

Drone Warfare in Afghanistan Challenged in UK Court. British Ministry of Defense on the “Defensive”

Drone Wars UK to challenge UK drone secrecy in court

By [Chris Cole](#)

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[DroneWars.net](#)

A two-day Information Tribunal will take place in central London on 23 and 24 September examining the refusal of the Ministry of Defence (MoD) to provide Drone Wars UK Co-ordinator, Chris Cole, with information about the UK's use of Reaper drones in Afghanistan.

A UK Reaper drone operator with “approximately 1,000 hours of Reaper experience supporting UK and Coalition activities in Afghanistan” will give evidence on behalf of the Ministry of Defence. Chris Cole is also being called to give evidence and Tom Watson MP, Chair of the All Party Parliamentary Group on Drones has also submitted a Witness Statement to the Tribunal.

The MoD has refused to answer many Freedom of Information (FoI) requests and Parliamentary Questions about the UK's use of Unmanned Aerial Vehicles (commonly known as drones) on the grounds that providing the information could prejudice the ‘capability, effectiveness or security’ of the armed forces or that it would prejudice ‘relations between the UK and another State’.

Drone Wars UK has appealed two specific request and this has now finally reach the courts. The two requests are:

- The date and province within Afghanistan of each weapon launched by UK Reaper UAVs
- By year, how many weapons were released from UK Reapers under daily tasking orders [i.e. pre-planned] and how many were released under dynamic tasking procedures [i.e. on the fly]?

The MoD's refusal on these two requests were upheld by an initial Information Commissioner inquiry (see [here](#) and [here](#)) and Drone Wars UK is now appealing to the Information Tribunal challenging the MoD's stance and arguing that the public interest lies in releasing the information.

The MoD have successfully applied to have part of the hearing ‘closed’ and are arguing that to give a public explanation why the information is being withheld would itself be damaging.

Chris Cole said

“The growing use of armed unmanned drones is a matter of serious public interest both here in the UK and around the world. In order to answer the many legal and ethical questions raised by such systems, a proper understanding of how they are being used on a day-to-day basis is needed and it is right that the public have access to such information.”

Counsel on behalf of the campaigners is Sam Jacobs of Doughty Street Chambers, instructed by Daniel Carey of Deighton Pierce Glynn.

The hearing, will be held in Court Room One at HMRC Tribunal Courts, (Field House, 15 Breems Building, London, EC4A 1DZ) from 10am. A timetable of the hearing – detailing when witnesses will be appearing – should be available before the hearing.

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