

HUMAN RIGHTS WATCH

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16 July 2012

Dear Prime Minister

I am writing to request clarification on your government's policy on targeted killings, specifically those carried out by the UK's closest ally, the United States.

In recent years the Obama administration has greatly expanded the use of Unmanned Combat Aircraft Systems (drones) to conduct targeted killings in places such as Pakistan, Yemen and Somalia. The administration asserts that because it is involved in a global armed conflict, it has authority under international humanitarian law to use lethal force against al Qaeda and associated forces outside of a traditionally defined war zone. While governments today do face threats that are not in recognized conflict zones and are also beyond the reach of any easily secured law enforcement action, the Obama administration's justifications for its use of lethal force seriously misconstrues applicable international humanitarian and human rights law.

The administration has not explained how it draws the line between lawful and unlawful targeted killings. It appears to be expanding the category of who may be targeted and under what conditions. In situations of armed conflict, it has indicated that all members of al Qaeda and associated forces are legitimate military targets without regard to their function or activity – a standard broader than what is permitted under international humanitarian law. Outside of conflict zones, the administration has suggested an overly expansive definition of “imminent threat” - the basis for which lethal force may be used under international human rights law – that is overly expansive. We have also been concerned by a serious lack of transparency and accountability on the part of the administration where civilians have been killed by US drone attacks.

US policy and practice is also setting a very dangerous precedent for other

countries. Could China declare an ethnic Uighur activist living in New York a “terrorist” and, if the US were unwilling to extradite that person, lawfully order a lethal strike on US soil? Could Russia lawfully poison to death someone living in London whom they claim is linked to Chechen terrorists?

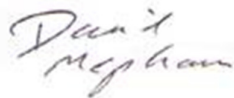
Given the unique close relationship of the UK and the US, what is your government’s position on the Obama administration’s policy and practice of targeted killings? Do you agree that their approach is legal and appropriate? If that is the UK position, it would be important to share with the UK Parliament and public the legal advice that you have received that supports this. If you disagree with US administration policy on targeted killings, have you or will you be raising your concerns with President Obama and others in the administration?

Given the very close security and intelligence ties between the UK and the US and the regular exchange of intelligence material, could you also clarify your government’s policy on the sharing of intelligence with the US on terrorism suspects, which might then be used to carry out drone attacks? What procedures does the UK follow to ensure that information provided by the UK to the US is not used in a way that would contravene the UK’s international human rights and humanitarian law obligations?

In a speech on July 9, William Hague made a powerful and eloquent case for international law and its centrality to UK foreign policy, arguing that “international laws and agreements are the only durable framework to address problems without borders, from protecting our oceans to tackling terrorism”. Similarly, in the government’s annual report on human rights and democracy for 2011, it says that the UK government will raise human rights violations and concerns whenever and *wherever* they occur. Consistent with this, it would be useful if you could provide a fuller explanation of UK policy on targeted killings and drones strikes than has been provided to date.

Thank you in advance for considering the points set out in this letter.

Yours sincerely

A handwritten signature in cursive script that reads "David Mepham".

David Mepham
UK Director
Human Rights Watch

cc: Foreign Secretary, Rt. Hon William Hague MP