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Drone strike casualty estimates likely understated
New report calls on government to disclose more on drone deaths

NEW YORK— The U.S. government should provide an official accounting on who is being killed by drone strikes, said a new report released today by Columbia Law School's Human Rights Clinic.

Counting Drone Strike Deaths is a systematic review of drone strike casualty estimates provided by media and aggregated by three major casualty tracking organizations: The Bureau of Investigative Journalism, Long War Journal, and New America Foundation. These organizations have filled the gaps left by the U.S. government, which refuses to officially provide information on casualties; however, their estimates are incomplete and, in the case of the latter two organizations, significantly undercounted the extent of reported civilian deaths in Pakistan during 2011.

"Drone strike casualty estimates are substituting for hard facts and information about the drone program," said Naureen Shah, Acting Director of the Human Rights Clinic at Columbia Law School. "These are good faith efforts to count civilian deaths, but it's the U.S. government that owes the public an accounting of who is being killed, especially as it continues expanding secret drone operations in new places around the world."

The report warns that low civilian casualty estimates may provide false assurance to the public and policymakers that drone strikes do not harm civilians. According to the report, despite their strong efforts, two of the tracking organizations, the Long War Journal and New America Foundation, significantly and consistently underestimated the potential number of civilians killed in Pakistan during the year 2011.

Recounting the data, the Columbia Human Rights Clinic found reports of between 72 and 155 civilians killed in 2011 Pakistan drone strikes, with 52 of the reportedly civilian dead identified by name – a relatively strong indicator of reliability. By comparison, New America Foundation's count was just 3 to 9 civilians killed during this period; Long War Journal's was 30 civilians killed. In percentage terms, the Clinic found 2300 percent more "civilian" deaths than the New America Foundation and 140 percent more "civilian" deaths than the Long War Journal, based on minimum figures for Pakistan in 2011. The Bureau of Investigative Journalism's estimates came closest to those found by the Columbia Human Rights Clinic: the Clinic found just 5.9 percent more "civilian" deaths than the Bureau of Investigative Journalism, based on minimum figures.

"The tracking organizations are all credible institutions, and the discrepancies in their counts show just how hard it is to get an accurate understanding of the impact of drone

strikes from media reports alone,” said Chantal Grut, lead researcher and 2012 L.L.M. graduate of the Human Rights Clinic.

The tracking organizations’ estimates are based on news reports of particular strikes. The news reports suffer from common flaws. For example, they often rely on anonymous Pakistani government officials or unnamed witnesses for the claim that “militants”—rather than civilians—were killed. In Pakistan, more in-depth reporting is all too rare because of limited access for journalists, and it is likely that some deaths and possibly even entire strikes are not captured.

“Accuracy and access are problems for any war-time reporting,” said Grut. “But with drone strikes, we’re seeing the labels ‘militant’ or ‘terrorist’ used to describe people killed, despite the limited information and on-the-ground reporting.” The report explains the ambiguity of these terms and cautions media and observers against repeating “militant” estimates without more information and greater qualification.

In the rare but significant cases where on-the-ground reporting has offered evidence of civilian deaths from drone strikes, the U.S. government has failed to officially respond or provide information about whether it conducts its own investigations into potential civilian deaths. The report calls on the government to investigate reports of civilian casualties, track and release drone strike casualty information, and disclose the standards and definitions it uses to categorize individuals as subject to direct attack. Investigations are a crucial first step toward recognizing and dignifying the loss of families and local communities.

Notes to Editor

The report is based on an independent review of the publicly available materials relied on by the Bureau of Investigative Journalism, Long War Journal, and New America Foundation for drone strikes in Pakistan during the year 2011. The Human Rights Clinic recently published a major study on civilian harm from drone strikes, *Civilian Impact of Drones: Unexamined Costs, Unanswered Questions*, with the Center for Civilians in Conflict.