconnaissance and surveillance purposes, and those that are armed with missiles and bombs. Drones can fly for longer periods of time and are much cheaper than traditional military aircraft; additionally, they are flown remotely, thus appeasing public demands to keep soldiers safe. Armed drones are generally used for three types of tasks: close air support (giving support to troops on the ground by firing from the air), elimination of specific targets, and continuous surveillance of a specific area to allow suspected objects to be attacked immediately.

As the use of drones expands, so too does the controversy around their use. Supporters of armed drones argue that they have increased control over when and where to strike, thus enabling greater accuracy and less ‘collateral damage’. Opponents argue that by removing one of the key restraints to warfare—the risk to one’s own forces—unmanned systems make undertaking armed attacks too easy and will make war more likely. The ‘persistent presence’ of drones over a particular area looking for suspicious behavior is leading. Drones have also been responsible for large numbers of civilian casualties. Additionally, legal experts and human rights organizations have condemned the rise in targeted extrajudicial killing enabled by the use of armed drones.

International perspective

According to the 2010 report of the Special Rapporteur on extrajudicial, summary or arbitrary executions, drones were originally developed to gather intelligence and conduct surveillance and reconnaissance. More than 40 countries now have such technology. Some, including Israel, Russia, Turkey, China, India, Iran, the United Kingdom, and France either have or are seeking drones that also have the capability to shoot laser-guided missiles ranging in weight from 35 lbs to more than 100 lbs. The report also noted that it is conceivable that non-state armed groups could obtain this technology.

Despite mounting public pressure, states continue to refuse to provide factual information about who has been targeted under their policies and with what outcome, including whether innocent civilians have been “collaterally” killed or injured. While human rights monitors and civil society are able to document some instances where the targeted killings take place in easily accessible urban areas, others go undocumented, either because of remoteness or security concerns. Consequently it is impossible for independent observers and the international community to judge whether killings were lawful or not. The 2012 report of the Special Rapporteur reiterated the recommendation that governments track civilian casualties in disaggregated data so as to identify the number of casualties resulting from the use of drone attacks.

The US used unmanned drones to launch attacks in six different countries during 2011: Afghanistan, Iraq, Libya, Pakistan, Somalia, and Yemen. This illustrates how drones make undertaking military interventions easier. Drone attacks are often directed at individuals believed to be terrorist suspects; however, militaries circumvent the laws of war by not actually entering into war. Civilians have perished in the context of armed conflict (e.g. in Afghanistan) or in attacks in regions where it is unclear whether or not there was an armed conflict (e.g. in Pakistan).
Issues

A number of questions arise from the use of drone technology: the scope of the armed conflict; who may be targeted; and the legal and policy implications of who conducts the targeting. Issues stem not just from drone technology itself, but also from the kind of warfare currently occurring. These questions must be referenced to bodies of law that place significant limits on targeting operations, including human rights law, domestic law, the UN Charter, the law of neutrality, and principles of non-intervention.

Troops are safer when unmanned systems are employed; however, it is not evident that these unmanned systems are also safer for civilians in war zones. At this point relatively little has been published on the implications for military strategy, and the political, ethical and legal domains in using robots to wage war. Public opinion, which is often a determining criterion of how a war will play out, demands that soldiers avoid dangerous situations. However, governments have given little attention to the civilian populations effected.

In the absence of government transparency, civil society has conducted considerable research on drone strikes. The Bureau of Investigative Journalism, a not-for-profit organization based at City University, London, has published figures that give some sense of the scale of such US operations. For example, according to the Bureau between 2004 and 2012 there have been: 330 strikes in Pakistan, with the total reported number killed being between 2,479 and 3,180 people (and more than 1,000 other people being injured); and between 44 and 54 confirmed US operations in Yemen (including 31 to 41 drone strikes), with a possible further 87 to 96 operations (including 49 to 55 drone strikes). The total number reported killed was between 317 and 826 people.

The 2012 Special Rapporteur report noted that figures from different sources vary; however, the report observed there has been a dramatic increase in the use of drones over the past three years. The Obama administration has been criticized for its increased use of drones as well as the fact that key factual and legal details of the killing programme remain shrouded in secrecy. Because using drones is ‘easy’ and ‘risk-free’, there is concern that armed forces will stretch the interpretation of international humanitarian law too far since the danger to one’s own personnel is minor.

The majority of drone pilots grew up playing computer games. In more recent editions of these games players not only assume the persona of a soldier on a battlefield, they also use drones to localize and eliminate an enemy. When the US army recruits drone operators, it looks for people who grew up playing these kinds of games. These drone operators do not experience the physical side of war, often working from locations far away from a conflict. The blurry line between the virtual world and the destruction that operators can cause in reality prompts questions about drone operators’ ability to distinguish between a game and reality. Advocates for drones argue that drone operator’s distance from the battlefield allows them to base their decisions on a range of supporting data types. However, it is more likely that the greater the physical and emotional distance to a target, the easier it is to kill. There is no empirical evidence that shows that the support data enables greater legal and ethical decision making processes. Statistically the world has seen numerous civilian casualties from drone strike, which depicts that drones further dehumanize war. The rapporteur also highlighted the creating of a PlayStation mentality, where drone operators tend to regard their actions as a computer game.

Military drone manufacturers are also looking for civilian uses for remote sensing drones to expand their markets and this includes the use of drones for domestic surveillance. Drones will no doubt make possible the dramatic expansion of the surveillance state. With the convergence of other technologies it may even make possible machine recognition of faces, behaviors, and the monitoring of individual conversations. This has colossal implications for privacy laws.

Extrajudicial killings, although a legal grey area, may appear to drone advocates to remove a short-term threat. However, there is a serious chance that they nourish long-term antipathy to ‘Western’ behaviour. Additionally states desire to use unmanned systems to reduce the “danger of war” is drawing enormous investments into technology and research. Financial resources that could be used for socio-economic advancement are being used for military-industrial development, which encourages an arms race.