Game of Drones

Friends, this is a great film on the damage done by drone warfare and the increasing potential for state terrorism presented by drones. The video is from 2016 but I have never seen it before so I’m glad it turned up in my email today.

The film has interviews with whistleblower Sean Westmoreland, and many of the antidrone activists and drone victims from Waziristan whom we met there as well. And, interviews with our good friends Nick Mottorn of Knowdrones.com and Ann Wright, who needs no introduction in the antiwar universe.

**The film is on YouTube on the RT Documentary channel, and also on the RT website. Header image is a cropped screenshot from the film.

Trump Drones On

How Unpiloted Aircraft Expand the War on Terror

By Rebecca Gordon, originally published on Tom Dispatch, May 24, 2018

They are like the camel’s nose, lifting a corner of the tent. Don’t be fooled, though. It won’t take long until the whole animal is sitting inside, sipping your tea and eating your sweets. In countries around the world – in the Middle East, Asia Minor, Central Asia, Africa, even the Philippines – the appearance of U.S. drones in the sky (and on the ground) is often Washington’s equivalent of the camel’s nose entering a new theater of operations in this country’s forever war against “terror.” Sometimes, however, the drones are more
like the camel’s tail, arriving after less visible U.S. military forces have been in an area for a while.

Scrambling for Africa

AFRICOM, the Pentagon’s Africa Command, is building Air Base 201 in Agadez, a town in the nation of Niger. The $110 million installation, which officially opens later this year, will be able to house both C-17 transport planes and MQ-9 Reaper armed drones. It will soon become the new centerpiece in an undeclared U.S. war in West Africa. Even before the base opens, armed U.S. drones are already flying from Niger’s capital, Niamey, having received permission from the Nigerien government to do so last November.

Despite crucial reporting by Nick Turse and others, most people in this country only learned of U.S. military activities in Niger in 2017 (and had no idea that about 800 U.S. military personnel were already stationed in the country) when news broke that four U.S. soldiers had died in an October ambush there. It turns out, however, that they weren’t the only U.S soldiers involved in firefights in Niger. This March, the Pentagon acknowledged that another clash took place last December between Green Berets and a previously unknown group identified as ISIS-West Africa. For those keeping score at home on the ever-expanding enemies list in Washington’s war on terror, this is a different group from the Islamic State in the Greater Sahara (ISGS), responsible for the October ambush. Across Africa, there have been at least eight other incidents, most of them in Somalia.

What are U.S. forces doing in Niger? Ostensibly, they are training Nigerien soldiers to fight the insurgent groups rapidly multiplying in and around their country. Apart from the uranium that accounts for over 70% of Niger’s exports, there’s little of economic interest to the United States there. The real appeal is location, location, location. Landlocked Niger sits in the middle of Africa’s Sahel region,
bordered by Mali and Burkina Faso on the west, Chad on the east, Algeria and Libya to the north, and Benin and Nigeria to the south. In other words, Niger has the misfortune to straddle a part of Africa of increasing strategic interest to the United States.

In addition to ISIS-West Africa and ISGS, actual or potential U.S. targets there include Boko Haram (born in Nigeria and now spread to Mali and Chad), ISIS and al-Qaeda in the Lands of the Islamic Maghreb (AQIM) in Libya, and Al Mourabitoun, based primarily in Mali.

At the moment, for instance, U.S. drone strikes on Libya, which have increased under the Trump administration, are generally launched from a base in Sicily. However, drones at the new air base in Agadez will be able to strike targets in all these countries.

Suppose a missile happens to kill some Nigerien civilians by mistake (not exactly uncommon for U.S. drone strikes elsewhere)? Not to worry: AFRICOM is covered. A U.S.-Niger Status of Forces Agreement guarantees that there won’t be any repercussions. In fact, according to the agreement, “The Parties waive any and all claims... against each other for damage to, loss, or destruction of the other’s property or injury or death to personnel of either Party’s armed forces or their civilian personnel.” In other words, the United States will not be held responsible for any “collateral damage” from Niger drone strikes. Another clause in the agreement shields U.S. soldiers and civilian contractors from any charges under Nigerien law.

The introduction of armed drones to target insurgent groups is part of AFRICOM’s expansion of the U.S. footprint on a continent of increasing strategic interest to Washington. In the nineteenth and early twentieth centuries, European nations engaged in the “scramble for Africa,” a period of intense and destructive competition for colonial possessions on the
In the post-colonial 1960s and 1970s, the United States and the Soviet Union vied for influence in African countries as diverse as Egypt and what is now the Democratic Republic of the Congo (DRC).

Today, despite AFRICOM’s focus on the war on terror, the real jockeying for influence and power on the continent is undoubtedly between this country and the People’s Republic of China. According to the Council on Foreign Relations, “China surpassed the United States as Africa’s largest trade partner in 2009” and has never looked back. “Beijing has steadily diversified its business interests in Africa,” the Council’s 2017 backgrounder continues, noting that from Angola to Kenya,

“China has participated in energy, mining, and telecommunications industries and financed the construction of roads, railways, ports, airports, hospitals, schools, and stadiums. Investment from a mixture of state and private funds has also set up tobacco, rubber, sugar, and sisal plantations… Chinese investment in Africa also fits into Chinese President Xi Jinping’s development framework, ‘One Belt, One Road.’”

For example, in a bid to corner the DRC’s cobalt and copper reserves (part of an estimated $24 trillion in mineral wealth there), two Chinese companies have formed Sicomines, a partnership with the Congolese government’s national mining company. The Pulitzer Center reports that Sicomines is expected “to extract 6.8 million tons of copper and 427,000 tons of cobalt over the next 25 years.” Cobalt is essential in the manufacture of today’s electronic devices — from cell phones to drones — and more than half of the world’s supply lies underground in the DRC.

Even before breaking ground on Air Base 201 in Niger, the United States already had a major drone base in Africa, in the tiny country of Djibouti in the Horn of Africa, across the
Gulf of Aden from Yemen. From there, the Pentagon has been directing strikes against targets in Yemen and Somalia. As AFRICOM commander Gen. Thomas Waldhauser told Congress in March, “Djibouti is a very strategic location for us.” Camp Lemonnier, as the base is known, occupies almost 500 acres near the Djibouti-Ambouli International Airport. U.S. Central Command, Special Operations Command, European Command, and Transportation Command all use the base. At present, however, it appears that U.S. drones stationed in Djibouti and bound for Yemen and Somalia take off from nearby Chabelley Airfield, as Bard College’s Center for the Study of the Drone reports.

To the discomfort of the U.S. military, the Chinese have recently established their first base in Africa, also in Djibouti, quite close to Camp Lemonnier. That country is also horning in on potential U.S. sales of drones to other countries. Indonesia, Saudi Arabia, and the United Arab emirates are among U.S. allies known to have purchased advanced Chinese drones.

The Means Justify the End?

From the beginning, the CIA’s armed drones have been used primarily to kill specific individuals. The Bush administration launched its global drone assassination program in October 2001 in Afghanistan, expanded it in 2002 to Yemen, and later to other countries. Under President Barack Obama, White House oversight of such assassinations only gained momentum (with an official “kill list” and regular “terror Tuesday” meetings to pick targets). The use of drones expanded 10-fold, with growing numbers of attacks in Pakistan, Yemen, Libya, and Somalia, as well as in the Afghan, Iraqi, and Syrian war zones. Early on, targets were generally people identified as al-Qaeda leaders or “lieutenants.” In later years, the kill lists grew to include supposed leaders or members of a variety of other terror organizations, and eventually even unidentified people engaged in activities that were to bear the “signature” of terrorist activity.
But those CIA drones, destructive as they were (leaving civilian dead, including children, in their wake) were just the camel’s nose — a way to smuggle in a major change in U.S. policy. We’ve grown so used to murder by drone in the last 17 years that we’ve lost sight of an important fact: such assassinations represented a fundamental (and unlawful) change in U.S. military strategy. Because unpiloted airplanes eliminate the physical risk to American personnel, the United States has embraced a strategy of global extrajudicial executions: presidential assassinations on foreign soil.

It’s a case of the means justifying the end. The drones work so well at so little cost (to us) that it must be all right to kill people with them.

Successive administrations have implemented this strategic change with little public discussion. Critiques of the drone program tend to focus — not unreasonably — on the many additional people (like family members) who are injured or die along with the intended targets, and on civilians who should never have been targets in the first place. But few critics point out that executing foreign nationals without trial in other countries is itself wrong and illegal under U.S. law, as well as that of other countries where some of the attacks have taken place, and of course, international law.

How have the Bush, Obama, and now Trump administrations justified such killings? The same way they justified the expansion of the war on terror itself to new battle zones around the world — through Congress’s September 2001 Authorization for the Use of Military Force (AUMF). That law permitted the president

“to use all necessary and appropriate force against those nations, organizations, or persons he determines planned, authorized, committed, or aided the terrorist attacks that occurred on September 11, 2001, or harbored such organizations or persons, in order to prevent any future acts
of international terrorism against the United States by such nations, organizations or persons.”

Given that many of the organizations the United States is targeting with drones today didn’t even exist when that AUMF was enacted and so could hardly have “authorized” or “aided” in the 9/11 attacks, it offers, at best, the thinnest of coverage indeed for such a worldwide program.

**Droning On and On**

George W. Bush launched the CIA’s drone assassination program and that was just the beginning. Even as Barack Obama attempted to reduce the number of U.S. ground troops in Iraq and Afghanistan, he ramped up the use of drones, famously taking personal responsibility for targeting decisions. By some estimates, he approved 10 times as many drone attacks as Bush.

In 2013, the Obama administration introduced new guidelines for drone strikes, supposedly designed to guarantee with “near certainty” the safety of civilians. Administration officials also attempted to transfer most of the operational responsibility for drone attacks from the CIA to the military’s only-slightly-less-secretive Joint Special Operations Command (JSOC). Although the number of CIA strikes did drop, the Agency remained in a position to rev up its program at any time, as the Washington Post reported in 2016:

> “U.S. officials emphasized that the CIA has not been ordered to disarm its fleet of drones, and that its aircraft remain deeply involved in counterterrorism surveillance missions in Yemen and Syria even when they are not unleashing munitions.”

It’s indicative of how easily drone killings have become standard operating procedure that, in all the coverage of the confirmation hearings for the CIA’s new director, Gina Haspel,
there was copious discussion of the Agency’s torture program, but not a public mention of, let alone a serious question about, its drone assassination campaign. It’s possible the Senate Intelligence Committee discussed it in their classified hearing, but the general public has no way of knowing Haspel’s views on the subject.

However, it shouldn’t be too hard to guess. It’s clear, for instance, that President Trump has no qualms about the CIA’s involvement in drone killings. When he visited the Agency’s headquarters in Langley, Virginia, the day after his inauguration, says the *Post*, “Trump urged the CIA to start arming its drones in Syria. ‘If you can do it in 10 days, get it done,’ he said.” At that same meeting, CIA officials played a tape of a drone strike for him, showing how they’d held off until the target had stepped far enough away from the house that the missile would miss it (and so its occupants). His only question: “Why did you wait?”

You may recall that, while campaigning, the president told Fox News that the U.S. should actually be targeting certain civilians. “The other thing with the terrorists,” he said, “is you have to take out their families, when you get these terrorists, you have to take out their families. They care about their lives, don’t kid yourself. When they say they
don’t care about their lives, you have to take out their families.” In other words, he seemed eager to make himself a future murderer-in-chief.

How, then, has U.S. drone policy fared under Trump? The New York Times has reported major changes to Obama-era policies. Both the CIA’s and the military’s “kill lists” will no longer be limited to key insurgent leaders, but expanded to include “foot-soldier jihadists with no special skills or leadership roles.” The Times points out that this “new approach would appear to remove some obstacles for possible strikes in countries where Qaeda- or Islamic State-linked militants are operating, from Nigeria to the Philippines.” And no longer will attack decisions only be made at the highest levels of government. The requirement for having a “near certainty” of avoiding civilian casualties – always something of a fiction – officially remains in place for now, but we know how seriously Trump takes such constraints.

He’s already overseen the expansion of the drone wars in other ways. In general, that “near certainty” constraint doesn’t apply to officially designated war zones (“areas of active hostility”), where the lower standard of merely avoiding unnecessary civilian casualties prevails. In March 2017, Trump approved a Pentagon request to identify large parts of Yemen and Somalia as areas of “active hostility,” allowing leeway for far less carefully targeted strikes in both places. At the time, however, AFRICOM head General Thomas D. Waldhauser said he would maintain the “near certainty” standard in Somalia for now (which, as it happens, hasn’t stopped Somali civilians from dying by drone strike).

Another change affects the use of drones in Pakistan and potentially elsewhere. Past drone strikes in Pakistan officially targeted people believed to be “high value” al-Qaeda figures, on the grounds that they (like all al-Qaeda leaders) represented an “imminent threat” to the United States. However, as a 2011 Justice Department paper explained,
imminence is in the eye of the beholder: “With respect to al-Qaeda leaders who are continually planning attacks, the United States is likely to have only a limited window of opportunity within which to defend Americans.” In other words, once identified as an al-Qaeda leader or the leader of an allied group, you are by definition “continually planning attacks” and always represent an imminent danger, making you a permanent legitimate target.

Under Trump, however, U.S. drones are not only going after those al-Qaeda targets permitted under the 2001 AUMF, but also targeting Afghan Taliban across the border in Pakistan. In other words, these drone strikes are not a continuation of counterterrorism as envisioned under the AUMF, but rather an extension of a revitalized U.S. war in Afghanistan. In general, the law of war allows attacks on a neutral country’s territory only if soldiers chase an enemy across the border in “hot pursuit.” So the use of drones to attack insurgent groups inside Pakistan represents an unacknowledged escalation of the U.S. Afghan War. Another corner of the tent lifted by the camel’s nose?

Transparency about U.S. wars in general, and airstrikes in particular, has also suffered under Trump. The administration, for instance, announced in March that it had used a drone to kill “Musa Abu Dawud, a high-ranking official in al-Qaeda in the Islamic Maghreb,” as the New York Times reported. However, the Times continued, “questions about whether the American military, under the Trump administration, is blurring the scope of operations in Africa were raised... when it was revealed that the U.S. had carried out four airstrikes in Libya from September to January that the Africa Command did not disclose at the time.”

Similarly, the administration has been less than forthcoming about its activities in Yemen. As the Business Insider reports (in a story updated from the Long War Journal), the U.S. has attacked al-Qaeda in the Arabian Peninsula (AQAP) there
repeatedly, but “of the more than 114 strikes against AQAP in Yemen, CENTCOM has only provided details on four, all of which involved high value targets.” Because Trump has loosened the targeting restrictions for Yemen, it’s likely that the other strikes involved low-level targets, whose identity we won’t know.

Just Security, an online roundtable based at New York University, reports the total number of airstrikes there in 2017 as 120. They investigated eight of these and “found that U.S. operations were responsible for the deaths of at least 32 civilians – including 16 children and six women – and injured 10 others, including five children.” Yemeni civilians had a suggestion for how the United States could help them avoid becoming collateral damage: give them “a list of wanted individuals. A list that is clear and available to the public so that they can avoid targeted individuals, protect their children, and not allow U.S. targets to have a presence in their areas.”

A 2016 executive order requires that the federal director of national intelligence issue an annual report by May 1st on the previous year’s civilian deaths caused by U.S. airstrikes outside designated “active hostility” zones. As yet, the Trump administration has not filed the 2017 report.

Bigger and Better Camels Coming Soon to a Tent Near You

This March, a jubilant Fox News reported that the Marine Corps is planning to build a fancy new drone, called the MUX, for Marine Air Ground Task Force Unmanned Aircraft System-Expeditionary. This baby will sport quite a set of bells and whistles, as Fox marveled:

“The MUX will terrify enemies of the United States, and with good reason. The aircraft won’t be just big and powerful: it will also be ultra-smart. This could be a heavily armed drone that takes off, flies, avoids obstacles, adapts and lands by
itself – all without a human piloting it.”

In other words, “the MUX will be a drone that can truly run vital missions all by itself.”

Between pulling out of the Iran agreement and moving the U.S. embassy in Israel to Jerusalem, Trump has made it clear that – despite his base's chants of “Nobel! Nobel!” – he has no interest whatsoever in peace. It looks like the future of the still spreading war on terror under Trump is as clear as MUX.

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The Environmental Consequences of the Use of Armed Drones

It is suspected that a small drone carrying a thermite grenade may have caused a massive arms depot blast near Balakliya, Ukraine in March 2017. The 350 hectare site near Kharkiv is around 100km from the frontline of the conflict in the eastern Donbas area. 20,000 people were evacuated and the blast is likely to have left a significant environmental
by Doug Weir and Elizabeth Minor, Originally published on Toxic Remnants of War Blog

To date, debate over the implications of the growing use of armed drones has focused on human rights, on the expansion of the use of force into new contexts, and on the imbalances created by the newfound ability to project violence at a distance. Reaching Critical Will invited Doug Weir and Elizabeth Minor to consider the environmental dimensions of the use of drone warfare for a recent publication ‘The humanitarian impact of drones’. They found the literature to be largely absent of considerations over the environmental and derived humanitarian impacts of drone operations, and so this blog, which is excerpted from the report, should be viewed as a starting point for efforts to assess the environmental consequences of the use of armed drones.

In armed conflict, and its aftermath, legal protection for the environment is weak, and systems for accountability and environmental remediation are largely absent. Those protections that do exist have been most clearly articulated in relation to massive levels of environmental harm. They primarily focus on the “natural environment”—without articulating the linkages between environmental quality and the enjoyment of fundamental human rights. However, the risks of the generation of toxic remnants of war—conflict pollution that threatens human and ecosystem health—should be an important consideration in taking steps and measures to progressively limit harm in the use of force.

During the last decade, there has been a renewed effort to clarify and codify the relationship between environmental obligations stemming from international humanitarian law (IHL), international environmental law, and international human rights law, before, during, and after armed conflicts.
The topic is currently under consideration by the International Law Commission, and states have expressed their growing concern over the environmental and derived humanitarian consequences of armed conflict at the UN Environment Assembly.

Obligations to address the environmental legacy of pollution from armed conflicts and military activities have been proposed by the International Law Commission, and have recently been articulated in the Treaty on the Prohibition of Nuclear Weapons, adopted in July 2017. These and other initiatives could support the advancement of both law and practice with respect to addressing toxic remnants of war.

The expansion of the use of armed drones by states to conduct airstrikes both within and outside of armed conflict has coincided with this increased interest in enhancing the protection of the environment in relation to armed conflicts. However, very little research has been undertaken into any possible relationship between the use of armed drones and environmental harm. Whilst not arguing that the environmental impact of armed drones is a central component of the harms that they cause, this short perspective proposes that air strikes conducted from drones could have environmental implications for communities, and that these should be considered in any discussions about the further regulation of drones. In addressing the problematic aspects or potentials of armed drones as a set of technologies, and current trajectories in their use, states should at least consider that:

- The use of explosive weapons has the capacity to generate toxic remnants. One key concern surrounding armed drones is that these technologies have facilitated the expansion of the types of contexts in which states have been willing to use explosive force deployed from aircraft. If such trajectories are permitted to continue, potential environmental harms risk being seen
The legal standards of armed conflict have been applied in these particular uses of force, though these standards have been widely argued to be the inappropriate framework. With the low standards of environmental protection associated with armed conflict, this could also present risks in terms of greater environmental harm from the use of force; and

Given the low standards of environmental protection in armed conflict, it should be investigated whether drone technology through its unique characteristics could help facilitate the striking of environmentally risky targets during armed conflicts, and contribute to harmful practices in this way.

Given the lack of research in this area, this blog does not propose definitive conclusions on these points. Rather, it proposes that these are areas where there may be questions and concerns that states and others should be encouraged to consider, as part of any discussion on the broader picture of harm caused by armed drones.

**Environmental impacts from the use of explosive weapons**

Airstrikes from armed drones typically use explosive weapons. The use of explosive weapons can produce pollutants that pose risks to human health following their initial impacts, particularly when these weapons are used in populated areas. These toxic remnants—the effects of which are not well documented—may derive from the constituents of munitions or from the destruction of buildings and damage to infrastructure, such as power, water, and sanitation facilities. Whilst potential toxic impacts will be greatest where the use of explosive weapons in populated areas has been widespread and sustained, even limited use (such as individual air strikes) can bring risks to health in communities. As such, the environmental impacts of explosive
force are a relevant concern in the context of airstrikes conducted using drones.

Several widely used munitions that states have fired from drones present toxicity concerns, such as Hellfire missiles and GBU-12 and GBU-38 bombs. These contain conventional explosive fills that utilise TNT and RDX. Both explosives are mobile in the environment, meaning that, for example, they can spread from soils into groundwater, and are toxic. The metals dispersed from these munitions are environmentally persistent. Where use is intense or sustained, evidence suggests that these can reach sufficient levels to pose a threat to civilian health.[3] There may also be specific concerns from novel materials that are being used in munitions deployed from drone platforms. For example, Dense Inert Metal Explosive (DIME) munitions, the long-term health impacts of which are unconfirmed, have reportedly been deployed from drones. A lack of transparency over the deployment of advanced weapons by drones limits efforts to study and assess their potential health and environmental risks from a perspective of limiting harm.

**Challenging boundaries in the use of force**

The specific capabilities offered by certain drones have been used by some states to facilitate an expansion in the range of contexts in which they use explosive force. These states have used drones in a way that pushes at the legal and conceptual boundaries where certain types of violence generally associated with armed conflict are used. The technological features relevant here include the range, persistence, and surveillance capabilities offered by drones, and the ability to use force without physical risk to the attacker. The interplay between the potentials provided by these characteristics, and problematic patterns in use—particularly the killing of those associated with particular groups across borders—provides a basis for international discussion on preventing harm from drones as a specific set of technologies.
As a result of this particular pattern of airstrikes launched from drones, harms to people known to result from the use of explosive force in conflict—including deaths, injuries, psychological impacts, and the destruction of homes—have been documented in novel contexts. This transposition of known impacts in to different situations could also therefore apply to environmental harms. In turn, if some current use of armed drones by states has sought to redefine where particular sets of laws governing the use of force apply, such as the law of armed conflict, this also has clear implications for the protection of the environment.

Along with other impacts, potentials for environmental damage in communities that can affect human health therefore bear consideration in evaluating what the acceptable limits on the use of armed drones by states should be, and for setting standards against the facilitation of expansions in the contexts where certain types of force are used.

**Environmentally risky targets**

In addressing drones as a development in weapons technology, states should consider which features of systems could facilitate problematic practices or expansions in the use of force, and how the implications of these could be contained. If one aspect of this is to consider how certain capabilities have enabled expansions in the contexts in which certain forms of force have been used, another may be to consider the potential implications of the enhanced surveillance capabilities offered by drones for facilitating attacks on targets whose destruction carries particularly severe risks of generating conflict pollution. Numerous target types have the potential to harm the environment and human health when damaged or destroyed. These include industrial, petrochemical, or pharmaceutical sites; electricity production or distribution networks; water treatment and distribution facilities; and military bases and ammunition storage areas.
The existing thresholds for what constitutes unacceptable environmental harm under IHL are widely acknowledged as being both too high, and poorly defined—though the relevant general principles of distinction and proportionality nevertheless apply in the selection of targets and of weapons, as does the principle of precaution. Reliably predicting the outcome of strikes on environmentally risky targets requires advanced knowledge of the design, state, and contents of the facility, and the ability to reliably predict the health and environmental consequences of the damage caused; factors that will be balanced against the military advantage gained from disrupting or destroying it.

While aerial surveillance data may increase the confidence of mission planners, it is unlikely that it would contribute substantially to prior knowledge of the intrinsic risks within a facility or the often unpredictable environmental outcome of its destruction. Nevertheless, it is conceivable that access to enhanced surveillance data could encourage the expansion of strikes against such targets, particularly when combined with precision weapons. This potential risk merits further investigation. In the majority of cases, the weak legal provisions protecting the environment in conflict make it unlikely that the consequences of such actions would breach existing thresholds—even where contamination creates persistent localised risks to communities and their environment.

The lack of transparency over the use of armed drones in recent conflicts makes it difficult to determine whether access to enhanced surveillance data has facilitated the targeting of environmentally risky civilian and military infrastructure. It has been reported that drones are being used to some extent in strikes on ISIS oil operations in Syria and Iraq by the international coalition for example,[5] but the role and impact of the use of drones in terms of potentially raising—or reducing—environmental risks to local
populations in these operations is not clear. Recent reports of the use of a small drone to destroy an ammunition dump in Ukraine with grenades, which has likely caused extensive environmental contamination, are also relevant to assessing the picture of use against sensitive industrial targets.

In identifying risks and issues, and considering potential restrictions on armed drones, states should also consider therefore whether the technology could help facilitate practices that pose particularly high environmental risks in communities, and seek data on how this and other risks may have played out in practice.

**Conclusion**

The environmental impacts of the use of force in general, and the use of armed drones in particular, remain under-documented as a form of harm that is relevant to assessing the limits that might be placed on different weapons technologies.

In considering how state violence should be constrained, and the contexts in which certain impacts of violence may be considered permissible or not, environmental effects with implications for human health must however be factored in—including with respect to armed drones. The lasting environmental impacts and long-term risks to human health from the use of force must, in turn, be curbed through more robust international rules.

*Doug Weir Manages the Toxic Remnants of War Project. Elizabeth Minor is an Adviser at Article 36, a UK-based organisation that works for the development of new policy and legal standards to prevent the unintended, unnecessary or unacceptable harm caused by certain weapons. This chapter first appeared in ‘The humanitarian impact of drones’, a report published in October 2017 by the Women’s International League for Peace and Freedom, Article 36, and the*
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[5] See for example, “RAF Tornados launch first strikes against Isis in Syria”, The Times, 3 December
2015, https://www.thetimes.co.uk/article/raf-tornados-launch-first-strikes-against-isis-in-syria-rqpqq2qd88m. Attacks have frequently been carried out by the coalition on facilities for extraction, processing, and transportation—see coalition daily reports archived by Airwars at https://airwars.org/daily-reports.

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A Forgotten Drone Victim And the U.S. War on Indigenous Peoples

by Judith Bello, 2017

Malik Jalal in Islamabad in 2012.

In Pakistan in October of 2012, my group of peace activists met Malik Jalal, who spoke to us about the effect of drones on his community in Waziristan and later accompanied our caravan up to Tank, a town on the edge of Waziristan, where we joined a lively anti-war rally. I specifically remember Malik
Jalal as a handsome man in the prime of life, accustomed to having authority. He had a full beard and wore the garb of a Tribal leader, and spoke about the suffering of his people living under drones. There was humor in his expression and I remember that he laughed and his eyes twinkled when members of our delegation told of being arrested for sitting outside a military base demanding an end to drone wars. Only in response to a direct question did he talk about his own experience. He said that he sometimes slept in the mountains so as not to put his family at risk.

Click the Photo to read Malik Jalal’s story in his own words.

Last summer, in 2016, I saw a photo of a man visiting London to share his experience with living under drones and demand that the drones stop flying over Waziristan. His name was Malik Jalal. I thought I recognized the man I had met in Pakistan, but an organizer with my group dismissed the possibility out of hand. I waited a little, then went to my photos and took out a photo to compare with the one in the British news article. ** I was then certain it was the same man. He had aged, and his beard was shorter. He was dressed in ordinary Afghan and Pakhtun garb rather than the robes of a Chieftain. But it was the same Malik Jalal we had met in Pakistan. It was sad, really, to see him so much aged in the few years since I had met him.
This week, when I was researching the story of Faisal bin Ali Jabar, I noticed an article on the Reprieve website about Malik Jalal. They are the ones who hosted him in London last summer, and also hosted the CodePink Peace Delegation to meet Waziri Drone victims in Pakistan. I think the headline I saw last summer was in the Guardian. In any case, what interested me were the details of Malik Jalal’s story. When we met him in Pakistan, he had primarily focused his remarks on the suffering of his people. I imagine he did the same when he was in London. However, the article on the Reprieve website described how he was targeted and stalked by US drones. On repeated occasions, people were blown up by drone in proximity to Jalal’s path; a friend expecting him for dinner, people at a meeting he was on his way to attend, a family member who was driving his car, and even a random car the same color as his own traveling down the road behind him.

Malik Jalal is not an Al Qaeda operative or member of the Taliban. As a Malik, he is a tribal leader on the payroll of the Pakistani government. He works as a moderator in resolving tribal disputes and is a senior member of the North Waziristan Peace Committee. While carrying out his duties, he might occasionally attend a meeting with a Taliban member present. They too belong to local tribes, and some hold positions of authority. But there is no possible justification for stalking Malik Jalal to try to kill him, terrorizing his family and killing a number of innocent people who were mistaken for him. But Malik Jalal says that the reason he is being targeted is because he came forward and spoke out against the drone strikes on other members of his community.

In 2011, Reprieve called a Jirga with a lawyer named Shahzad Akbar to bring together the people of Waziristan who wished to end the drone killing in their towns and villages. Another person who came forward to try to end the drone strikes in Waziristan, and they were many, was a teenage boy who offered
to search for missile parts in the vicinity around his home town. The Jirga (town hall meeting) must have been infiltrated by CIA agents because within a few days this 16 year old boy was incinerated by a drone strike while driving down the road with his 11 year old cousin. Reprieve and Shahzad Akbar, however, have persevered in their efforts to end drone killing in Pakistan, Afghanistan, Yemen and elsewhere, and they have continued to work with members of the community like Malik Jalal who are willing to come forward with information and to demand that the murderous drone strikes end.

Today, we don’t hear about this issue very often in the mainstream news. The war in Afghanistan is going badly. After hearing Malik Jalal’s story, this is not surprise. It may be that there are less drone strikes in Pakistan this year, but although the drone strikes in Afghanistan are neither tracked or recorded, they are surely occurring at an accelerated pace. If we are loosing there, perhaps we should look at other solutions than war. There is no moral justification for the US war in Afghanistan and no moral or legal justification for bombing people in the tribal region of Pakistan, a country which is not at war with us. Code Pink invited Shahzad Akbar to come and speak in the US in 2013, but he was unable to get a visa. The Afghan Peace Volunteers and their mentor, Hakim were invited a couple of years later, but also failed to receive visas. These are all peace activists who can inform us about the damage done by US wars in their countries.

Drone wars have drifted out of our attention, but that is not an accident. Since the early days of broad political resistance to the use of drones for targeted killing (execution of suspects) and surveillance, it is become more and more difficult to get specific information about drone strikes. They are reported together with manned air strikes in Afghanistan, Iraq and Syria. But what they don’t tell us
is that over time, drone strikes have become the majority of aerial attacks. Drone strikes in Yemen, Somalia and Pakistan are not reported at all. Google doesn’t bring in the news from foreign news outlets about local drone strikes the way it used to. The news is disappearing before our eyes.

How can we support a peace that will allow a country like Afghanistan to reintegrate? Malik Jalal’s story gives us some ideas. The tribal councils can go a long ways towards restoring balance if they can be safely held. Americans have a strongly negative understanding of tribes because they are the indigenous power structure in countries like Afghanistan that have been resistant to westernization. But is westernization right for Afghanistan, or Pakistan? Maybe not. The United States works through militarization. That is strong suit of U.S. foreign policy. Therefore, the only tribal representatives who are empowered through U.S. intervention are violent warlords. These same men are then brought together with westernized rulers to govern the country.

Malik Jalal and his ilk are grass roots leaders who come from the communities they govern and take personal responsibility for the welfare of the people. Tribal leaders at this level actually do represent the people. They can lead an independence movement that really is independent of foreign intervention. These are the men who attend tribal councils and support the public welfare. Warlords and western educated ideologues only have coercive relationships with the people. Grass roots movements are dependent on the people on the ground and their local representatives, men like Malik Jalal. Unfortunately, they cannot safely meet with US drones on the wing. In 2011, a US drone strike in Waziristan killed 54 men at a tribal Jirga where they were meeting to discuss a local mine.

Men like Malik Jalal are deemed terrorists, threatened and targeted by drone strikes, and driven from their homes.
Why? They represent the people and not the power structure the U.S. is attempting to impose on their countries. This is true in many places. Hezbollah in Lebanon and the Sadrist movement in Iraq are both engaged in the national political system as well as supporting powerful militias that are determined to protect their countries and their people. So called ‘Signature’ strikes which target ‘suspicious’ gatherings make any kind of meeting or gathering dangerous. People are isolated and alienated. Grass roots governance is not the worst basis for the blasted tribal society of Afghanistan. But, drones cause a barrier to that possibility.

I liked Malik Jalal so I wanted to tell you his story. Unfortunately, though the Independent covered his visit in a respectful manner as did the Daily News, they along with some members of the U.S. press wonder why he is in London and has not been arrested. Clarissa Ward, a bold modern woman, a professional journalist, became a friend of Al Qaeda in Syria, willing to report from East Aleppo while it was still held by Ahrar Al Sham, Al Nusra and ISIS last fall, standing in an empty street dressed in a black dress with veil and hijab in a city where women were liberated from that requirement decades ago.

Under the Tabloid style headline: I’m on the U.S. Kill List Pakistani Elder Claims. Clarissa Ward tells you that she doesn’t buy his claim. Ms. Ward criticizes Malik Jalal as paranoid and a complainer. She wonders how he could he have got a visa to the UK if he were on the U.S. ‘kill list’. Malik Jalal didn’t jump on a plane to NY because he could never get a visa there, and men identified for targeted killing are routinely not arrested. The idea is to avoid the complexity of a legal confrontation. Dead men tell no tales.

Clarissa Ward is both arrogant and ignorant. She doesn’t listen. Clarissa Ward didn’t meet Malik Jalal near the beginning of his ordeal when he spoke to a group of foreign peace activists on behalf of his community without mentioning
his own suffering. Her world is firmly under control unlike the real world she pretends to unveil for her listeners. Ms. Ward pretends. That is her job. Malik Jalal lives the nightmare the pretenders want to erase. Jalal was brought to London by Reprieve, an organization that defends drone strike victims, Guantanamo prisoners and men on death row. Reprieve is the real deal. Malik Jalal represents the real people of Waziristan.

Jalal came to London for relief nearly 4 years after sharing his story, along with several other survivors of drone strike victims, with my delegation in Islamabad. He had come forward to a meeting arranged and facilitated by Shahzad Akbar to reach a broader audience. We brought their stories back but it wasn’t enough to end the killing and was soon dropped by the ever busy news cycle. Malik Jalal says that he fears to go home now. He doesn’t want to die and he wants his family to be safe. Imagine! What if your friends and family members were regularly killed when they attempted to interact with you? It was sad for me to see the man who so proudly represented his people 4 years before, now terrorized into leaving his country to seek relief. It was heartbreaking to see his face lined with stress to the point where those who had met him with me did not recognize him, and so did not support him.

But this is, and has been from the start, the U.S. pretense of ‘a War on Terrorism’. Peace loving leaders of indigenous communities, men like Malik Jalal, are threatened, stalked and then ridiculed. Extremist murderers holed up in East Aleppo flying ISIS and Al Nusra (Al Qaeda) flags and shelling civilian housing and schools that happen to border their territory in West Aleppo are presented as noble ‘rebels’ and their defeat continues to be mourned by the U.S. mainstream media and some alternative venues, even as residents of liberated communities return home in the hundreds of thousands. In Syria, Clarissa Ward happily complied with
the oppressive demands with regard to women’s dress asserted by a mostly foreign force controlling the area. She presents this as adopting to a ‘Syrian’ cultural requirement. Apparently she never took the time to research the common culture of Syria before the war began.

In Yemen, the drone strikes against AQAP (Al Qaeda in the Arabian Peninsula) were gobbled up by a war against all the people of Yemen. Now AQAP, a Saudi ally on the ground, controls vastly more territory in Yemen than before the war, while the United States gives unbounded support to the Saudi air war that is tearing the country apart. They claim to be fighting AQAP with a deadly drone strike here and there, while they are all in supporting the Saudi war against Houthi ‘Shia terrorists’, an indigenous militia that is a broadly popular movement in the north part of the country who are allied with the remnants of the Yemeni army. The ‘internationally recognized’ government of Yemen that the Saudis and their allies claim to fight for is a joke; one man; a single, unpopular, temporary ‘president’ who refused to call an election when his term had ended, for some reason internationally recognized as the rightful ruler of Yemen. The United States and the United Nations are ready to stand by while Yemen is subjected to a genocidal mix of famine and disease caused by U.S. assisted bombing of public infrastructure and a siege enabled by U.S. and western European ships in the Arab Sea blocking access to Yemeni ports.

We call Hezbollah in Lebanon and the Sadrists in Iraq ‘terrorists’ despite the fact that both organizations are deeply involved in the politics of their respective countries, both support secular governance despite the fact that they are movements lead by Shia clerics, and both groups have political alliances with movements backed by other religious organizations. Muqtada al Sadr has met with the Kurdish government and with the respected Council of Sunni Scholars.
Hezbollah is allied with one of the Christian currents in Lebanon, supports the liberation of Palestine and has seen the danger of a regional wave of extremist violence. Both Hezbollah and the Sadrists are popular grass roots organizations that grew out of civil wars initiated by western interventions. Both have powerful militias, but neither has fought beyond the mandate to protect their own country. Yet the U.S. designates them as the most dangerous of terrorists in league with their sworn enemies in ISIS and Al Qaeda because Hezbollah is capable of defending Lebanon against Israel, and the Sadrists support a secular socialist government in Iraq.

Populist leaders and grass roots leaders are the ultimate enemy of American hegemony. They operate below the radar when they are at their best. They are trusted because they are men who come from the people and who have not forgotten their roots, and because they choose to support the welfare of the people above their own. They can’t be bought and they don’t make good proxies for empire.

And so dear Malik Jalal, you have my highest respect wherever you are, in London or somewhere in Pakistan. I pray that one day you will be able to go home and live in peace with your family. And that all the victims of U.S. aggression and the violence of U.S. allies will be restored to your homes and your lives. I bow to your suffering and to your dignity. I raise your name so that you and the others like you will not be forgotten.

**Featured Image: Malik Jalal with his family ~Printscreen From CNN/Reprieve Video, April 22, 2016**

**Note:** I went to look for a video recording I made of Malik Jalal in Pakistan in late 2012, but YouTube had removed (deleted) it from my account since the last time I looked – some time in the last few months.
Like the phony “war on drugs,” the phony “war on terrorism” promotes economic interests, serves political agendas, entrenches militarism. Neither war reduces drug use or violence. Nor are they designed to.

Terrorism — past and present — pervades the U.S. psyche and economy. Terrorism, so-called, and the fear thereof, blunts our minds, shrinks our hearts. This contrived national obsession gives the Pentagon and NSA/Homeland Security their ever-expanding powers. It tightens their grip. It swells their coffers.

Their bloated budgets, like the Congress that funds them, march to corporate drummers. Since World War II, terrorism/militarism has been exceedingly profitable for the so-called “defense” industry (think, for example, Lockheed Martin). U.S. corporations thrive on the export of weapons and weapon systems. Peace kills the war economy. Why seek peace?

The high-tech war industry — the U.S. economy’s warped backbone — enriches the rich, deprives the poor. Military spending sucks the life out of civil society. That military spree, barely monitored, finances death-dealing projects;
these profit-intensive projects preempt job-intensive, life-serving ones.

Pentagon budgets assure grossly underfunded housing, schooling, health and infrastructure development. Along with the nuke industry – now in its eighth decade – the perpetuated terrorism/militarism nexus drives economic disparity, propping up this nation’s class structure.

Patriots and propagandists endlessly invoke, but seldom define, “terrorism.” Now, I’ll do the unusual – I’ll define “terrorism.” Terrorism is the use, or threat, of violence against civilians for military, political or economic ends. This definition cuts to the chase, cuts through the layers of jingoism and obfuscation perpetrated by the patriots and propagandists.

The definition has four corollaries:

~ First. Contrary to U.S. mainstream media usage, terrorists aren’t inevitably people of color. Nor are they primarily swarthy or sallow. Here in the U.S. the term “terrorism” somehow only applies to what they – non-whites – do, not to what whites or the U.S. does.

~ Second. In the 20th and 21st centuries, it’s fascism and capitalism that have colonized the skies. Hence most terrorism has been aerial: V-2 rockets, Cruise missiles, Hellfire missiles, napalm, white phosphorus, cluster bombs, depleted uranium, weaponized drones....

~ Third. Most terrorism is wholesale, not retail; most is state terrorism. Most terrorism is perpetrated by uniformed military. In these centuries most war casualties – in their tens of millions are civilian.

~ Last. Since at least August 6, 1945 the Pentagon has been the world’s most relentless single purveyor of terrorism.
Bottom line: the so-called “war on terror” is a racist war, a war for hegemony, a war for profit. It’s a war its perpetrators and its perpetuators have no desire to see end.

**Terror is nothing new;** it’s built into this nation’s DNA. Consider the continent-wide armed robbery of indigenous lands. Thanks to their higher tech weaponry, European invaders ethnically cleansed Native Americans – mostly non-combatants. Like our counterparts in Israel and other colonial settler states, U.S. Americans militarily occupy stolen land.

Yes, we are occupiers – and by a curious inversion or dialectic, now it is U.S. Americans who are finding ourselves occupied. The occupation is so incremental, so normalized, it’s barely visible to us.

If the U.S.-as-occupied-nation notion seems outlandish, consider the following:

- why was the interstate highway system built to military specification by a general,
- or why does the NSA so comprehensively monitor our phones and email,
- or why is every effort is made to keep the U.S. people distracted and dumbed down,
- or why does the judiciary neglect the First Amendment and why, despite Article Six of the Constitution, does the judiciary ignore International Law (*much as Southern judges ignored lynching*),
- or why are the police so heavily armed and drilled in military shoot-to-kill tactics,
- or why does the U.S. have such a vast prison system,
- or why do military bases, in all their redundancy, proliferate throughout the land,
- or – and this brings us directly back to today’s panel – why are surveillance and weaponized drones, so deadly overseas, increasingly flying over the U.S.?
Further, regarding our national DNA, consider the centuries-long wholesale abduction and displacement of Africans—robbing them of their labor, liberty, languages, dignity and their offspring. Ask: how did such a regime last so long? Without a whip at her back, a noose around his neck, no human endures such rape and servitude. See the film “12 Years a Slave.”

That terror regime in full force lives on today with mass incarceration and what author Michelle Alexander calls “The New Jim Crow.” Police assassinating young black men channel Ku Klux Klan castration. Both are seldom prosecuted. (Note the enduring intersection of impunity and racism.)

We’ve been conditioned to believe terrorism is violence perpetrated by the “other”—the non-white other. Blind to the origins of white supremacy and privilege, we are the legatees of our previous—and ongoing—terrorism. Only when terrorism is defined do we see Manifest Destiny and slavery for what they were. Only when terrorism is defined do we see that today’s “War on Terrorism” for what it is: a war of, for and by terrorism.

Today’s so-called “War on Terrorism”—quotation marks are a must—features aerial bombing of tribal people and people of color who can barely shoot back: the Anglosphere globalizing its centuries-long terror track.

Since August 6, 1945 the world has been chilled by U.S. nuclear blackmail. Since the grotesquely one-sided air war on Viet Nam and since the 2003 “shock and awe” terror attacks on Baghdad, the world knows it resists the Imperium at its peril. The world knows the U.S. mostly and more readily targets people of color—whether Japanese, Southeast Asian, West Asian, or...American. The dark-skinned world waits, defiantly, wondering who will be next.

Aerial terror can’t neutralize, but it does provoke, non-state
resistance – a resistance sporadically erupting as terrorism. How convenient for the propagandists! The hunter/killer MQ9 Reaper drone and its cowardly ilk seem for now to be just the thing for taking out so-called “bad guys.” However, for each “bad guy” assassinated, many civilians are killed or maimed. More are recruited to resist. Not smart. While drones can be tactically clever, recruiting your enemy is strategically stupid...unless, of course, you profit from keeping the pot boiling.

Up our way in Central New York the local mainstream media normalizes the hunter/killer Reaper drone remotely piloted from Hancock Air Force Base on the outskirts of Syracuse. The Reaper, a former Hancock commandant boasts, operates over Afghanistan 24/7. These robots are deployed to kill with impunity. The media downplay, if not ignore, drone war illegality, its evasion of due process, its violating others’ sovereignty, and the government lies surrounding its terror. The media sanitize Reaper transgression against human bodies and human rights. The media ignore Reaper indecency, Reaper cowardice.

The Syracuse Post-Standard ignores the back story behind any blowback – always called “terrorism” – of those avenging and resisting U.S. aggression. Further, perhaps sensing instinctively what a boon to business drones and arms races are, the Post ignores the deadly prospect of weaponized drone proliferation.

U.S. media has little to say about drone “collateral damage” incinerating and dismembering women and children and other noncombatants, whether within or beyond so-called “legal” war zones. But our local media surely typify U.S. mainstream media. So, let me ask: how many in this room heard much about the killing of 150 unknown human beings by U.S. drones and manned aircraft on a single day, March 7, 2016, in Somalia – Somalia, a desperately poor tribal nation the U.S. isn’t even at war with? This massacre, noted in the New York Times,
didn’t rate a blip in the Post-Standard.

The December 17 Post-Standard reported that the Reaper now is actually flying – not just being remotely controlled – out of Hancock Air Force Base and from Syracuse’s civilian international airport. The page 1 story, festooned with color photos, is headlined “REAPER DRONE MAKES HISTORY IN SYRACUSE.”

With no pretense to journalistic balance, such stories fail to note that since 2010 our grassroots group, Upstate Drone Action, has been continually protesting the Hancock Reaper and its operating unit, the 174th Attack Wing of the New York State National Guard. The increasingly militarized local police, at Hancock's bidding, arrest us as we block Hancock’s main gate and exercise our First Amendment right to petition the government for redress of grievance. Maximum fines and multiple incarcerations ensue.

But the Post-Standard doesn’t acknowledge such erosion of civil liberty. Nor does it investigate or even mention our allegations of Hancock war crime. Further, the Post has been eerily silent about the role that domestic drones are beginning to play in policing and intimidating dissidents and minorities.

Like the 1950s’ “Atoms for Peace” hype masking the dark side of the then-emerging nuclear industry, mainstream media downplay the drone dark side. The Post, it seems, doesn’t want to jinx upstate New York’s becoming the Silicon Valley of an emerging domestic drone money machine. Over the next several years Governor Cuomo will be subsidizing that industry with tens of millions of taxpayer dollars.

What does domestic drone development and deployment have to do with terrorism? Plenty. Like the government-subsidized nuclear industry, the domestic drone industry (again think Lockheed Martin) will maintain the facilities, research, engineering expertise, skilled labor, and operators – i.e. the industrial
base – that the Pentagon draws on for its terror wars.

As long as perpetual war keeps yielding corporate profit, state terrorism will keep “making history.” If we let it. ###

[[drone terrorism remarks for 2016 left forum]]

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**Inside Drone Warfare Symposium**

If, like me, you were not able to attend “Inside Drone Warfare”, the Whistle Blower Symposium organized by Nick Mottern and Ann Wright in Las Vegas this spring during Shut Down Creech!, you can still view the speakers in these YouTube videos. I watched them and was glad I took the time. Ann Wright moderates the event.

**Part 1:** Jesselyn Radack of Whisper Whistleblower and Resource Protection Program and Cian Westmoreland, former Drone Maintenance Technician

**Part 2:** Christopher Aaron, former Air Force Intelligence Officer with the Drone program in Afghanistan and Reverend Chris Otto, Unitarian Universalist Minister and former Chaplain with the US Army in Afghanistan

**Part 3:** Shelby Sullivan Dennis of Reprieve with Faisal Bin Ali Jaber

**Part 4:** Marjorie Cohn

**Part 5:** Brian Terrell, Catholic Worker Drone Activist, Q&A
Drones, Black Lives Matter, the European Refugee Crisis

What do They Have in Common?

Panel discussion at Nazareth College in Rochester with walker Russell Brown, Professor Harry Murray and Yaqub Shabbaz, a social sciences student and community organizer from Chicago. Below is an audio recording of this fascinating conversation. I have broken out the introduction, each individual speaker and the following discussion for convenient listening.

Introductory Remarks by Harry Murray:


Yaqub Shabbaz speaks about Black Lives Matter:


Russell Brown speaks about Drones and the Undrone Upstate Walk:


Harry Murray speaks to the EU refugee problem and ties the issues together:


Discussion:
http://upstatedroneaction.org/wp/wp-content/uploads/Audio/NazP4-Discussion.mp3