

You Never Die Twice

MULTIPLE KILLS IN THE US DRONE PROGRAM

REPRIEVE

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EXECUTIVE SUMMARY

Each of us only lives once. It sometimes appears, however, that the covert US Kill List allows a man to die twice. Public reports suggest some men on the Kill List have 'died' as many as seven times.

The Kill List is a covert US programme that selects individual targets for assassination. The list is personally approved by President Obama and requires no public presentation of evidence or judicial oversight. Targets often die in covert drone strikes in foreign countries and are never notified of what they are accused to have done.

Information on the Kill List and drone strikes is limited to media reporting and anonymous leaks by US, Pakistani and Yemeni officials. Nevertheless, by sifting this information, we found 41 names of men who seemed to have achieved the impossible: to have 'died,' in public reporting, not just once, not just twice, but again and again. Reports indicate that each assassination target 'died' on average more than three times before their actual death.

This raises a stark question. With each failed attempt to assassinate a man on the Kill List, who filled the body bag in his place? In fact, it is more accurate to say 'body bags': many other lives are sacrificed in the effort to erase a name from the Kill List. In one case, it took seven drone strikes before the US killed its target. In those strikes, as many as 164 people died, including 11 children.

In total, as many as 1,147 people may have been killed during attempts to kill 41 men, accounting for a quarter of all possible drone strike casualties in Pakistan and Yemen. In Yemen, strikes against just 17 targets accounted for almost half of all confirmed civilian casualties. Yet evidence suggests that at least four of these 17 men are still alive. Similarly, in Pakistan, 221 people, including 103 children, have been killed in attempts to kill four men, three of whom are still alive and a fourth of whom died from natural causes.

One individual, Fahd al Quso, was reported killed in both Yemen and Pakistan. In four attempts to kill al Quso, 48 people potentially lost their lives.

Other key findings include:

- Twenty-four men were reported killed or targeted multiple times in Pakistan. Missed strikes on these men killed 874 people. They resulted in the deaths of 142 children.
- Seventeen men in Yemen were reported killed or targeted multiple times. Missile strikes on these men killed 273 others and accounted for almost half of all confirmed civilian casualties and 100% of all recorded child deaths.
- In targeting Ayman al Zawahiri, the CIA killed 76 children and 29 adults. They failed twice and Ayman al Zawahiri is reportedly still alive.
- In the six attempts it took the US to kill Qari Hussain, a deputy commander of the Tehrik-e-Taliban Pakistan (TTP), 128 people were killed, including 13 children.
- Baitullah Mehsud was directly targeted as many as seven times, during which 164 people were killed, including 11 children.
- From 2004-2013, children suffered disproportionately in Pakistan. The pursuit of 14 targets killed 142 children. Only six of these children died in strikes that successfully killed their target (21% success rate).

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I. INTRODUCTION

Drones have become a signature feature of President Obama's so-called 'War on Terror'. Yet 500 strikes, seven years and thousands of deaths later, we know little about how this covert programme works. Even basic details, such as where and when strikes have occurred, remain shrouded in secrecy. Questions about dead innocents have been met not with answers, but with further silence.

One of the few facts that have slipped through the net is that the US has a Kill List.¹ That Kill List, part of a broader Disposition Matrix,² drives the US drone programme. It is the list that tells the drone operators, sitting safely behind their screens in Nevada, who to target and where. And it is a list that President Obama personally approves, but that is never submitted to judicial examination or challenge.

This report looks at the intersection between these two phenomena: the Kill List and the covert drone programme in Pakistan and Yemen. While the US refuses to say who is on the Kill List, a look at the reporting around drone strikes gives the names of dozens of individuals who have been targeted or report killed once, only to be targeted again, and again, and again. In fact, 41 individuals have been the target of multiple strikes, some of them as many as seven times. They are the proverbial cats with nine lives.

We show how these 41 individuals account for almost a quarter of all drone strike casualties – a Kill List where efforts to eliminate 41 may have instead resulted in the extermination of hundreds. Our findings raise questions about the “precision” of US intelligence. They also raise the question: if the people on the US Kill List take on average three strikes to kill, who is the US killing in the first two strikes that miss their targets?

II. THE “PRECISION” OF THE DRONE

The Bureau of Investigative Journalism estimates that the US has carried out up to 486 drone strikes in Pakistan and Yemen combined. These numbers should be considered conservative estimates: the drone programme is so secretive that the very fact of a strike is never acknowledged. Overall, as many as 4,400 people may have been killed in these strikes, the vast majority of whom remain unnamed.³

The US, while refusing to take responsibility for individual strikes, has repeatedly

1/ Jo Becker & Scott Shane, Secret 'Kill List' Proves a Test of Obama's Principles and Will, N.Y. Times (29 May 2012), http://www.nytimes.com/2012/05/29/world/obamas-leadership-in-war-on-al-qaeda.html?pagewanted=all&_r=0; Daniel Byman & Benjamin Wittes, How Obama Decides Your Fate If He Thinks You're a Terrorist, The Atlantic (3 January 2014), <http://www.theatlantic.com/international/archive/2013/01/how-obama-decides-your-fate-if-he-thinks-youre-a-terrorist/266419/>.

2/ The new “disposition matrix” includes not only the Kill List, but also those individuals targeted for disposal by non-lethal means, e.g. renditions, arrests by third countries, prosecutions, etc. See Greg Miller, Plan for Hunting Terrorists Signals U.S. Intends to Keep Adding Names to Kill Lists, Washington Post (24 October 2012), http://www.washingtonpost.com/world/national-security/plan-for-hunting-terrorists-signals-us-intends-to-keep-adding-names-to-kill-lists/2012/10/23/4789b2ae-18b3-11e2-a55c-39408f6e6a4b_story.html.

3/ Get the Data: Drone Wars, The Bureau of Investigative Journalism (accessed 20 November 2014), <http://www.thebureauinvestigates.com/category/projects/drones/drones-graphs/>.

praised their precision. In 2012 President Obama declared: “Drones have not caused a huge number of civilian casualties. For the most part, they have been very precise, precision strikes against al Qaeda and their affiliates.”⁴ Later that year, John Brennan, the President’s then Counterterrorism Advisor, stated: “We only authorize a particular operation against a specific individual if we have a high degree of confidence that the individual being targeted is indeed the terrorist we are pursuing.”⁵ He went on to say, “[O]ur Intelligence Community has multiple ways to determine, with a high degree of confidence, that the individual being targeted is indeed the al-Qa’ida terrorist we are seeking.”⁶

One year later in May 2013 at the National Defense University, President Obama reiterated the precision of US targeting. “[B]y narrowly targeting our action against those who want to kill us, and not the people they hide among, we are choosing the course of action least likely to result in the loss of innocent life,” he told the audience.⁷

Yet the people of the US seem less unequivocal in their support. Polling data shows that opposition to drone strikes increases when the strikes are less precise. American endorsement for US drone strikes drops to just 29% if innocent civilians or bystanders may be killed in the process of targeting terrorists.⁸

In an attempt to regain public support, the White House finally – and belatedly – developed criteria to be met before a strike is executed. According to the White House factsheet U.S. Policy Standards and Procedures for the Use of Force in Counterterrorism Operations Outside the US and Areas of Active Hostilities, before any lethal action, there must be 1) near certainty that the terrorist target is present; and 2) near certainty that non-combatants will not be injured or killed.⁹

Our data suggests that the US fell far short of meeting the first criterion in most strikes. This raises questions about whether it is even possible to meet the second. If the US intelligence is so poor that it is repeatedly missing its target, how can it know whether those killed are civilians?

4/ President Obama Hangs Out with America, The White House Blog (30 January 2012), available at <http://www.whitehouse.gov/blog/2012/01/30/president-obama-hangs-out-america>.

5/ John O. Brennan, The Ethics and Efficacy of the President’s Counterterrorism Strategy (30 April 2012), available at <http://www.cfr.org/counterterrorism/brennans-speech-counterterrorism-april-2012/p28100>.

6/ John O. Brennan, The Ethics and Efficacy of the President’s Counterterrorism Strategy (30 April 2012), available at <http://www.cfr.org/counterterrorism/brennans-speech-counterterrorism-april-2012/p28100>.

7/ President Barack Obama, Remarks at the National Defense University (23 May 2013), available at <http://www.whitehouse.gov/the-press-office/2013/05/23/remarks-president-barack-obama>.

8/ Emily Swanson, Drone Poll Finds Support for Strikes, With Limits, Huffington Post (2 August 2013), http://www.huffingtonpost.com/2013/02/08/drone-support-poll_n_2647051.html.

9/ White House, Fact Sheet: US Policy Standards and Procedures for the Use of Force in Counterterrorism Operations Outside the United States and Areas of Active Hostilities (23 May 2013), http://www.whitehouse.gov/sites/default/files/uploads/2013.05.23_fact_sheet_on_ppg.pdf; <http://www.whitehouse.gov/the-press-office/2013/05/23/fact-sheet-us-policy-standards-and-procedures-use-force-counterterrorism>

III. KEY FINDINGS

A. OVERALL

In total, we identified 41 men who lived only once, but ‘died’ multiple times. Each was targeted and/or reported killed more than three times on average before they were actually killed. In one instance, a person was targeted seven times before eventually being killed. Two others were killed six times and one is believed to still be alive today.

Strikes targeting the above individuals killed on average 28 other people each before they actually succeeded in killing their target.

In total, as many as 1,147 people may have been killed during attempts to kill just these 41 men, accounting for a quarter of all possible drone strike casualties.

Yet, evidence suggests that despite multiple attempts, at least seven of these forty-one men are likely still alive and a further individual died not from drone strikes but rather natural causes.

B. PAKISTAN

Twenty-four men were reported killed or targeted multiple times in Pakistan.¹⁰ Missed strikes on these men killed 874 other people, and account for the 35% of all confirmed civilian casualties in Pakistani drone strikes. They also resulted in the deaths of 142 children.¹¹

Each person was killed an average three times.

There are reports that at least three of these men (Ayman al-Zawahiri,¹² Sirajuddin Haqqani,¹³ and Jalaluddin Haqqani¹⁴) are still alive, despite multiple attempts to kill them, and that a fourth (Abu Ubaidah al Masri¹⁵) survived three attempts on his life before eventually dying from natural causes. In total, attempts to kill these four individuals have instead killed 213 other people, including 103 children.

10/ See Section V(A) for complete list.

11/ These numbers were primarily derived from The Bureau of Investigative Journalism’s database on casualties for individual drone strikes.

12/ Al-Qaeda’s remaining leaders, BBC (4 September 2014), <http://www.bbc.co.uk/news/world-south-asia-11489337>.

13/ ‘Rewards for Justice – Reward Offers for Information on Haqqani Network Leaders, State Department Media Note (20 August 2014), <http://www.state.gov/r/pa/prs/ps/2014/230778.htm>.

14/ The Afghan-Pakistan militant nexus, BBC (5 February 2013), <http://www.bbc.co.uk/news/world-asia-21338263>.

15/ Top Al Qaeda Leader Abu Ubaida al-Masri Confirmed Dead in Pakistan, FoxNews.com (9 April 2008), <http://www.foxnews.com/story/2008/04/09/top-al-qaeda-leader-abu-ubaida-al-masri-confirmed-dead-in-pakistan/>.

In targeting Ayman al Zawahiri, the CIA killed 76 children and 29 adults.¹⁶ They failed and Ayman al Zawahiri is reportedly still alive.¹⁷

Abu Ubaidah al Masri died three times in US drone strikes, only he never did. Instead, 120 people others died in those strikes.¹⁸ Al Masri eventually died of natural causes.¹⁹

In the six attempts it took the US to kill Qari Hussain, alleged deputy commander of the Tehrik-e-Taliban Pakistan (TTP), 128 people were killed including 13 children.²⁰

Baitullah Mehsud was directly targeted potentially as many as seven times, during the course of which 164 people were killed, including 11 children.²¹ His area was targeted at least a further 9 times, resulting in the deaths of 123 additional people.²²

82 people, including 14 children, were killed over four repeated attempts to kill Sirajuddin Haqqani, a senior leader of the Haqqani Network.²³

From 2004-2013, children suffered disproportionately in Pakistan. 142 children were killed while pursuing 14 high value targets. Only six of these children died in strikes

16/ Ayman al-Zawahiri was reportedly targeted on the 13 January 2006 and the 30 October 2006. See <http://www.telegraph.co.uk/news/worldnews/asia/pakistan/1507895/Pakistan-fury-as-CIA-airstrike-on-village-kills-18.html>

17/ Al Qaeda battles ISIS for global jihadist leadership
<http://edition.cnn.com/2014/09/10/world/meast/isis-vs-al-qaeda/index.html>

18/ Abu Ubaidah al Masri was reported killed on 13 January 2006, 30 October 2006, and 29 January 2008. See <http://www.independent.co.uk/news/world/asia/terror-chief-killed-in-pakistan-missile-attack-523676.html>, <http://www.timesonline.co.uk/article/0,,3-2429853,00.html>, and http://www.longwarjournal.org/archives/2008/01/arab_asian_al_qaeda.php

19/ Top Al Qaeda planner Al-Masri reported to have died from hepatitis
<http://www.3news.co.nz/world/top-al-qaeda-planner-almasri-reported-to-have-died-from-hepatitis-2008041008>

20/ Qari Hussain was reportedly killed on 29 January 2008; 23 June 2009; 15 January 2010; 2 October 2010; 7 October 2010; and 15 October 2010. See

<http://archives.dailytimes.com.pk/national/27-Jan-2008/waziristan-militant-commander-killed>

<http://www.nytimes.com/2009/06/24/world/asia/24pstan.html?ref=global-home>

<http://www.thefreelibrary.com/3+top+militant+commanders+among+10+killed+in+SWA+drone+strike.-a0217474310>

<http://www.aljazeera.com/news/asia/2010/10/2010101613368821202.html>

<http://www.thenews.com.pk/TodaysPrintDetail.aspx?ID=27147&Cat=2&dt=1/22/2011>

http://www.longwarjournal.org/threat-matrix/archives/2011/01/another_rumor_of_qari_hussains.php

<http://tribune.com.pk/story/97702/twin.drone.strikes.kill.9.in.north.waziristan/>

21/ We defined Baitullah Mehsud as the target in situations where he was either reported killed (thus indicating a belief he was present where the missile struck) or that the strike was on a house or car he owned. Using this standard, we identified seven times where he may have been the primary target: 14 June 2008; 14 February 2009; 12 May 2009; 23 June 2009 (first strike); 23 June 2009 (second strike on funeral); 7 July 2009; and 5 August 2009.

22/ The New America Foundation, in its study “Drone Wars in Pakistan”, identified a further 9 times Baitullah Mehsud’s territory and/or those close to him were targeted in an effort to weaken him. See <http://securitydata.newamerica.net/drones/pakistan/analysis>.

23/ Sirajudin Haqqani was reportedly targeted on the 8 September 2008; 21 August 2009; 2 February 2010, and 18 February 2010. Please see

<http://www.reuters.com/article/2008/09/08/us-pakistan-violence-idUSISL24250220080908?feedType=nl&feedName=usmorningdigest>

<http://www.nytimes.com/2009/08/22/world/asia/22pstan.html>

<http://edition.cnn.com/2010/WORLD/asiapcf/02/02/pakistan.drone.strike/?hpt=T2>

that successfully hit their target. Said another way, the US had only a 21% accuracy rate in killing their intended target when children were present.

On average, almost 9 children lost their lives in attempts to kill each of these 14 men.

Reprieve's on the ground investigations have uncovered at least one case of mistaken identity. An individual with the same name as someone on the Kill List was incorrectly targeted at least three times. On the third attempt, the US successfully killed the incorrect individual. Shortly thereafter, his brother was then detained and interrogated for almost a year about his dead brother's identity. He was repeatedly encouraged by his captors to just "tell the Americans what they want to hear" (i.e. that his brother was in fact the militant leader they sought.) If he did this, the security services promised to release him unharmed. The brother refused. Weeks after his eventual release, a new strike targeted and killed the correct individual.²⁴

C. YEMEN

Seventeen men in Yemen were reported killed or targeted multiple times. Missile strikes on these men killed 273 other people and accounted for almost half of all confirmed civilian casualties and 100% of all recorded child deaths.

Each person was killed on average well over three times each.

Strikes against these 17 targets accounted for almost half of all confirmed civilian casualties in Yemen.

Yet, evidence suggests that at least four of these 17 men are still alive (Qassim al-Raimi,²⁵ Nasser Abdul Karim al-Wuhayshi,²⁶ Ibrahim al-Asiri,²⁷ and Abdulraouf al Dahab²⁸).

Qassim al-Raimi has been targeted and/or reported killed six times²⁹, and yet

http://www.longwarjournal.org/archives/2010/02/senior_al_qaeda_mili.php#ixzz1Q6cYAYrV

24/ Due to security concerns in country, and the potential for severe reprisals against the family incorrectly targeted, Reprieve has decided to anonymise the names of those involved and the location of the strikes.

25/ Yousef Basil & Catherine Shoichet, Al Qaeda: We're sorry about Yemen hospital attack, CNN (22 December 2013), <http://edition.cnn.com/2013/12/22/world/meast/yemen-al-qaeda-apology/>.

26/ The Afghan-Pakistan militant nexus, BBC (5 February 2013), note 14.

27/ Paul Cruickshank, Mohammed Jamjoom & Nic Robertson, DNA test: Remains from airstrike in Yemen not those of al Qaeda bomb-maker, CNN (28 April 2014), http://edition.cnn.com/2014/04/28/world/meast/yemen-dna-al-qaeda/index.html?hpt=wo_c2.

28/ Letta Tayler, Statement to the Senate Judiciary Committee on "Targeted Killing," (23 April 2013) available at http://www.hrw.org/news/2013/04/23/us-statement-senate-judiciary-committee-targeted-killing#_ftn3.

29/ Qasim al-Raimi was reportedly targeted on the 17 December 2009; 15 January 2010; 7 April 2012; 10 May 2012; 17 May 2012; and 24 May 2013. Please see

<http://abcnews.go.com/Blotter/cruise-missiles-strike-yemen/story?id=9375236>

http://www.longwarjournal.org/archives/2010/01/al_qaedas_military_c.php

<http://online.wsj.com/news/articles/SB10001424052702303772904577331292192694510>

http://www.longwarjournal.org/archives/2012/05/us_drone_strike_kill_4.php

<http://www.trust.org/item/?map=suspected-us-drone-kills-3-yemen-militants-official>

<http://almasdaronline.com/article/46065>

30/ Al Qaeda: We're sorry about Yemen hospital attack, CNN, note 16.

appeared alive and well in a video in December 2013 commenting on recent events in Yemen.³⁰

The Dhahab brothers – Abdulraouf³¹, Nabil and Qaid³² – appear to have been killed and/or targeted at least eight times. In one attack on Abdulraouf al-Dhahab, the strike missed his vehicle and instead hit a mini bus, killing a dozen individuals, including three children, and injuring 11 others. Reports have questioned the relevance of these brothers, and whether they actually posed a threat to the US.³³

One individual, Fahd al Quso, was reported killed in both Yemen and Pakistan. In four³⁴ attempts to kill al Quso, 48 people lost their lives. One of the strikes killed 19-year-old student Nasser Salim. After the strike, US officials revealed that British intelligence services were allegedly involved. The British security services were said to be ‘deeply distressed’ that details of their involvement had been leaked. A more in depth profile of Nasser Salim can be found below.³⁵

31/ Abdulraouf al Dahab was targeted on 2 September 2012; 24 December 2012; 29 December 2012; and 3 January 2013. See

http://www.foreignpolicy.com/articles/2012/12/26/yemen_air_attack_civilians_dead?page=full
<http://uk.reuters.com/article/2012/12/24/yemen-militants-drone-idUKL5E8NO5SQ20121224>
<http://www.thetimes.co.uk/tto/news/world/middleeast/article3648934.ece>

32/ Qaid Ahmad Nasser al-Dhahab was reportedly targeted on 28 May 2012; 3 January 2013; and 30 August 2013. Please see

<http://gulfnnews.com/news/gulf/yemen/drone-strike-kills-al-qaida-spiritual-leader-in-yemen-1.1225529>
<http://english.alarabiya.net/articles/2012/05/28/217054.html>
<http://www.thetimes.co.uk/tto/news/world/middleeast/article3648934.ece>

33/ Greg Miller, U.S. drone targets in Yemen raise questions, Washington Post (2 June 2012), http://www.washingtonpost.com/world/national-security/us-drone-targets-in-yemen-raise-questions/2012/06/02/gJQAP0jz9U_story.html.

34/ Fahd al Qusaa or Quso was reportedly targeted on the following four occasions: the 24th of December 2009, the 8th of September 2010, the 14th of July 2011 and the 6th of May 2012.

<http://www.thehindu.com/news/international/article823470.ece>
http://www.nytimes.com/2011/07/15/world/middleeast/15yemen.html?_r=0
<http://www.theguardian.com/world/2012/may/07/us-airstrike-kills-al-qaida-leader-yemen>

35/ Yemeni al-Qaeda leader ‘killed in drone strike,’ BBC (7 May 2012), <http://www.bbc.co.uk/news/world-middle-east-17979424>; Al-Qaeda kills 32 Yemeni troops after leader eliminated in air raid, Al Arabiya News (7 May 2012), <http://english.alarabiya.net/articles/2012/05/07/212601.html>; US air strike kills top al-Qaida leader in Yemen, Associated Press (7 May 2012), <http://www.theguardian.com/world/2012/may/07/us-airstrike-kills-al-qaida-leader-yemen>; Mark Hosenball, Exclusive: Did White House “spin” tip a covert op? Reuters (18 May 2012), <http://whtc.com/news/articles/2012/may/18/exclusive-did-white-house-spin-tip-a-covert-op/>

IV. METHODOLOGY

Numbers in this debate are a difficult subject. The US drone programme and the US Kill List, as with much of the so-called “War on Terror”, are shrouded in secrecy. Reporting is often hindered by the remote nature of these locations, which can lead to conflicting accounts. Nonetheless, reporting can provide important and interesting information about what is happening. And without more transparency from the US, it is also the only information from which conclusions can be drawn.

This study aimed to identify “multiple kills”, those who have been reported targeted and/or killed by a US air strike (drone or otherwise³⁶) on more than one occasion. Reports of deaths by government officials have been used as a proxy indicator showing instances of targeting.

We started by looking at all the drone strikes in Yemen and Pakistan mentioned by the The Bureau of Investigative Journalism (TBIJ) from November 2002 (the first drone strike in Yemen) through August 2014. We categorized these strikes according to the alleged target of the strike and/or those who were reported killed.

Reprieve then did further research on the individuals in question to ensure we had a comprehensive overview of the number of strikes where they were reported as either targets or casualties. This turned up a dozen additional strikes that had not been captured via The Bureau of Investigative Journalism’s database, as well as two further individuals who have reportedly been killed multiple times. It also led to the removal of some strikes.

From this, we developed a list of names and strikes and then looked at the original reporting for each of these strikes to mitigate any bias that may have existed from drawing as a starting point on The Bureau of Investigative Journalism’s data. We looked for at least one media report that indicated the person in question was either the target of the strike or reported killed. In some instances, individuals fit both criteria. In others, they met only one. We required that the source clearly state that the person was either killed or targeted. In instances where it said someone’s group was targeted, for example Baitullah Mehsud, we did not consider this as a specific attack on that person.

For each report, we recorded the “source” of the information and divided these into five categories: Pakistani or Yemeni officials (including military and intelligence officers), US officials (including military and intelligence officers), Terrorist Group (e.g. Al Qaeda, AQAP, Taleban), Locals and Other. The Other category included UN reports and strikes where the source for the article was not clear. This revealed an interesting pattern: military or intelligence officials from the relevant country (Pakistan or Yemen) accounted for 49% of all multiple kills reporting. When US officials are added to the mix, military and intelligence officials accounted for three-quarters of all reports (75%). The remaining sources, Terrorist Group, Locals and Other, accounted for 5%, 9% and 10%

36/ In Yemen where it is frequently unclear whether it was a drone strike or some other type of kinetic activity, we have included data from all strikes that *The Bureau of Investigative Journalism* determined was either possible or confirmed US kinetic activity.

respectively.

So to the extent we determined a strike was aimed at a named individual on the Kill List, it was usually an anonymous government official who said so.

	<u>PAKISTAN</u>	<u>YEMEN</u>
Country Officials	43	21
US Officials	22	12
Terrorist Group	3	4
Locals	1	11
Other	4	9

It is worth noting that the US has consistently emphasized how closely it works with the various governments involved. John Brennan has previously emphasised that strikes are always done with the approval of the countries where they are taking place: “When we’re doing this, we are doing it in full consent and cooperation with our partners internationally. This is something that the president has told us we need to work closely with these partners.”³⁷

Baseline numbers with respect to the number of strikes overall and casualty figures were drawn from The Bureau of Investigative Journalism’s estimates. Some of the individuals were reported killed in the same strikes. In order to avoid double counting, casualties from these strikes were only counted once in the overall total. For the total killed on an individual level, they are reflected in each individual’s total.

37/ Josh Gerstein, White House offers rare defense of drone attacks, Politico (29 April 2012), <http://www.politico.com/blogs/under-the-radar/2012/04/white-house-offers-rare-defense-of-drone-attacks-121976.html>.

V. KILL LIST TARGETS 'HIT' MULTIPLE TIMES IN PUBLIC REPORTING

A. PAKISTAN

	<u>Named Target</u>	<u>Times Killed</u>	<u>Total Killed</u>	<u>Dead or Alive</u>
1	Abdul Jabbar	2	19	Dead
2	Abu Hamza Rabia	2	16	Dead
3	Abu Kasha	2	33	Dead
4	Abu Khabab al-Masri	2	34	Dead
5	Abu Sulayman al-Jazairi	2	30	Dead
6	Abu Ubaidah al-Masri	3	120	Dead (natural causes)
7	Abu Wafa al-Saudi	2	17	Dead
8	Abu Yahya al-Libi	2	28	Dead
9	Atiyah abd al-Rahman	2	11	Dead
10	Ayman al-Zawahiri	2	105	Alive
11	Badruddin Haqqani	3	53	Dead
12	Baitullah Mehsud	7	164	Dead
13	Haji Omar	2	27	Unknown
14	Hakimullah Mehsud	5	68	Dead
15	Ilyas Kashmiri	4	35	Dead
16	Jalaluddin Haqqini	2	34	Alive
17	Mohammed Usman	2	23	Dead
18	Mullah Nazir/Maulvi Nazir	3	24	Dead
19	Mullah Sangeen Zadran	3	108	Dead
20	Mustafa Abu Yazid	4	46	Dead
21	Qari Hussain	6	128	Dead
22	Sadiq Noor	4	57	Dead
23	Salah Al-Somali	2	10	Dead
24	Sirajuddin Haqqani	5	82	Alive

B. YEMEN

	<u>Named Target</u>	<u>Times Killed</u>	<u>Total Killed</u>	<u>Dead or Alive</u>
1	Abdel-Raouf Naseeb	2	9	Dead
2	Abdulraoif al-Dhahab	4	22	Alive
3	Nabil al-Dhahab	2	25	Dead
4	Adel al-Abab	2	7	Dead
5	Ammar Obada al-Waili	2	13	Dead
6	Anwar Al-Awlaki	4	44	Dead
7	Ayed Jaber al-Shabwani	3	19	Dead
8	Fahd al-Qusaa or Quso	4	48	Dead
9	Ibrahim al-Asiri	4	22	Alive
10	Nader Shadadi	4	34	Dead
11	Nasser Abdul Karim al-Wuhayshi	2	38	Alive
12	Qaid Ahmad Nasser al-Dhahab	3	14	Dead
13	Qassim al-Raimi	6	28	Alive
14	Rabae Lahib	2	9	Dead
15	Shaykh Ibrahim Muhammad	5	33	Dead
	Salih al-Banna			
16	Said al-Shihri	4	57	Dead
17	Shawki al-Badani	2	32	Dead

VI. WHO WAS KILLED INSTEAD?

A. CASE STUDY 1: NOOR SYED

At 3 AM on 14 February 2009, US drones fired two missiles at a car and three compounds in Makeen, South Waziristan. The intended target of the strike was Baitullah Mehsud, the leader of the Tehreek-e-Taliban Pakistan (TTP), or Pakistani Taliban.³⁸ The New York Times indicated Mehsud personally used one of the struck compounds as a gathering place.³⁹

The strike missed Mehsud. Instead, Maezol Khan's eight-year-old son, Noor Syed, was killed instantly while he slept next to his father in a nearby courtyard. Thirty other villagers also lost their lives that night.

Noor's grandfather, distraught, asked a reporter right after the funeral: "How can the US invade our homes while we are sleeping, and target our children?"

The strike was not the first attempt on Mehsud's life. Press reports indicate it was at least the second and that it would take at least five more before the leader was successfully killed. While Mehsud was only directly targeted seven times, the area he controlled was targeted a further nine times over an 18 month period, suggesting he may have been targeted far more than the seven recorded times we have included.

As many as 164 people lost their lives before Mehsud was eventually killed on 5 August 2009.



Noor Syed, 8, before his burial

38/ Hassan Abbas, A Profile of Tehrik-i-Taliban Pakistan, CTC Sentinel (January 2008), <http://belfercenter.ksg.harvard.edu/files/CTC%20Sentinel%20-%20Profile%20of%20Tehrik-i-Taliban%20Pakistan.pdf>.

39/ Pir Zubair Shah, U.S. Airstrike Kills 30 in Pakistan, N.Y. Times (14 February 2009), <http://www.nytimes.com/2009/02/15/world/asia/15pstan.html>.

B. CASE STUDY 2: SADAULLAH KHAN

On the evening of 7 September 2009, 15-year-old Sadaullah Khan and his family gathered in the family's home to breakfast and celebrate the holy month of Ramadan. Before the food arrived, a US drone launched a hellfire at the gathering, killing Sadaullah's eight uncles, grandfather and cousins. Sadaullah survived, but lost both of his legs and suffered serious head trauma. He never fully recovered from the strike, and eventually died from his injuries in October 2012.

Reputable Pakistani daily, The News, reported "*the dead included a known Pakistani Jihadi commander Ilyas Kashmiri*".⁴⁰ US government officials touted Kashmiri's death as a "*huge loss for the militants fighting against the foreign forces in Afghanistan*."⁴¹ This strongly suggests Kashmiri, believed to be the operational leader of an al Qaeda-linked terror group, was the intended target of the strike.

But despite reports, Kashmiri was not killed on 7 September 2009. Instead, he would go on to be killed at least three more times. On 14th September 2009, a US drone fired several missiles at a car near Khaso Bridge, Miramshah, reportedly killing Kashmiri.⁴² On 3rd June 2011, a US drone fired several missiles at a house allegedly killing Kashmiri.⁴³ He was reportedly injured in that strike and then killed a week later in a drone strike in Azam Warsak village near Wana, South Waziristan.⁴⁴ Officials believed for more than a year after that Kashmiri may have survived.⁴⁵ But in March 2012, Al Qaeda's media wing released a video in which Kashmiri's death was confirmed.⁴⁶ Two months later in May 2012 the UN changed his status on the al Qaeda sanctions list to "reportedly killed".⁴⁷



Sadaullah Khan

In the four attempts to kill Kashmiri, the US killed 35 other people, including Sadaullah.

40/ Mushtaq Yusufzai & Malik Mumtaz, 'Two foreigners among seven dead in NWA drone strikes,' The News International (08 September 2009), <http://www.thenews.com.pk/TodaysPrintDetail.aspx?ID=24388&Cat=13&dt=9/8/2009>.

41/ Hamid Mir, 'How an ex-Army commando became a terrorist', The News International (20 September 2009), <http://www.thenews.com.pk/TodaysPrintDetail.aspx?ID=24626&Cat=13&dt=9/20/2009>.

42/ Bill Roggio, 'Ilyas Kashmiri survived last month's airstrike in Pakistan,' The Long War Journal (13 October 2009), http://www.longwarjournal.org/archives/2009/10/ilyas_kashmiri_survi.php.

43/ 'Ilyas Kashmiri killed in drone strike,' The Express Tribune (4 June 2011), <http://tribune.com.pk/story/182247/drone-strike-kills-five-in-south-waziristan-officials/>.

44/ Mushtaq Yusufzai, 'Authorities Unsure, Taliban Insist Ilyas Kashmiri is Dead,' The News International (20 August 2012), <http://www.thenews.com.pk/Todays-News-7-127460-Authorities-unsure-Taliban-insist-Ilyas-Kashmiri-is-dead>

45/ Mushtaq Yusufzai, 'Authorities unsure, Taliban insist Ilyas Kashmiri is dead,' The News International, 20 August 2012, <http://www.thenews.com.pk/Todays-News-7-127460-Authorities-unsure-Taliban-insist-Ilyas-Kashmiri-is-dead>

46/ Blog: Muhammad Ilyas Kashmiri's death has been confirmed, (11 March 2012), available at <http://theorangetracker.blogspot.co.uk/2012/03/muhammad-ilyas-kashmiris-death-has-been.html>

47/ Pranab Dhal Samanta, UN updates status on Ilyas Kashmiri, India's most wanted: Reported dead, Indian Express (20 May 2012), <http://archive.indianexpress.com/news/un-updates-status-on-ilyas-kashmiri-indias-most-wanted-reported-dead/951531/http://www.indianexpress.com/news/un-updates-status-on-ilyas-kashmiri-indias-most-wanted-reported-dead/951531/>.

C. CASE STUDY 3: ZAINULLAH KHAN AND ASIF IQBAL

On 31 December 2009, a US drone strike struck the house of Kareem Khan, killing his 18-year-old son, Zainullah, and his brother, Asif Iqbal, a secondary school teacher in the Datta Khel area of North Waziristan, Pakistan. At the time of his death, Zainullah was working part time in a Government school and studying in 11th grade (A levels). Asif Iqbal left behind a wife and a two-year-old child.



Kareem Khan holding photos of Zainullah (l) and Asif Iqbal (r)

Haji Omar was reported killed in the strike. There are conflicting reports as to what role, exactly, Haji Omar played in the region. The AFP quoted officials as saying he was “an aide to the local Taliban leader, Jalaluddin Haqqani”⁴⁸ while other suggested he was a senior Taliban leader with close ties to Mullah Omar.⁴⁹

Haji Omar was previously reported dead in a drone strike on 26 October 2008 in South Waziristan. That strike, on a house in the Mandata Village of the Shakai valley, 25 kilometres north of Wana, killed up to 20 people, including 5 children.

Although reported killed in the strike, Haji Omar was in not at Kareem Khan’s house in December 2009. Kareem never met nor knew Haji Omar.

The Taliban have never confirmed Haji Omar’s death. Two recent reports still list him as alive. In January 2013 an Issues Paper prepared by the Australian Government for the Refugee Review Tribunal names Haji Omar as a current Taliban commander in South Waziristan.⁵⁰ In July 2013, The Long War Journal reported “Haji Omar Khan,

48/ Peter Walker, “US MissileStrike” Targets Village in Pakistan, The Guardian UK (27 October 2008), <http://truth-out.org/archive/component/k2/item/80744:us-missile-strike-targets-village-in-pakistan>.

49/ Bill Roggio, Senior Taliban commander reported killed in US strike, The Long War Journal (27 October 2008), http://www.longwarjournal.org/archives/2008/10/senior_taliban_comma.php.

50/ Australian Government, ‘Issues Paper: The Pakistani Taliban’, January 2013, p. 5, <http://www.refworld.org/pdfid/514313f12.pdf>.

51/ Bill Roggio, ‘Jundallah claims suicide assault on ISID headquarters in Sukkur’, The Long War Journal (25 July, 2013), http://www.longwarjournal.org/archives/2013/07/jundallah_claims_sui_1.php.

a senior Taliban leader in South Waziristan who has strong ties to Mullah Omar” administers the Shakai area of South Waziristan.⁵¹

Kareem has brought litigation on behalf of his son and brother, but almost five years later, has yet to receive answers.

D. CASE STUDY 4: ALI AL-QAWLI AND SALIM JAMIL

Ali Al-Qawli was a 34-year-old teacher at the Khaled Ibn Al Walid Primary School in Sanaa, the capital of Yemen. Only a limited number of schools and teachers exist in Yemen and Ali had never missed a single day of work in his thirteen years on the job. Until January 2013.⁵²

On 23 January 2013 a US drone struck a car in which Ali and his cousin, Salim, were travelling. Salim was a 20-year-old university student, who worked part-time as a driver to support his family. That day, unbeknownst to him, he had made the mistake of picking up Rabae Lahib, an alleged bodyguard to Adnan al Qathi, alleged member of Al Qaeda in the Arabian Peninsula (AQAP).

The Yemeni Ministry of Interior cleared Ali and Salim of any wrongdoing or connection to the passengers who rode with them on that day, and ruled the incident, simply, as the work of “fate.” At the Khaled Ibn Al Walid School, more than a year after the drone attack, Ali’s name is still listed on the master schedule in the main office, as if he might soon return from vacation.⁵³



Ali al-Qawli

Lahib had been targeted on at least one previous occasion (7 November 2012). On that occasion two others were killed and three were injured.

Ali’s brother, Mohammed, recently founded the National Organization for Drone Victims (NODV) to highlight the civilian impact of the U.S.’ controversial drone programme in Yemen.⁵⁴ The victims union will not bring Ali back, but it might help Mohammed and many others in dealing with the loss of their loved ones.

52/ Mohammed Al-Qawli, The US Killed My Brother With A Drone. I Want To Know Why, Al Jazeera America (5 December 2013), available at: <http://america.aljazeera.com/opinions/2013/12/grieving-yemena-sinnocentdead.html>.

53/ Vivian Salama, Death From Above: How American Drone Strikes Are Devastating Yemen, Rolling Stone (14 April, 2014), <http://www.rollingstone.com/politics/news/death-from-above-how-american-drone-strikes-are-devastating-yemen-20140414>.

54/ Al Jazeera America, Yemenis Affected by U.S. Drone Strikes To Launch Victims’ Union (31 March 2014), available at: <http://america.aljazeera.com/articles/2014/3/31/families-of-dronevictimslaunchdroneunion.html>