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U.N. launches drone investigation

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An independent U.N. human rights researcher this morning announced the opening of an investigation into the use of drone attacks and other targeted assassinations by the United States and other governments.

Ben Emmerson, the U.N. special rapporteur on counterterrorism and human rights, told reporters in London this morning that the "exponential" rise in American drone strikes posed a "real challenge to the framework of international law," according to a statement issued by his office. Emmerson said there was a need to develop a legal framework to regulate the use of drones, and ensure "accountability" for their misuse.

"The plain fact is that this technology is here to stay," he said. "It is therefore imperative that appropriate legal and operational structures are urgently put in place to regulate its use in a manner that complies with the requirement of international law.

The decision to open a drone investigation drew praise from critics of America's drone policies. "We welcome this investigation in the hopes that global pressure will bring the U.S. back into line with international law requirements that strictly limit the use of lethal force," said **Hina Shamsi**, director of the American Civil Liberties Union's National Security Project. "To date, there has been an abysmal lack of transparency and no accountability for the U.S. government's ever-expanding targeted killing program."

The Obama administration has defended its use of drones as a more humane alternative to military combat. **John Brennan**, the White House advisor on counterterrorism and the president's new nominee to lead the CIA, defended the U.S. program as "ethical and just," saying that the targeted nature of the strikes was more humane than traditional military strikes, lessening the prospects that civilians are killed.

Emmerson challenged what he characterized as Brennan's contention that the United States and its allies are engaged in a global war against a stateless enemy which requires the prosecution of war across international borders. Emmerson said that "central objective" of his inquiry is to "look at evidence that drone strikes and other forms of remote targeted killings have caused disproportionate civilian casualties in some instances, and to make recommendations concerning the duty of states to

conduct throughout independent and impartial investigations into such allegations, with a view to securing accountability..."

Emmerson said that he has assembled a team of international lawyers and experts, including British lawyer **Sir Geoffrey Nice** and New York University professor **Sarah Knuckey**, to help identify cases in which targeted killings may have resulted in civilian casualties. He said they would focus on 25 case studies in Afghanistan, the Palestinian territories, Pakistan, Somalia, and Yemen, to see whether there is a case worthy of prosecution. He said he would present his findings in October.

Emmerson is an independent U.N. rights expert, and his investigation is not sanctioned by U.N. Secretary General **Ban Ki-moon** or the U.N. high commissioner for human rights, **Navi Pillay**. But his association with the United Nations is likely to carry greater political weight than those of independent administration critics.

Emmerson first announced plans to look into the American drone program in October, on the eve of U.S. presidential elections, citing frustration with both candidates' positions on drones. "The Obama administration continues to formally adopt the position that it will neither confirm nor deny the existence of the drone program," he said at the time. "In reality, the administration is holding its finger in the dam of public accountability," he said according to a prepared copy of the speech.

Emmerson said today that the investigation emerged as the result of a request last June from China, Pakistan, and Russia, to investigate the use of drones in counterterrorism operations.

"The inquiry that I am launching today is a direct response to the requests made to me by states at the human rights council last June, as well as to the increasing international concern surrounding the issue of remote targeted killing through the use of UAV's [Unmanned Aerial Vehicles]," he said. "The exponential rise in the use of drone technology in a variety of military and non-military contexts represents a real challenge to the framework of established international law."