Challenges and opportunities of unmanned aerial vehicles for international peace and security

Informal Interactive Dialogue of the Security Council

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Mr. President,
Excellencies,
Distinguished delegates,

I am grateful for this opportunity to brief the Security Council on this topic. I commend Peru for its initiative to convene this informal interactive dialogue.

The Office for Disarmament Affairs regards the issue of armed uncrewed aerial vehicles (UAVs) as a growing challenge in the area of emerging weapon technologies and the protection of civilians. As the previous briefers have outlined, armed UAVs pose distinct, well-known and documented implications for humanitarian and human rights principles, as well as for international stability and the maintenance of peace and security.

This is why the Secretary-General, in his Agenda for Disarmament, expressed support for efforts to explore common standards for the transfer, holdings and use of armed UAVs in order to ensure accountability, transparency and oversight for their use.

ODA produced a study exploring such possible measures in 2015, on the advice of the Advisory Board on Disarmament Matters.

The measures we examined were based on our understanding that challenges posed by armed UAVs stem from their inherent technological characteristics. It is these characteristics that enable UAVs to be used in circumstances where other types of conventional weapons would not normally be considered. Therefore, consideration of UAV-specific measures is justified. In this connection, measures aimed at increasing accountability, transparency and oversight could be effective in addressing a wide range of concerns.
Since the release of our study, there have been important international initiatives aimed at addressing central aspects of these concerns. I wish to acknowledge in particular the effort of the United States since 2016 to pursue agreement in connection with the Joint Declaration on the Export and Subsequent Use of Armed or Strike-Enabled UAVs. Also, in 2016, the General Assembly endorsed the addition of a new sub-category within the Register of Conventional Arms to cover “unmanned combat aerial vehicles”, as a means for promoting transparency in the international trade of such systems.

Nevertheless, and in order to complement these important steps, there remains a distinct need and scope for multilateral engagement on other aspects of the issue. A priority objective in this regard should be increasing transparency and building confidence on the use of armed UAVs to conduct targeted strikes in areas outside of traditional battlefields.

A focus on “non-traditional battlefields” is important because it is in these areas that there is an increased likelihood for dispute over the prevailing legal framework governing the use of force. Such legal disputes can also extend to questions of whether a targeted individual should have been regarded as a legitimate military objective and the extent to which collateral harm can be accepted.

That is why in each instance when an armed UAVs is used to carry out these types of strikes, we recommend that the following information should be made available without prejudice to national security, as appropriate, bilaterally, to relevant judicial authorities or to the public:

(i) The location of the strike, identity and affiliation of the intended target;

(ii) Information regarding the criteria used to select targets and a description of evidence used as a basis for authorizing the use of force;
(iii) A statement on the legal basis for the use of force;

(iv) Sex and age disaggregated information on the number of casualties, including civilians; and

(v) Information on the weapon system used in the attack.

We also recommend a general exchange of information on the legal framework, national laws and policies that a State applies to specific situations in which an armed UAV may be used. States should also describe accountability processes in place to ensure the appropriate investigation of credible allegations of violations of the right to life or war crimes.

We believe that these measures could serve a multitude of benefits beyond upholding humanitarian and human rights principles, which should in any case be a sufficient imperative to lead governments to act.

This issue remains ripe for consideration in a multilateral disarmament framework. The possession and use of armed UAVs has continued to spread rapidly. As with other emerging weapon technologies, there is a diminishing barrier-for-entry between technologically advanced militaries, on one end of the spectrum, and loosely organized non-state armed groups on the other.

While measures to increase transparency, accountability and oversight can and should be pursued as a matter of national policy and practice, it should also be recognized that widely agreed policies and practices can contribute to the development of norms of responsible behaviour and international law.

Appropriate forums to take forward the elaboration of such measures include the Disarmament Commission or an expert group established pursuant to a mandate of the First Committee. We therefore look forward to working with all interested States in exploring common standards on armed UAVs.