

Jul 7 2016

## Drones in Contemporary Warfare: The Implications for Human Rights

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The complex relationship between war and human rights has evolved as new challenges have arisen. The nature of contemporary war has changed due to technological innovation, in particular, the use and further development of Unmanned Aerial Vehicles or 'drones'. Drones have revolutionized the nature of war, becoming one of the most utilized, desired, and successful military advances in [modern history](#). As evident in the outcomes of US drone policy, the way drones function within the modern world heightens the risks to civilians' human rights, specifically their right to life. As drones advance, the international system must work to situate this technology within human rights obligations, specifically, within International Human Rights Law (IHRL) and International Humanitarian Law (IHL).

### Drones and the US Military

The specific types of conflicts – between states, non-state actors, and subversive groups – of the post-9/11 world have [accelerated the development and use](#) of unmanned technology. Drone warfare has intensified under President Obama and has since become [regular military policy](#) against members and associates of al-Qaeda and the Taliban within Yemen, Somalia, Afghanistan, Libya, and Pakistan. Originally, the [MQ-1 Predator drone](#) conducted the majority of strikes. From 2002 to 2012, [the number of US Predators increased from 167 to over 7,000](#). [Subsequent generations](#) of drones – the Reaper and the Avenger – are over nine times as powerful as the Predator and can fly while carrying thousands of pounds of weapons.

From a military perspective, drones are [effective and advantageous](#), as they can precisely target opponents and minimize risks for soldiers by keeping them geographically removed from conflict. Drones give states an omnipresent involvement within conflict, minimizing any previous geographical or temporal restrictions to intervention and surveillance. Consequently, drone operations are only as successful and as accurate as the operators who command them and the intelligence that directs them, challenging the human rights of those within the modern battle space.

### The Dangers of Drones

Approximately [32 percent](#) of those killed by US drone strikes in Pakistan have been innocent civilians. [The Bureau of Investigative Journalism](#) claimed that of the 416 to 959 civilians killed by drones in Pakistan between 2004 and 2014, 168 to 204 were children. Furthermore, between 2002 and 2014 in Yemen, drones killed at least 64 to 83 civilians with a possible 26 to 68 additional deaths unaccounted for. Additionally, those in the territories where drones operate live in habitual fear. [Residents](#) in the occupied Palestinian territories are frightened by potential Israeli strikes while those living in Pakistan experience perpetual terror from the constant hovering of drones, a reminder of enemies thousands of miles away. Within Yemen, the relentless buzzing above has caused thousands of citizens to develop psychological disorders – such as post-traumatic stress disorder or anxiety – and has induced [miscarriages in some women](#).



Washington DC residents protest US drone strikes during Obama's 2013 inauguration. Licensed under Creative Commons.

States utilize drones for [targeted killing and signature strikes](#); these are common practices in response to rising terrorism concerns and asymmetric conflicts. These attacks often kill targets despite no identification process and no access to a fair and public court hearing – a violation of Article 14 of the [ICCPR](#). When making decisions on strikes, operators are reliant on the intelligence received from [cameras and sensors](#). These are often the sole reporters of information, as there is little intelligence coming from the ground level. Consequently, they can be affected by the weather and can only assess one specific location at a time. Additionally, targets are often surrounded by innocent civilians who are victimized despite having no participation in conflict or war. Frequently, these people are only guilty of being in the wrong place at the wrong time. In 2002, [Daraz Khan](#) and two friends collected scrap metal on top of a Southern Afghanistan mountain. Hovering above, a Predator collected the following information: the men were wearing robes, they were in a suspected al-Qaeda area, and Khan was noticeably taller than his companions. The drone operator determined that the strike was justifiable because Khan had conspicuous similarities to bin Laden. A more accurate assessment of [Khan](#) would have shown that he was nearly half a foot shorter than bin Laden's suspected height, which may have saved the lives of three innocent civilians.

Drones have also dehumanized war and [enabled more lethal force](#) than ever before by removing the combatant from the battlefield. US drone pilots may be at a base in Nevada while CIA personnel are in Virginia, all of which are following orders from an Afghanistan base. Since operators are physically isolated from their opponents, there are no moments of mutual humanity shared between two enemies before a kill. [This physical distance may lead to emotional distancing](#), making operators more comfortable with using lethal force than soldiers on the ground. Additionally, [drones are used similarly to that of gaming systems](#) as targets are transformed from living people to insignificant icons on computers. A [young lieutenant](#) described the feeling while practicing an unmanned strike: "It's like a video game, the ability to kill. It's like freaking cool."

### The Future of Drones

International law has fallen behind in regulating the use of drones in contemporary conflict. However, much work has been done in attempts to reconcile drones with the rule of law. A [2010 UN report](#) defined drone attacks as a violation of IHL and IHRL because they lack transparency in ensuring that targeted killing is legally justified. Within armed conflict where IHL applies, the use of drone warfare may be [less legally ambiguous](#) because of looser standards on the use of force, despite strikes often violating principles of distinction, proportionality, and necessity. Consequently, drone strikes in non-conflict zones [raise complex concerns](#) over state sovereignty and human rights violations. The US' active drone policy in Yemen, Somalia, and Pakistan, where there is no armed conflict, has been highly controversial and has resulted in violations of IHRL, including the right to life and the right to due process.

As these violations ensue, there must be discussion about accessing some sense of justice for victims of unjust strikes and their families. The failure to hold states accountable for human rights violations under IHRL is [yet another violation](#) in itself. How will states be held accountable when they liberally use drones in sovereign countries where no armed conflict is occurring? There must be legal accountability for the use of lethal force on civilians. The prerogatives of the post-9/11 war on terror must not trump human rights and the needs of victims who are pursuing international and national justice.

Drone warfare walks a fine line between legal uses of force and extrajudicial killings. In order to protect and allow for the enjoyment of human rights, states must update their understandings of their human rights obligations under international law. Furthermore, this must be reinforced through strict accountability measures. Drones act as a new way of killing within modern conflict and may have lowered the threshold to the use of lethal force, posing both moral and legal dilemmas. As we continue to make war ["less human, we may also be making it less humane."](#)

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