

SPECIFIC REASONS FOR BANNING WEAPONIZED DRONES AND DRONE SURVEILLANCE. – DRAFT -

By Nick Mottern

An international ban on weaponized drones¹ and on drone surveillance² must be undertaken because unique characteristics of drone technology have brought about:

1. Intensive government and non-government monitoring of human activity.

Drone surveillance, that enables drone attacks and attacks by conventional weapons, is based on unique technology that has an unprecedented “ability to break down any practical privacy safeguards”³, providing the capability to visually, and through heat sensing and other means, intimately monitor and record the lives of specific persons and groups, on a continuous basis, over days, weeks and months, and to sweep into its gaze an ever-widening group of people who may in some way be associated with those who were originally “targeted”, and who now become suspect. Drone surveillance often provides a profoundly inaccurate understanding of the thinking and actions of people under surveillance.

2. Assassination and killing on suspicion.

Weaponized drones were popularized by the United States starting with the 2001 failed assassination attempt against Mullah Omar on the first day of the U.S. invasion of Afghanistan, and weaponized drones have been used primarily by U.S. and other nations for the assassination of individuals and small groups since then. In so-called battlefield situations, drone surveillance can easily lead to attacks on individuals and groups because of suspicion of threat, sometimes called pre-emptive killing.

3. Terrorization and traumatization of individuals and communities and destruction of civil society.

¹ Definition of a drone for the purposes of this report: Any remotely controlled heavier or lighter than air craft, tethered or untethered, including those equipped to capture and record images, heat variations, sound, electronic transmissions, air samples and other data and observations.

² Definition of drone surveillance: The use of a drone for monitoring, recording or targeting by video imaging, heat sensing, radar, interception of electronic signals, or other means, the comings and goings and associations of persons, groups and populations.

³ *Drones in Domestic Surveillance Operations: Fourth Amendment Implications and Legislative Response*, U.S. Congressional Research Service – April 3, 2013

The United States has conducted drone attacks in a number of countries, including Afghanistan, Pakistan, Yemen, Somalia, Syria, Iraq, Libya, Niger, Mali and the Philippines. More than 16,000 people have been killed in Afghanistan, Pakistan, Yemen and Somalia alone⁴, but this is believed to be a gross underestimate. These attacks, and drone attacks by other nations, such as Israel against Palestinians and Turkey against the Kurds, have not only killed individuals, but they have demonstrated that drone technology, that enables drones to stay “on station” or in target areas indefinitely, has led to fear, anxiety, trauma, hostility, distrust, disruption of normal community life, education, work and commerce; and suppression of rights of privacy, freedom of assembly and free speech.⁵

4. Perpetuation of wars and increasing the possibilities of armed conflict and war.

Drone technology enables governments to conduct intensive surveillance, assassinations and attacks without putting any of their forces at personal risk or at significantly less personal risk than in conventional warfare. Political and military leaders, therefore, are encouraged by the technology to assassinate, launch wars or continue wars, actions that might be otherwise unacceptable to their political base were a nation’s military personnel at risk.⁶

5. Aggression, Repression and Aerial Occupation.

Drone surveillance and drone attacks are fundamentally aggressive, hostile, repressive and invasive acts that can effectively amount to the aerial occupation of a community, region or nation because the technology can give the drone operating entity the power of monitoring public and private activity and thought and the power to terrorize, to police, to punish and to kill. This profoundly powerful technology has completely outweighed the capacity of relatively poor nations and minority populations to protect themselves from harm and from this new form of occupation.

Drone assassination and attacks, to date, have been used almost exclusively that white-dominated governments of technically advanced nations against relatively poor people of color and minorities in struggles over precious material resources, such as land, oil and minerals.

Drone surveillance and weaponized drones give overwhelming disproportionate power in weaponry over those not possessing this technology.

⁴ Bureau of Investigative Journalism <https://www.thebureauinvestigates.com/projects/drone-war>

⁵ *Living Under Drones and Traumatizing Skies and personal testimony.* (To be completed.)

⁶ *Rand Corporation* (To be completed.)

6. Acceleration in the development of robotized warfare.

The current use of drone surveillance and weaponized drones is hastening the evolution of weapons systems that will be more and more controlled by artificial intelligence and will more and more approach being autonomous.

Daniela Kolbe, a German parliamentarian, a physicist and Chairwoman of the German Parliament's Study Commission on Artificial Intelligence, who has opposed the arming of drones that Germany leases from Israel, wrote in an email:

"I fear that weaponizing drones is only a first step in an escalating weapons race...I am mainly concerned about the internal logic of this arms buildup. In the understandable attempt to shield every soldier from harm, we would increasingly attempt to use ever more automated systems – including drones – for a rising number of different situations. In the end, this would leave us with fully automated weapons systems. That's precisely the situation even the cautious drone supporters of my parliamentary group want to avoid."

Although civilian and military leaders will argue that weapons increasingly guided by artificial intelligence (A.I.) ultimately remain under human control, as in a 2020 U.S. Department of Defense policy statement⁷, more and more of the decision-making about target selection, choice of weapons and guidance of attack is now being driven by data gathered and sorted by A.I. systems.

Lieutenant General Jack Shanahan, Director of the Joint AI Center (JAIC), said in 2019: "What I don't want to see is a future where our potential adversaries have a fully A.I.- enabled force and we do not...I don't have the time luxury of hours or days to make decisions. It may be seconds and microseconds where A.I. can be used."⁸

⁷ DOD Adopts Ethical Principles for Artificial Intelligence – U.S. Department of Defense press release, February 24, 2020. <https://www.defense.gov/Newsroom/Releases/Release/Article/2091996/dod-adopts-ethical-principles-for-artificial-intelligence/>

⁸ *AI Principles: Recommendations on the Ethical Use of Artificial Intelligence by the (U.S.) Department of Defense. Page 3.*
https://media.defense.gov/2019/Oct/31/2002204458/-1/-1/0/DIB_AI_PRINCIPLES_PRIMARY_DOCUMENT.PDF

In effect, the general is saying that grave decisions, such as the use of nuclear bombs, will be more and more based on series of mini-decisions being made by A.I. technology. This can lead, if we are not there already, to a nightmare scenario in which largely self-directed weapons are launched based on largely A.I. conclusions, with human involvement amounting to agreeing or not agreeing with an A.I. plan.

And, there is also the problem of A.I. controlled weapons “learning” on their own to do something other than what is intended.

Indeed, the aforementioned U.S. Defense Department A.I. policy document warns that A.I. guided weapons must be equipped with a “kill switch”, which might, or might not, work:

“The department will design and engineer A.I. capabilities to fulfill their intended functions while possessing the ability to detect and avoid unintended consequences, and the ability to disengage or deactivate deployed systems that demonstrate unintended behavior.”

7. “Civilian” Casualties.

This section is still being written. However, here are observations:

Since drone killings have violated the rights of all victims to due process, we can say that all who have been killed by drone attacks are legally civilians. The distinction about whether those killed are or are not in combat zones I believe is a legalistic construct to justify the assassination and killing on suspicion that are illegal and immoral wherever they are committed.

The U.S. government has argued that drone killing is somehow more humane because drones kill “precisely” as distinct from more generalized attacks, such as carpet bombing. There is evidence of great lack of precision in drone attacks, and that the precision argument is a bogus selling point intended to ease U.S. consciences concerned about killing “innocent” people in the midst of program of killing that is itself illegal and immoral.

A larger point that must be considered is that aerial warfare historically leads to the deaths of far more civilians than combatants, and that one of the main reasons for aerial bombing is to kill and demoralize the civilian base of support for militaries. In this regard, drone killing is like other aerial bombing, something that also must be banned.

8. Wealth and Climate Change

This section is still being written also. However, here are observations:

To date, drone surveillance and weaponized drones have been used most widely, and almost exclusively, by governments controlled by white people as weapons of

repression and subjugation against relatively poor people of color. We must ask would this massive, global killing and terror campaign have burgeoned if the victims were all white?

This campaign has been carried forward without regard to national boundaries or with respect for national sovereignty other than sometimes obtaining fig leaves of approval from obedient governments. The common thread has been the use of drone surveillance and weaponized drone technology as a substitute for colonial ground forces in supporting international extraction of precious resources such as oil and minerals and, also, to support other international investments.

Drone surveillance and weaponized drone technology is now spreading to nations controlled by people of color, but here too this technology is likely to be used more and more widely by elites against masses of low-income people seeking political and economic liberation.

And, this technology will be more and more used this way in developed nations, such as the United States, as a weapon of repression against masses of people of all colors who are seeking political and economic justice. Witness the use of drone and other aerial surveillance over Black Lives Matter protests in the United States in 2020.

Military and police power have historically been used by elites to protect and advance their interests. Drone surveillance and killing technology is dramatically increasing this power at a time when humanity desperately needs democratization of political and economic power in order to survive.

One can argue that the climate emergency is a direct result of the violent subjugation by elites on which fossil fuel extraction has been and continues to be based around the world. This has resulted in gross exploitation that has feed devastating habits of consumption.

Climate change will accelerate unless there is a dramatic democratization of political and economic power globally, and key to this is dramatically reducing the repressive power of global elites. An essential step in this direction is banning drone surveillance and weaponized drones, weapons that are also currently the primary growth sector in weaponry that is carrying humanity ever more rapidly toward nuclear extinction.

Legal issues.

Use of drone surveillance and weaponized drones violate a variety of principles established by the Universal Declaration of Human Rights, approved in 1948 by the United Nations based on the horrors visited on humanity by World War II. This use (in my judgement) also violates elements of international law dealing with due process, aggression, invasion, protection of civilian populations, protection against collective punishment, the use of weapons that have wide and controllable impact and weapons that are disproportionately powerful compared to those used by an adversary.
