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## Drones Kill Innocent People All the Time But now the White House can't deny it

by ROBERT BECKHUSEN & MATTHEW GAULT

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U.S. Pres. Barack Obama told the world that an American drone strike against an Al Qaeda compound in January killed two innocent hostages. American contractor Warren Weinstein and Italian aid worker Giovanni Lo Porto died in the strike in Pakistan.

Obama apologized to their families. “As president and as commander in chief, I take full responsibility for all our counterterrorism operations including the one that inadvertently took the lives of Warren and Giovanni,” Obama said.

At the time of the strike, U.S. military and intelligence officials didn't believe the compound—which comprised several buildings—contained hostages.

Had they, it's a safe bet to assume the strike wouldn't have happened. The CIA didn't discover what really occurred until weeks later, according to the *New York Times*.

Al Qaeda deputy Ahmed Farouq—who heads up the group’s organization in India—died in the strike. Al Qaeda spokesman Adam Gadahn died in what was likely a separate attack in January. Farouq and Gadahn were both American citizens.

It’s not unprecedented that a U.S. drone strike killed civilians. America’s CIA-operated drones kill civilians all the time. There’s a caveat—precision drone strikes are arguably less destructive to civilian life than ground wars or manned bombing, but they’re far from perfect.

What’s different about *this* drone strike is that Obama admitted it killed civilians, apologized for it and ordered the details “declassified and disclosed publicly.” That’s an almost unheard-of exception in a war known for its extreme secrecy.

“That’s pretty astounding,” Heather Roff, an associate professor at the University of Denver who studies the ethics of emerging technologies such as drones, told War Is Boring.

“It’s quick, and it’s declassifying it for the families, and it’s notifying the public and it’s getting out ahead of this. It’s asking for a *mea culpa* now.”



**Above—a Reaper training near Creech Air Force base in Nevada. At top—a fully-armed Reaper done patrols the skies of Afghanistan. Air Force photos**

We don’t know how many civilians have died in America’s drone campaign, and the White House hasn’t disclosed the number. But there are estimates from independent groups.

The Bureau of Investigative Journalism has long worked to clarify the mystery by sifting through news reports in America and abroad, leaked government documents and interviews within affected communities.

According to TBIJ's numbers, the CIA's drones have killed somewhere between 400 and 950 civilians in Pakistan. That accounts for 415 drone strikes in the region between 2004 and 2015.

But complicating the figures is that Pakistan has carried out air strikes in the same regions against the same militants—which makes it hard to deconflict a *drone* attack from a Pakistani air force strike.



The numbers for Yemen are even less clear. Since 2002, America has conducted between 100 and 200 drone strikes in the country.

Those targeted killings have killed between 90 and 160 civilians, according to TBIJ. Around a dozen drone strikes in Somalia killed about five civilians.

The strikes accelerated after Obama took office. From 2004 to 2007, the U.S. launched just 11 such attacks in Pakistan. In 2008, it launched 38. The strikes peaked in 2010—as the Obama administration deployed thousands of extra troops to Afghanistan—with 128 targeted assaults in Pakistan.

The frequency has decreased since then, and the rate leveled off in 2013 with 27 drone strikes. In 2014, there were 25 and only seven so far in 2015.

To be sure, there's a logic behind the strikes. It reduces risk to American service members and allows the U.S. to attack Al Qaeda where it'd be far too risky—or politically problematic—to send ground troops or manned aircraft.

But the U.S. does so with limited—if any—human intelligence on the ground. On the other hand, drone strikes are arguably safer for civilians than if America sent in the Army or conventional manned bombers.

*But the counter-argument is that drones—by removing a human pilot—ratchets down the threshold for the U.S. to carry out a strike, and makes strikes more likely. Civilian deaths are inevitable.*

On Dec. 13, 2013, an American drone launched Hellfire missiles at a convoy of cars on the move in Yemen. The strike killed 12 people and wounded 15 more. At the time, the Yemeni government claimed the dead were Al Qaeda militants.

The dead and wounded were, in fact, part of a wedding party. The bride was there. The strike wounded her face. To this day, it's unclear whether any militants died that day.

The White House never acknowledged its involvement in the attack. Regional Yemeni authorities paid the families of the victims \$800,000 in cash and rifles.



The White House at night

It's impossible to know what would've happened had a manned aircraft—not a drone—been in the air.

But it's quite possible the U.S. would have never bombed the wedding party had it not *had* drones in the first place. There's simply less risk inherent in bombing targets in Yemen with machines. If so, this means the U.S. has effectively off-loaded some of its risk onto *civilians*, and it's done so largely in secret.

The strike in Pakistan—and its mistaken deaths—is another example.

“This is case that just comes to the surface because of two high-profile people getting killed a drone strike, and the U.S. has to account for it and atone for it,” Roff said. “But it still doesn't get around the fact that the United States is carrying out its war in a very questionable way.”

But does the Obama disclosing the strike signal a shift toward more transparency in how America wages war? Roff thinks it could, but notes that it's only a *possibility*.

“This is a precedent-type moment,” she added. “What might change is that if there are any other future strikes that may involve hostages or clearly non-combatant people in the area, then the United States may get into a position where it has to publicly atone or open up its documents about why it still undertook that particular strike.”

Roff noted that this is a *big* if. The CIA will always keep secrets, for understandable reasons. And the U.S. isn't likely to stop using drones to target Al Qaeda members.

“No, it's not going to stop doing that,” she said. “What it may do, is that [the U.S.] may limit its use in some instances that it may not have in others, and it may come under more scrutiny if it does not—because it has now set a precedent that in instances like this, it may declassify information on a strike.”

*But remember, the U.S. didn't kill one American citizen in the January attacks. It killed three Americans—one of them innocent and by accident. The CIA also killed Al Qaeda members and U.S. citizens Farouq and Gadahn.*

For a moment, leave aside the mistake that led to an American citizen being killed by friendly fire. The White House *still* hasn't convincingly argued that killing American combatants is on firm legal ground.

The government's rationale—outlined in a white paper revealed in 2013—follows that U.S. citizens fighting on the side of Al Qaeda forgo their Fourth and Fifth Amendment rights, because they are *necessarily* planning to conduct imminent attacks the U.S. in the future.

This line of reasoning continues that if the Al Qaeda member is in hiding—removed from the means by which the U.S. could capture him—then the U.S. could blow him up with a drone to remove the threat. And this would be completely legal.

It's worth noting that the White House stretches the definition of imminent to mean a terrorist planning to attack from a location outside the reach of U.S. law enforcement. The terrorist could plan an attack that happens in a few hours, or years from now ... it doesn't matter.

Nor is the process subject to public review. There's no trial, defense attorney or even *acknowledgment* from the White House that it's targeted a U.S. citizen for assassination.

Finally, the administration wants Congress to believe this is legal.

“Should we have done this strike?” Roff asked. “Well, wait a minute. We haven't resolved whether or not the two guys who were American citizens and *were* targeted was a good idea.”