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## **Dramatic Increase in Lethal Strikes in Yemen Under Trump, Urgent Need for Greater Transparency and Accountability**

*Hundreds of families of those killed in U.S. strikes in areas far from any traditional battlefield have a right to know what happened to their loved ones and why, say U.S. and Yemeni civil society organizations*

**NEW YORK, June 13, 2017** –The U.S. government must take urgent steps to account for the hundreds of reported civilian deaths it has caused over more than a decade in Pakistan, Somalia, and Yemen, said the Columbia Law School Human Rights Clinic and the Sana'a Center for Strategic Studies, in a comprehensive [report](#) released today covering 15 years of U.S. counterterrorism strikes.

“Almost none of the families of the hundreds reported killed by the U.S. have received any justice, or even acknowledgement,” said Waleed Alhariri, one of the authors of the report and Director of the U.S. Office of the Sana'a Center for Strategic Studies, a prominent Yemeni think tank. “The dramatic increase in U.S. strikes in Yemen since Trump assumed the Presidency only makes the need for transparency and accountability more urgent. The U.S. government must act now to recognize the harm it has caused these people and enable a real debate about the true cost of its counterterrorism practices.”

The 176-page report, “*Out of the Shadows: Recommendations to Advance Transparency in the Use of Lethal Force*,” is the first comprehensive analysis of U.S. secrecy in lethal counterterrorism operations. The report focuses on U.S. strikes in Pakistan, Somalia, and Yemen, where killings by the U.S. have been carried out far from traditional battlefields under a veil of secrecy. The report finds that the U.S. government has acknowledged just 20 percent of the more than 700 strikes carried out since 2002 in those countries. The report also shows how while western civilian victims have received presidential apologies, explanations about what happened, and public promises of compensation, the families of hundreds of Pakistanis, Somalis, and Yemenis killed in strikes suffer prolonged injustice and impunity.

“We researched over a decade of U.S. practice,” said Rahma Hussein, a Legal Fellow at Columbia Law School’s Human Rights Institute, and report co-author. “For more than half of the measures we evaluated, U.S. transparency was either ‘none’ or ‘slight.’ The government’s almost complete failure to name civilians killed was particularly concerning.”

Critics have long railed against successive U.S. administrations for their excessive secrecy. The report deepens the debate by rating each area of U.S. policy and practice, and shows where reform is most urgently needed. The report evaluates U.S. policy and practice against a set of new transparency benchmarks that will aid policymakers, journalists, civil society, and the

public to track the level of secrecy over time, and to monitor and evaluate whether the government is improving transparency or rolling back positive reforms.

Transparency improved slightly from 2010 onwards, most significantly at the end of Obama's presidency. These efforts at reforms show how greater transparency is possible. Nonetheless, Obama's record on transparency and drone strikes was checkered at best and marked by secrecy in key areas, which continues under the current administration. Even where it acknowledges particular strikes, the government only reveals basic details, depriving those injured and families of those killed of information about what happened and why.

Despite broad explanations of the legal grounds the government believes it has for strikes, it is still unclear who, and in what circumstances, the government believes it can kill. As the authors point out, such uncertainty is particularly concerning in the wake of the disastrous U.S. raid in January that resulted in a number of civilians dead, including children, and reports that the new administration is acting to loosen the rules on the use of force abroad.

"The heightened risk of abuse under President Trump makes transparency more critical than ever," said Alex Moorehead, one of the lead authors of the report, and Director of the Counterterrorism, Armed Conflict, and Human Rights Project at Columbia Law School's Human Rights Institute. "Transparency deters wrongdoing and encourages adherence to the law. The government must explain what it is doing to protect civilians and prevent unlawful killings."

The report found that the government systems in place to conduct oversight of U.S. killings abroad were too secretive about their findings and recommendations, making it difficult for the public to know if oversight is effective. It is also not clear where or how victims can obtain compensation, because the government has never explained publicly what systems exist or how they operate in practice. The government does not generally disclose the results of investigations into strikes, and its response to credible allegations of civilian casualties has been very poor, leaving many questions unanswered about what actions the U.S. government takes to protect civilians in particular cases.

While transparency is far from a panacea for all the concerns about U.S. strikes, the report outlines how overcoming excessive secrecy is critical, particularly at a time when many are concerned about a President who has already shown a disregard for the truth and human rights values. Transparency matters to the families of those killed and injured, and also is crucial for legal and public accountability, deterring harm, enabling oversight, and the rule of law.

The report sets out a concrete agenda for reform and recommends specific actions that the U.S. government can take to improve transparency, in particular by:

- Acknowledging and explaining every civilian or unlawful death, and naming those killed;
- Releasing all government investigations into specific strikes; and
- Explaining why it believes individual strikes are legal.

"The path to transparency is clear," Moorehead explained. "The Trump Administration should build on recent reforms—not repeat the mistakes of the Obama Administration by operating in

secret, which only undermines counterterrorism efforts and increases the suffering caused to the families of those killed.”

The report is available at: [www.outoftheshadowsreport.com](http://www.outoftheshadowsreport.com)

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The [Human Rights Clinic](#) works to advance human rights through partnerships with civil society organizations and communities. The clinic carries out human rights investigations, legal and policy analysis, litigation, report-writing, and international advocacy. The clinic brings together innovative education, social justice work, and scholarly research, and students are trained to be strategic human rights lawyers. The Clinic is directed by Sarah Knuckey, the Lief Cabraser Associate Clinical Professor of Law and the faculty co-director of the [Human Rights Institute](#) at Columbia Law School.

For more information, visit <http://web.law.columbia.edu/clinics/human-rights-clinic>.

The [Sana’a Center for Strategic Studies](#) (SCSS) is an independent policy and research think-tank based in Sana’a, Yemen. SCSS work focuses on providing new approaches to understanding Yemen and the surrounding region, through balanced perspectives, in-depth studies, and expert analysis. Founded in 2014, SCSS conducts research and consultations in the fields of political, economic, civil, and social development, in addition to providing technical and analytical advice regarding key issues of local, regional, and international concern. For more information, visit <http://sanaacenter.org/new/>.