

5-2015

Public Acknowledgement and Investigations of U.S. “Targeted Killings” and Drone Strikes

American Civil Liberties Union (ACLU)

Amnesty International

Center for Civilians in Conflict (CIVIC)

Center for Constitutional Rights

European Center for Constitutional and Human Rights

See next page for additional authors

Follow this and additional works at: https://scholarship.law.columbia.edu/human_rights_institute



Part of the [Human Rights Law Commons](#), and the [Military, War, and Peace Commons](#)

Authors

American Civil Liberties Union (ACLU), Amnesty International, Center for Civilians in Conflict (CIVIC), Center for Constitutional Rights, European Center for Constitutional and Human Rights, Human Rights Clinic, Human Rights First, Human Rights Watch, Open Society Foundations, and Reprieve

May 13, 2015

The Honorable Barack Obama
President of the United States of America
White House 1600 Pennsylvania Ave., N.W.
Washington, D.C. 20500

Re: Public Acknowledgement and Investigations of U.S. “Targeted Killings” and Drone Strikes

Dear President Obama,

On April 23, 2015, your administration publicly acknowledged and apologized for the deaths of two civilians—U.S. citizen Warren Weinstein and Italian citizen Giovanni Lo Porto—in a January 2015 strike in Pakistan.

The undersigned human rights and civil rights organizations welcome your administration’s public acknowledgement of responsibility, your undertaking to ensure that the strike is subjected to a “thorough independent review,” and the public offer of compensation to the victims’ families. These are positive steps that we hope will lead toward a more transparent and accountable approach to U.S. counterterrorism operations.

We write to urge your administration to adopt the same approach to all other U.S. counterterrorism strikes in which civilians have been injured or killed—regardless of their nationalities. To that end, your administration should establish a systematic and transparent mechanism for post-strike investigations, which are made public, and provide appropriate redress to civilian victims.

The United Nations, local and international human rights organizations, and journalists have investigated and reported numerous cases in which there is credible evidence of harm to Yemeni, Pakistani, and other civilians from U.S. strikes carried out in secret, often using drones. The families of those individuals are still seeking redress and accountability, and the continued refusal of your administration even to officially acknowledge their losses compounds their suffering. We attach to this letter an appendix of ten examples of such strikes, which we urge your administration to publicly acknowledge and independently investigate, along with all other counterterrorism strikes in which there are credible allegations that civilians may have been killed or harmed.

In prior joint letters to your administration, including letters of December 4, 2013, and April 11, 2013, civil society groups have described broader concerns about the U.S. government’s use of lethal force in counterterrorism operations. In addition to investigating individual strikes, acknowledging responsibility, and providing appropriate redress for civilian harm, we urge your administration to take essential steps to: publicly disclose standards and criteria governing “targeted killings”; ensure that U.S. lethal force operations abroad comply with international human rights and humanitarian law; and enable meaningful congressional oversight and judicial review.

We appreciate your attention to our concerns.

Sincerely,

American Civil Liberties Union
Amnesty International
Center for Civilians in Conflict (CIVIC)
Center for Constitutional Rights
European Center for Constitutional and Human Rights
Human Rights Clinic (Columbia Law School)
Human Rights First
Human Rights Watch
Open Society Foundations
Relieve

Ten U.S. Strikes Requiring Investigation and Acknowledgement¹

1. **Yemen, December 17, 2009:** A cruise missile strike in al-Majalah in southern Yemen is alleged to have killed at least 41 civilians, along with 14 alleged militants, in a Bedouin camp. Groups including Human Rights Watch determined that the civilians included 21 children and nine women—five of whom were pregnant.
2. **Pakistan, March 17, 2011:** A strike on a large gathering near a bus depot in Datta Khel, North Waziristan, is alleged to have killed at least 24 civilians according to several independent investigations by human rights organizations, including Reprieve, and journalists.
3. **Pakistan, October 30, 2011:** A strike reportedly killed four civilians who were traveling in a car in North Waziristan, Pakistan. According to an Open Society Foundations investigation, those killed were likely a businessman and several day laborers.
4. **Pakistan, July 6, 2012:** A series of strikes allegedly killed 18 civilians in Zowi Sidgi, North Waziristan, Pakistan. Amnesty International reported that the 18 victims were likely laborers, ten of whom were killed by a second round of strikes targeting those who had arrived at the scene to help the wounded and recover the dead. At least 22 others were injured, including an eight-year-old girl who sustained shrapnel injuries to her leg.
5. **Yemen, August 29, 2012:** A strike reportedly killed five men outside a mosque in Kashamir, Yemen, including two civilians. Groups including Human Rights Watch and Reprieve determined that those killed included a popular anti-Al Qaeda cleric, Salim bin Ali Jaber, and his cousin Waleed, one of the village's only policemen.
6. **Yemen, September 2, 2012:** A strike on a Toyota Land Cruiser in Yemen is alleged to have killed 12 civilian passengers, including three children and a pregnant woman. Groups including Human Rights Watch found that the alleged target was not in the vehicle and that those killed included the breadwinners for more than 50 people in one of the poorest areas of Yemen.
7. **Pakistan, October 24, 2012:** A strike allegedly killed Mamana Bibi, a woman aged about 65 who was gathering vegetables in her family's large, mostly vacant fields in Ghundi Kala, a village in North Waziristan, Pakistan. Investigations conducted by Amnesty International and Reprieve found credible evidence that nine others were injured in the strike that killed Bibi. The nine injured were children, including several of Bibi's grandchildren.
8. **Yemen, January 23, 2013:** A strike in al-Baidha Governorate in Yemen allegedly targeted a house in which 19 civilians lived, near where

¹ The signatories of this letter do not consider this an exhaustive list, but ten examples of strikes in which civilian harm has been credibly alleged.

approximately 30 civilians had gathered to watch the only television in the village. The Open Society Justice Initiative and the Yemeni organization Mwatana determined that the strike injured five civilians, including two children.

9. **Yemen, December 12, 2013:** A strike on a convoy in rural Yemen allegedly missed its intended target but killed at least 12 and wounded 15 others. Human Rights Watch, Reprieve, and independent journalists found that the convoy was a wedding procession, as well as evidence that some, if not all, of those killed and wounded may have been civilians.

10. **Yemen, April 19, 2014:** A strike allegedly targeted a truck carrying suspected militants in al-Sawma'ah, Yemen. An investigation by the Open Society Justice Initiative and Mwatana found credible evidence that shrapnel from the strike killed four civilians and injured five others who were traveling in a nearby car.