

Thursday 27 February 2014

P7_TA(2014)0172

Use of armed drones

European Parliament resolution of 27 February 2014 on the use of armed drones (2014/2567(RSP))

(2017/C 285/16)

The European Parliament,

- having regard to the reports on the use of armed drones by the UN Special Rapporteur on extrajudicial, summary or arbitrary executions of 28 May 2010 and 13 September 2013, and by the UN Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism of 18 September 2013,
 - having regard to the statement made by UN Secretary-General Ban Ki-moon on 13 August 2013 on the use of armed drones,
 - having regard to the hearing of 25 April 2013 on the human rights implications of the use of drones, organised by Parliament's Subcommittee on Human Rights jointly with its Subcommittee on Security and Defence,
 - having regard to its study of 3 May 2013 on the 'Human rights implications of the usage of drones and unmanned robots in warfare',
 - having regard to the Council conclusions of 19 and 20 December 2013 on preparations for a programme of next-generation European Medium Altitude Long Endurance Remotely Piloted Aircraft Systems (RPAS),
 - having regard to Rule 110(2) and (4) of its Rules of Procedure,
- A. whereas the use of remotely piloted aircraft systems (RPAS, hereinafter 'drones') in extraterritorial lethal operations has increased steeply over the past decade;
- B. whereas unknown numbers of civilians have been killed, seriously injured or traumatised in their daily lives by drone strikes outside declared conflict zones;
- C. whereas in the event of allegations of civilian deaths as a result of drone strikes, states are under the obligation to conduct prompt, independent investigations and, if the allegations are proved correct, to proceed to public attribution of responsibility, punishment of those responsible and provision of access to redress, including payment of compensation to the families of victims;
- D. whereas Article 51(2) of Additional Protocol I to the Geneva Conventions states that 'acts or threats of violence the primary purpose of which is to spread terror among the civilian population are prohibited';
- E. whereas drone strikes outside a declared war by a state on the territory of another state without the consent of the latter or of the UN Security Council constitute a violation of international law and of the territorial integrity and sovereignty of that country;
- F. whereas international human rights law prohibits arbitrary killings in any situation; whereas international humanitarian law does not permit the targeted killing of persons who are located in non-belligerent states;
- G. whereas any expenditure arising from operations having military or defence implications is excluded from EU budget funding (Article 41(2) TEU);
- H. whereas seven Member States (France, Germany, Greece, Italy, the Netherlands, Poland and Spain) have signed a letter of intent with the European Defence Agency (EDA) tasking it to draw up a study on joint production of Medium Altitude Long Endurance (MALE) craft, which can be used to strike military targets or for surveillance of migrant boats in the Mediterranean Sea, thus starting work on a European RPAS;

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- I. whereas research and development studies associated with the construction of drones, military and civilian, have been supported with EU funds, and whereas it is planned that this will continue in the future;
 1. Expresses its grave concern over the use of armed drones outside the international legal framework; urges the EU to develop an appropriate policy response at both European and global level which upholds human rights and international humanitarian law;
 2. Calls on the High Representative for Foreign Affairs and Security Policy, the Member States and the Council to:
 - (a) oppose and ban the practice of extrajudicial targeted killings;
 - (b) ensure that the Member States, in conformity with their legal obligations, do not perpetrate unlawful targeted killings or facilitate such killings by other states;
 - (c) include armed drones in relevant European and international disarmament and arms control regimes;
 - (d) ban the development, production and use of fully autonomous weapons which enable strikes to be carried out without human intervention;
 - (e) commit to ensuring that, where there are reasonable grounds for believing that an individual or entity within their jurisdiction may be connected to an unlawful targeted killing abroad, measures are taken in accordance with their domestic and international legal obligations;
 - (f) support the work and follow up on the recommendations of the UN Special Rapporteur on extrajudicial, summary or arbitrary executions and the UN Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism;
 3. Urges the Council to adopt an EU common position on the use of armed drones;
 4. Calls on the EU to promote greater transparency and accountability on the part of third countries in the use of armed drones with regard to the legal basis for their use and to operational responsibility, to allow for judicial review of drone strikes and to ensure that victims of unlawful drone strikes have effective access to remedies;
 5. Calls further on the Commission to keep Parliament properly informed about the use of EU funds for all research and development projects associated with the construction of drones; calls for human rights impact assessments in respect of further drone development projects;
 6. Instructs its President to forward this resolution to the Council, the Commission, the Vice-President/High Representative of the Union for Foreign and Security Policy, the European External Action Service, the parliaments of the Member States, the UN Special Rapporteur on extrajudicial, summary or arbitrary executions, the UN Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, and the UN Secretary-General.
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