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Agenda Item 3

Draft Resolution

**Ensuring use of remotely piloted aircraft or Armed Drones in Counter-terrorism & Military Operations in accordance with International Law including International Human Rights and Humanitarian Law**

Guided by the purposes and principles of the Charter of the United Nations in particular Article 2(4) of Chapter 1;

Reaffirming the Universal Declaration of Human Rights which recognizes right to life, liberty and security of person, among other rights;

Reaffirming also the principles enshrined in the Vienna Declaration and Programme of Action (VDPA);

Reaffirming further the provisions of the International Covenant on Civil and Political Rights (ICCPR) as well as International Covenant on Economic Social and Cultural Rights (ICESCR);

Recalling UN General Assembly Resolution 68/178 and Human Rights Council Resolution 19/19 on Protection of human rights and fundamental freedoms while countering terrorism;

Expressing deep concern over civilian casualties resulting from the use of remotely piloted aircraft or armed drones as reflected in reports of the Special Rapporteur on the Protection of Human Rights and Fundamental Freedoms while countering terrorism to the General Assembly and the Human Rights Council;

Expressing concern also at the broader impact of remotely piloted aircraft or armed drones on individuals, children, families and communities, including the interruption of education, the undermining of religious and cultural practices and the reluctance to assist the victims of drone strikes for fear of being caught in secondary strikes;

Reaffirming that the promotion and protection of human rights for all and the rule of law are essential to the fight against terrorism, and to recognizing that

effective counterterrorism measures and the protection of human rights are not conflicting goals but are complementary and mutually reinforcing;

Reaffirming that all counter-terrorism measures should be implemented by States in accordance with their obligations under international law, including international human rights law, international humanitarian law and international refugee law, thereby taking into full consideration the human rights of all, including persons belonging to national or ethnic, religious and linguistic minorities, and in this regard must not be discriminatory on grounds such as race, colour, sex, language, religion or social origin;

takes note with appreciation of the reports of the Special Rapporteur on the protection of human rights and fundamental freedoms while countering terrorism presented to the 25<sup>th</sup> Session of Human Rights Council contained in document A/HRC/25/59 as well as of the Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions to the 68<sup>th</sup> Session of UN General Assembly;

Welcoming the statements by the Secretary-General of 13 August 2013 as well as the statements by the High Commissioner for Human Rights to the Security Council on 19 August 2013, 23<sup>rd</sup> Session of the HRC on 27 May 2013, 25<sup>th</sup> Session of HRC on 3 March and 6 March 2014 on the use of remotely piloted aircraft;

Commending the role of civil society organizations in highlighting the humanitarian and human rights impact of the use of remotely piloted aircrafts or armed drones;

1. Urges all States to ensure that any measures employed to counter terrorism, including the use of remotely piloted aircraft or armed drones, comply with their obligations under international law, including the Charter of the United Nations, international human rights law and international humanitarian law, in particular the principles of precaution, distinction and proportionality;
2. Calls upon states to ensure transparency in the records on the use of remotely piloted aircraft or armed drones and to conduct prompt, independent and impartial investigations whenever there are indications of violation to international law caused by their use;
3. Invites the United Nations High Commissioner for Human Rights and relevant special procedures of the Council and the human rights treaty bodies to

pay attention, within the framework of their mandates, to the violations of international law as a result of use of remotely piloted aircraft or armed drones;

4. Decides to organize an interactive panel discussion of experts at its 27th Session on the issues raised in the report of the Special Rapporteurs on the protection of human rights and fundamental freedoms while countering terrorism, within existing resources, and invites the Office of the High Commissioner to liaise with States, relevant United Nations bodies and agencies, relevant special procedures, civil society and other stakeholders with a view to ensuring their participation in the panel discussion;

5. Requests the OHCHR to present summary of the deliberations of the panel discussion at its 28<sup>th</sup> session;