Lawless Drone Killings

By Stephen Lendman
Global Research, October 25, 2013

Theme: Crimes against Humanity, Law and Justice, US NATO War Agenda

Two UN reports highlight the problem. More on them below.

Sixteen-year-old Malala Yousafzai is an activist for women's education, a blogger, and Sakharov Prize winner. She's a Pakistan National Youth Peace Prize recipient.

She was a 2013 Nobel Peace Prize nominee. Desmond Tutu nominated her for the International Children's Peace Prize. On October 16, Canada said it plans to grant her honorary citizenship.

Obama invited her to the White House. Perhaps he wishes he hadn't. She took full advantage. She didn't hold back. "(D)rone attacks are fueling terrorism" she said.

"Innocent victims are killed in these acts, and they lead to resentment among the Pakistani people."

Predator drones sanitize killing on the cheap. Remote warrior teams operate computer keyboards and multiple monitors.

They murder by remote control. They target faceless victims. They kill indiscriminately. They do so unaccountably.

Drones are instruments of state terror. Studies show mostly innocent civilians are killed. They were in the wrong place at the wrong time.

A previous article discussed a joint Stanford University International Human Rights and Conflict Resolution Clinic (SU)/New York University School of Law Global Justice Clinic (NYU) report.

It's titled "Living Under Drones." The dominant Washington narrative claims drone strikes are precise and effective. Targeted killings "minimi(ze) downsides or collateral impacts," it says. Doing so makes America safer, it alleges.

False! Drone attacks kill indiscriminately. Mostly noncombatant civilians are affected. "Living Under Drones" exposes what Washington won't say.

Obama's a serial liar. He falsely claims drones haven't "caused a huge number of civilian casualties. They're targeted, focused at people who are on a list of active terrorists trying to go in and harm Americans."

Hard evidence proves otherwise. On site investigations and eyewitness testimonies are damning.

According to SU/NYU:

> "US drone strike policies cause considerable and under-accounted-for harm to the daily lives of ordinary civilians, beyond death and physical injury."
>
> "Drones hover twenty-four hours a day over communities in northwest Pakistan, striking homes, vehicles, and public spaces without warning."
>
> "Their presence terrorizes men, women, and children, giving rise to anxiety and psychological trauma among civilian communities."

Official statements about drone killings keeping America safe are false. SU/NYU evidence shows at most only 2% of victims are high-value combatants.

Others are mostly innocent civilians. Drone killings fuel resentment. They facilitate anti-American recruitment. Most Pakistanis call America the enemy. So do people in other affected countries.

Professor Christof Heyns co-directs the University of Pretoria's Institute for International and Comparative Law. He serves as UN Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions.

His September 13-dated UN report is titled "Extrajudicial, summary or arbitrary executions." It omits offender country names. He clearly holds Washington responsible.

"The expansive use of armed drones by the first states to acquire them, if not challenged, can do structural damage to the cornerstones of international security and set precedents that undermine the protection of life across the globe in the longer term," he said.

> "The use of drones by states to exercise essentially a global policing function to counter potential threats presents a danger to the protection of life, because the tools of domestic policing (such as capture) are not available, and the more permissive targeting framework of the laws of war is often used instead."

On October 25, General Assembly member states will discuss Heyns' report. It calls for obeying international law. According to Heyns:

> "Drones come from the sky but leave the heavy footprint of war on the communities they target."
>
> "The claims that drones are more precise in targeting cannot be accepted uncritically, not least because terms such as 'terrorist' or 'militant' are sometimes used to describe people who are in truth protected civilians."
>
> "Armed drones may fall into the hands of non-state actors and may also be hacked by enemies or other entities."
>
> "In sum, the number of states with the capacity to use drones is likely to increase significantly in the near future, underscoring the need for greater consensus on the terms of their use."

Protecting against clear imminent threats to life alone are permissible.

> "The view that mere past involvement in planning attacks is sufficient to render an individual targetable, even where there is no evidence of a specific and immediate attack, distorts the requirements established in international human rights law."

Countries may not consent "to the violation of their obligations under international humanitarian law or international human rights law."

Reprieve is a UK-based human rights group. It's legal director Kat Craig said:

> "This report rightly states that (America's) secretive drone war is a danger not only to innocent civilians on the ground but also to international security as a whole."
>
> "The CIA's campaign must be brought out of the shadows: we need to see real accountability for the hundreds of civilians who have been killed – and justice for their relatives."
>
> "Among Reprieve's clients are young Pakistani children who saw their grandmother killed in front of them. The CIA must not be allowed to continue to smear these people as 'terrorists.' "

Ben Emmerson is UN Special Rapporteur on Human Rights and Counterterrorism. His September 18-dated UN report is titled "Promotion and protection of human rights and fundamental freedoms while countering terrorism."

UN investigations identified dozens of US drone strikes causing civilian deaths and injuries. Doing so clearly violates international law.

Emmerson wants Washington to declassify relevant information. He wants more clarity on America's drone attacks. His report discusses incidents in Afghanistan, Yemen, Iraq, Libya, Somalia, Pakistan and Gaza.

"While the fact that civilians have been killed or injured does not necessarily point to a violation of international humanitarian law, it undoubtedly raises issues of accountability and transparency," he said.

Lack of information about CIA drone strikes creates "an almost insurmountable obstacle to transparency."

> "One consequence is that the United States has to date failed to reveal its own data on the level of civilian casualties inflicted through the use of remotely piloted aircraft in classified operations conducted in Pakistan and elsewhere."

Obama lied saying "before any strike is taken, there must be near-certainty that no civilians will be killed or injured." According to Emmerson:

If international laws are strictly followed, "remotely piloted aircraft (perhaps can) reduc(e) the risk of civilian casualties in armed conflict by significantly improving the situational awareness of military commanders."

At the same time, "no clear international consensus" exists regarding drones used for targeted killing.

Washington must “further clarify its position on the legal and factual issues.”

It must “declassify, to the maximum extent possible, information relevant to its lethal extraterritorial counter-terrorism operations.”

It must “release its own data on the level of civilian casualties inflicted through the use of remotely piloted aircraft, together with information on the evaluation methodology used.”

It bears repeating. Drones are instruments of state terror. Killing is done extrajudicially. America bears most responsibility.

Obama’s kill list decides who, where and when. Human lives don’t matter. Nor do rule of law principles. Summary judgment means international, constitutional and US statute laws don’t apply.

Francis Boyle calls drone attacks “murders, assassinations, and extrajudicial executions.”

They constitute “a grave violation of international human rights law, the laws of countries where attacks take place, and US domestic law.

Pentagon/CIA drone attacks raise “serious problems of discriminating between civilians and insurgents engaged in armed conflict.”

The disproportionate number of civilians killed “raises the issue of war crimes accountability.”

Large numbers of civilian casualties suggests drones “can never be used in a manner consistent with the laws of war in actual war zones.”

According to Marjorie Cohn:

Unlawful drone strikes “not only undermine the rule of law, (they) prevent the United States from reasonably objecting when other countries (target their own) kill lists.”

“Obama’s ‘War on Al Qaeda has been used as an excuse to assassinate anyone anywhere in the world” on his say.

So-called “signature strikes” mean “bombs are being dropped on unidentified people (in areas) where (alleged) suspicious activity” exists or occurred.

Doing so “goes beyond the illegal practice of ‘targeted killing.’ People are being (indiscriminately) killed without even being an identified target.” Drone attacks violate well-established international law principles.

Former UN Special Rapporteur on Extrajudicial, Summary, or Arbitrary Executions Philip Alston calls targeted killings “intentional, premeditated, and deliberate use of lethal force (against individuals) not in the physical custody of the perpetrator.”

They constitute grave international law breaches. They’re war crimes. The 1996 US War Crimes Act (WCA) calls them “grave breaches of the Geneva Conventions” committed against people they protect.

WCA applies if either victims or perpetrators (to the highest levels of government) are US

nationals or armed forces members.

Penalties call for either life imprisonment or death. America remains unaccountable. Obama's war on humanity rages. Lawlessness begets more of it.

Stephen Lendman lives in Chicago. He can be reached at lendmanstephen@sbcglobal.net.

His new book is titled "Banker Occupation: Waging Financial War on Humanity."

http://www.claritypress.com/LendmanII.html

Visit his blog site at sjlendman.blogspot.com.

Listen to cutting-edge discussions with distinguished guests on the Progressive Radio News Hour on the Progressive Radio Network.

It airs Fridays at 10AM US Central time and Saturdays and Sundays at noon. All programs are archived for easy listening.

http://www.progressiveradionetwork.com/the-progressive-news-hour

http://www.dailycensored.com/lawless-drone-killings/

The original source of this article is Global Research
Copyright © Stephen Lendman, Global Research, 2013

Comment on Global Research Articles on our Facebook page

Become a Member of Global Research

Articles by: Stephen Lendman

About the author:

Stephen Lendman lives in Chicago. He can be reached at lendmanstephen@sbcglobal.net. His new book as editor and contributor is titled "Flashpoint in Ukraine: US Drive for Hegemony Risks WW III." http://www.claritypress.com/LendmanIII.html Visit his blog site at sjlendman.blogspot.com. Listen to cutting-edge discussions with distinguished guests on the Progressive Radio News Hour on the Progressive Radio Network. It airs three times weekly: live on Sundays at 1PM Central time plus two prerecorded archived programs.

Disclaimer: The contents of this article are of sole responsibility of the author(s). The Centre for Research on Globalization will not be responsible for any inaccurate or incorrect statement in this article. The Centre of Research on Globalization grants

permission to cross-post Global Research articles on community internet sites as long the source and copyright are acknowledged together with a hyperlink to the original Global Research article. For publication of Global Research articles in print or other forms including commercial internet sites, contact: publications@globalresearch.ca

www.globalresearch.ca contains copyrighted material the use of which has not always been specifically authorized by the copyright owner. We are making such material available to our readers under the provisions of "fair use" in an effort to advance a better understanding of political, economic and social issues. The material on this site is distributed without profit to those who have expressed a prior interest in receiving it for research and educational purposes. If you wish to use copyrighted material for purposes other than "fair use" you must request permission from the copyright owner.

For media inquiries: publications@globalresearch.ca