

**Drone Wars:
The Constitutional and Counterterrorism Implications of Targeted Killing**

**Hearing Before the Senate Judiciary Subcommittee on the
Constitution, Civil Rights, and Human Rights
April 23, 2013**

**Submission by the National Organization for Defending Rights and Freedoms,
Alkarama, and the Center for Constitutional Rights**

Chairman Durbin, Ranking Member Cruz, and Members of the Subcommittee:

The submitting organizations would like to thank you for holding this critical hearing.

The National Organization for Defending Rights and Freedoms (HOOD) is a leading non-profit, non-partisan and non-governmental human rights organization in Yemen, founded in 1998. HOOD seeks the equal application of the law and equal protection under the law for all Yemeni citizens and residents. It provides pro bono legal assistance to victims of torture and human rights abuses, conducts trainings and advocacy campaigns to raise legal and human rights awareness among, in particular, underprivileged segments of the society, and monitors human rights abuses. Our core values are credibility, transparency and to equally address all cases of human rights violations.

Alkarama is a Swiss-based, independent human rights organization established in 2004 to assist all those in the Arab World subjected to, or at risk of, extra-judicial executions, disappearances, torture and arbitrary detention. Acting as a bridge between individual victims in the Arab world and international human rights mechanisms, Alkarama works towards an Arab world where all individuals live free, in dignity and protected by the rule of law. In Arabic, Alkarama means dignity. We are concerned that drone strikes in Yemen have caused the extra-judicial executions of hundreds of individuals in Yemen, and we hope this hearing will allow for a reversal of this very negative trend.

The Center for Constitutional Rights (CCR) is a non-governmental organization dedicated to advancing and protecting the rights guaranteed by the U.S. Constitution and the Universal Declaration of Human Rights. Our interest in this hearing stems from our efforts over the past several years to enforce the rule of law and ensure accountability for targeted killings by the United States. In 2010, CCR and the ACLU filed *Al-Aulaqi v. Obama*, which challenged the authorization for the targeted killing of U.S. citizen Anwar Al-Aulaqi in Yemen. Last year, our organizations filed *Al-Aulaqi v. Panetta*, now pending, which seeks accountability for the killings of Al-Aulaqi and two other U.S. citizens, Samir Khan and 16 year-old Abdulrahman Al-Aulaqi, from U.S. drones strikes in Yemen in September and October 2011.

This submission seeks to provide information about the largely untold civilian impact of U.S. targeted killing operations in Yemen, based on field investigations conducted by HOOD and Alkarama in Yemen in 2012 and 2013. While the research remains ongoing and the sample discussed here is limited, the direct accounts of victims and community members are intended to provide a lens into the human toll of US operations in Yemen and a basis for further inquiry by the Subcommittee, including about the official numbers of those killed and injured, the criteria for classifying casualties as civilians and “militants” or “combatants,” and any procedures to investigate reports of civilian harm and provide redress.

Background

From 2002 to the present, the United States has conducted dozens of targeted killing operations in Yemen.¹ The first credibly reported strike in Yemen post-9/11 was in November 2002, when an unmanned CIA drone fired at a car, killing all of its six passengers, including an American citizen.² The next known strike, and the first under the Obama Administration, was on December 17, 2009, when a U.S. cruise missile struck the village of al-Majalah in southern Yemen, killing 41 members of two families, half of whom were children, ages 1 to 15.³ Since then, U.S. operations in Yemen have increased each year through 2012,⁴ alongside a reported expansion of operations from “personality strikes” against identified individuals suspects to “signature strikes,” long used in Pakistan, against unknown individuals on the basis of patterns of suspicious behavior.⁵ While official data about casualties is not publicly available, credible sources report that hundreds have been killed so far.⁶

¹ The Bureau of Investigative Journalism reports 44-54 confirmed U.S. drone strikes, 77-95 possible additional US drone strikes, and 12-76 other covert U.S. operations in Yemen from 2002 to 2013. Bureau of Investigative Journalism, *U.S. Covert Action in Yemen*, <http://www.thebureauinvestigates.com/2013/01/03/yemen-reported-us-covert-actions-2013/>. The Long War Journal reports 67 U.S. airstrikes since 2002. The Long War Journal, *Charting the Data for U.S. air strikes in Yemen, 2002-2013*, <http://www.longwarjournal.org/multimedia/Yemen/code/Yemen-strike.php>. The New America Foundation reports 65 U.S. drone strikes since 2002. New America Foundation, *Obama's Covert War in Yemen*, <http://yemendrones.newamerica.net/>.

² See Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions, Philip Alston, Study on Targeted Killings, ¶ 19, UN Doc. A/HRC/14/24/Add.6, May 28, 2010.

³ See Press Release, Amnesty International, Yemen: Images of Missile and Cluster Munitions Point to US Role in Fatal Attack (June 7, 2010), <http://bit.ly/ySbSkt>; The Bureau of Investigative Journalism, Yemen: reported covert US actions 2001-2011 (reporting the December 17, 2009 strike and listing victims' ages).

⁴ See Bureau of Investigative Journalism, *U.S. Covert Action in Yemen*; The Long War Journal, *Charting the Data for U.S. air strikes in Yemen, 2002-2013*, <http://www.longwarjournal.org/multimedia/Yemen/code/Yemen-strike.php>.

⁵ Greg Miller, *CIA seeks new authority to expand Yemen drone campaign*, Washington Post, Apr. 18, 2012, http://articles.washingtonpost.com/2012-04-18/world/35453346_1_signature-strikes-drone-strike-drone-program; Jo Becker and Scott Shane, *Secret Kill List Proves a Test of Obama's Principles and Will*, New York Times, May 29, 2012, <http://www.nytimes.com/2012/05/29/world/obamas-leadership-in-war-on-al-qaeda.html?pagewanted=all>.

⁶ The Bureau of Investigative Journalism reports 233-333 killed by confirmed U.S. drone strikes, 277-443 killed by possible additional US drone strikes, and 146-366 killed by other covert U.S. operations in Yemen from 2002 to 2013. Bureau of Investigative Journalism, *U.S. Covert Action in Yemen*, <http://www.thebureauinvestigates.com/2013/01/03/yemen-reported-us-covert-actions-2013/>. The Long War Journal reports 411 killed by U.S. airstrikes since 2002. The Long War Journal, *Charting the Data for*

The Administration asserts that it is engaged in a global armed conflict with Al Qaeda, the Taliban and associated forces, and that it may target suspects who are part of these groups under the 2001 Authorization for the Use of Military Force, the laws of war, and the international law of self-defense. But whether all U.S. targeted killing operations in Yemen since 2009 can be justified as such depends on objective legal and factual criteria.⁷ Beyond asserting armed conflict and self-defense theories, the administration has not explained how it believes these theories legally support its operations in Yemen.

For operations that are not justified by an armed conflict rationale,⁸ domestic and U.S. international human rights obligations, including under the International Covenant on Civil and Political Rights, provide the appropriate framework for the use of lethal force, under which killing in the absence of due process is strictly prohibited except as a last resort to address a specific and imminent threat, and measures are required to protect bystanders from harm. For those operations that may be within an armed conflict, the laws of war still provide constraints on the use of lethal force. In the context of armed conflict involving non-state armed groups, the fundamental law of war requirement of distinction prohibits killing civilians who are not directly participating in hostilities. The requirement of proportionality requires all feasible measures to protect bystanders, which includes refraining from conducting operations in civilian locations.

Whichever the legal framework, there must be meaningful transparency and accountability for operations that violate the law. In his confirmation hearing before the Senate Intelligence Committee, John Brennan acknowledged that the United States should acknowledge its mistakes with respect to these operations. Indeed, the Administration should investigate alleged violations and provide redress to victims where appropriate. It should also cease opposing ex post judicial review of claims alleging violations.

Incidents of civilian harm

The accounts below are provided by HOOD and Alkrama, and are based on their field research in Yemen in 2012 and 2013. The accounts describe a sampling of five strikes that were reportedly conducted or supported by the United States, some of which resulted in some of the highest civilian death tolls in recent years:

U.S. air strikes in Yemen, 2002-2013, <http://www.longwarjournal.org/multimedia/Yemen/code/Yemen-strike.php>. The New America Foundation reports a minimum of approximately 400 killed by U.S. drone strikes since 2002. New America Foundation, *Obama's Covert War in Yemen*, <http://yemendrones.newamerica.net/>.

⁷ For a fuller discussion of the legal issues, see April 11, 2013 Letter to President Obama, Re: Shared Concerns Regarding U.S. Drone Strikes and Targeted Killings, which was submitted by CCR and other organizations to the Committee for consideration in connection with this hearing.

⁸ Self-defense under the UN Charter does not concern the legality of the use of lethal force against an individual target; it has only to do with the question whether the use of force in a receiving state violates its sovereignty.

- On May 15, 2012, at least two airstrikes in quick succession killed at least 14 people in a residential area of the town of Ja'ar in the southern governorate of Abyan,⁹ reducing an entire block to rubble.¹⁰ Local witnesses suspected U.S. drones.¹¹ The first strike slammed into a residential house, and was followed by a second strike that killed at least 13 passers-by who had gathered in front of the destroyed house, including a pregnant woman who died from flying shrapnel.¹² The civilian death toll was the highest attributed to airstrikes in nearly a year.¹³ The day after the strikes, the Red Cross expressed “extreme concern” about the increasing number of civilian casualties in Ja'ar and allegations of airstrikes in civilian locations.”¹⁴
- On August 29, 2012, U.S. drone strikes killed five people in a residential area in the village of Khashamir in the northeast governorate of Hadramout, including at least two civilian bystanders. One was a cleric, a father of seven, who opposed extremism and had in fact given a speech denouncing Al Qaeda days before he was killed; the other was his cousin, a police officer.¹⁵ Their deaths provoked anger and large demonstrations in the local community.
- On September 2, 2012, U.S. missiles fired on a truck carrying 14 passengers, killing 11 and injuring three,¹⁶ in the Walad Rabi' district in the central governorate of Al-Bayda'. The dead included three children ages 12 and 13. The Yemeni government initially claimed that those killed were Al Qaeda militants and that its jets had carried out the attack. But tribal leaders and Yemeni officials would later say that it was an American assault and that all the victims were civilians who lived in a village near Rada'a in central Yemen. In response to questions about

⁹ Bureau of Investigative Journalism, *Yemen: reported covert U.S. action 2012*, <http://www.thebureauinvestigates.com/2012/05/08/yemen-reported-us-covert-action-2012/>; Amnesty International, *Conflict in Yemen: Abyan's Darkest Hour*, at 35-36, July 2012, <http://www.amnesty.org/en/library/asset/MDE31/010/2012/en/5c85d728-a9ab-4693-afe9-edec2b8670e/mde310102012en.pdf>.

¹⁰ Kelly McEvers, *Yemen Airstrikes Punish Militants, and Civilians*, National Public Radio, July 6, 2012, <http://www.npr.org/2012/07/06/156367047/yemen-airstrikes-punish-militants-and-civilians>.

¹¹ See, e.g., Hakim Almasari, *Two suspected U.S. drone strikes reported in Yemen*, CNN, May 15, 2012, http://edition.cnn.com/2012/05/15/world/middleeast/yemen-violence/index.html?hpt=imi_c2; Bill Roggio, *U.S. drone strikes kill 7 AQAP fighters, 8 civilians in Yemen*, The Long War Journal, http://www.longwarjournal.org/archives/2012/05/us_drone_strikes_kil_2.php; New America Foundation, *Obama's Covert War in Yemen*.

¹² Amnesty International, *Conflict in Yemen: Abyan's Darkest Hour*, at 35.

¹³ Bureau of Investigative Journalism, *Yemen: reported covert U.S. action 2012*.

¹⁴ ICRC, *Yemen: scores of civilian casualties in intense fighting in Abyan*, News Release 106/12, May 15, 2012, <http://www.icrc.org/eng/resources/documents/news-release/2012/yemen-news-2012-05-16.htm>.

¹⁵ Robert Worth et al., *Drone Strikes' Risks to Get Rare Moment in the Public Eye*, New York Times, Feb. 5, 2013, http://www.nytimes.com/2013/02/06/world/middleeast/with-brennan-pick-a-light-on-drone-strikes-hazards.html?pagewanted=all&_r=1&.

¹⁶ Sudarsan Raghavan, *When U.S. drones kill civilians, Yemen's government tries to conceal it*, Washington Post, Dec. 24, 2012, http://www.washingtonpost.com/world/middle_east/when-us-drones-kill-civilians-yemens-government-tries-to-conceal-it/2012/12/24/bd4d7ac2-486d-11e2-8af9-9b50cb4605a7_print.html.

the operation, anonymous U.S. officials in Washington said the strikes had been carried out by Defense Department aircraft, either a drone or a warplane.¹⁷

- On December 24, 2012, a strike in the town of Al-Shihr in the Hadramout province killed at least four people whose identities were not disclosed. A “security official” said the missiles came from “an American drone.”¹⁸ While an unattributed statement posted on an Ansar al-Mujahideen website later named two fighters among the dead, the Long War Journal reported that their roles were not known and that they were “most likely low-level fighters ... who are battling the local government.”¹⁹ Children were playing soccer in a nearby field, and at least one suffered long-lasting shock.
- On January 23, 2013, a strike on a car outside of the capital of Sana’a killed its four passengers. Yemeni Ministry of Defense officials reported that the attack was by a U.S. drone.²⁰ While news reports described the dead as “militants,” at least one was a local schoolteacher.

May 15, 2012, Ja’ar

There have been a number of dead and wounded in Ja’ar and the surrounding area, including women and children, from aircraft and artillery attacks. The largest attack occurred on May 15, 2012, when an airstrike targeted a family home in the middle of the city. The owner, Nour Muhammad Abdullah al-Arshani, age 33, was killed in an initial strike. Many residents had come to help in the rescue operations when the aircraft reappeared a few minutes later and fired a number of rockets at the people. At least 14 people were killed and dozens of others were wounded.

Abdullah Salih Hussein, age 45, father of Muhammad Hussein, one of the dead, stated: “After the first strike, I went with others to aid the wounded. My son Muhammad also came to help the victims. Only a few minutes passed when a second strike fired at the group. Many people were killed, including Muhammad. I was close to him, but I was not harmed. I heard one of them calling me, saying, ‘Come, take your son Muhammad.’ I went closer and saw a number of people die at that moment. I saw their remains scattered on the ground. My son Muhammad was hit with shrapnel in the neck and stomach; he died instantly.”

¹⁷ *Id.*

¹⁸ AFP, *Drone strikes kill 6 Qaeda suspects in Yemen*, Dec. 24, 2012, http://www.google.com/hostednews/afp/article/ALeqM5h_Q1B21VpazmTwsc6fStC7v4hH_g?docId=CNG.d5fe4faf34391046ead8ee4c3523a099.661; see also, Reuters, *Two drone strikes kill five in Yemen – officials*, Dec. 24, 2012,

http://www.swissinfo.ch/eng/news/international/Two_drone_strikes_kill_five_in_Yemen_-_officials.html?cid=34593414.

¹⁹ Bill Roggio, *Jihadist identifies 2 AQAP fighters killed in recent drone strike*, The Long War Journal, Dec. 27, 2012, http://www.longwarjournal.org/archives/2012/12/jihadist_identifies.php.

²⁰ See, e.g., Hakim Almasmari, *Drone strike kills six suspected militants in Yemen*, CNN, Jan. 24, 2013, <http://edition.cnn.com/2013/01/23/world/meast/yemen-drone-strike/>.

Another surviving witness, Muhammad Salih Abdullah al-Amri, age 65, a taxi driver, stated: “I was working on my car when I heard the sound of an explosion. I saw smoke rising, so I hurried to the area in my car. I asked the people in the area what happened and they said that a strike had targeted the al-Ashrani house. My house is adjacent to the al-Ashrani house. I came and found that my house had been destroyed. Three members of my family had been in the house. One of them was injured, while the other two were not hurt. I took all of them and moved them to the house of one of my relatives in the city. I returned after a few minutes to the location. The aircraft returned to bomb the people who had gathered to aid the wounded from the first strike. Rockets fell a few meters away from me. I was in my car and saw that it was on fire. I quickly got out of the car and saw a number of people in front of me lying on the ground. They were burning without any clothes. I saw at least seven or eight of them die at that moment.”

Among those wounded in the strikes was Nour Awad Haydara al-Hawla, age 60, who suffered a sudden stroke from the shock of the explosions near her home.

The residents of this area say that death could come at any moment. They have stopped documenting the names of victims. Death has become the norm, as if those who die are not human but insects. Imagine the government granting blood relatives of victims ten thousand riyals (50 dollars) compensation. The people have lost all confidence in the authorities because the regime is corrupt, whether the former or current one. The majority of victims of the air attacks have been civilians, while the dead “al-Qaeda” have been few. The people here say that the Yemeni planes only kill civilians, while Saudi and American aircraft appear to be more accurate at targeting. This isn’t to praise the American aircraft. The truth is that this has become a test range for the use of various weapons.

As a journalist and college teacher from the region, Ahmed Mahdi Salim al-Awlaki, age 42, observed: “Abyan Governorate, especially the cities of Zinjibar and Ja’ar experienced a painful tragedy. We live with death and the smell of death; it has become our friend and companion. It walks with us and covers our sitting rooms.”

August 29, 2012, Khashamir

The Hadramout province in southern Yemen, which is known as a peaceful and law-abiding region, was the scene of many American drone attacks during 2012. Local residents see the attacks as a display of power and a provocation of the feelings of helpless, weak people. During visits to many of the regions in the province that had experienced American drone attacks, residents expressed strong resentment toward these provocative acts of aggression, for which they found no justification, and to which they had never before been accustomed.

On August 29, 2012, four loud explosions rocked the village of Khashamir around 9:30 p.m. At least four missiles struck five people, scattering their corpses. The missiles fell successively at a distance of about ten or fifteen meters from occupied residential

buildings, near pedestrian paths. The explosions caused the windows of the surrounding houses to break and the walls of the houses to crack. The shrapnel of the missiles flew for several meters, striking and killing some pedestrians. A number of women and children suffered shock and were rushed to hospitals.

The Yemeni Ministry of Defense announced the killing of three “terrorists” without giving their identities, but did not mention the deaths of the two other victims, who had no connection at all to Al Qaeda. The two were Salim bin Ahmad bin Salim bin Ali Jabir, age 50, and his cousin, Walid Abdullah Abdul-Mahmoud bin Ali Jabir, age 26. Salim was the father of seven children, a preacher at a local mosque, and a teacher. He was working on his doctorate at the University of Hadramout. Walid had a two and half year old son and worked as an officer with the traffic police.

The locals in Khashamir still talk about Salim and his resistance to extremist ideas. Days before his death, he had given a speech in which he warned of the danger of accusing others of being infidels and shedding blood. His message aroused the resentment of some Al Qaeda sympathizers, who asked to discuss the matter with him. The day he was killed, he had agreed to speak to them. He took his cousin Walid for protection. As they were talking at the entrance of the village, American drones rained missiles down on them.

Salim’s mother died a month and half after the incident, still in shock from the explosions and grief over her son. Salim’s oldest son Muhammad, age 19, is mute but spoke in sign language about the grief he has felt since losing his father.

A state of anger prevailed throughout the region after the strikes, expressed in large demonstrations condemning the strikes. We saw written slogans on the walls at the entrances of the city: “No to American bombings,” and “No to American occupation.”

Several witnesses provided testimonials. Ahmad bin Salim Salih bin Ali Jabir, age 77, Salim’s father, stated: “I was sitting in the courtyard of the house with Salim’s mother, and suddenly we saw a missile light up the sky. It exploded there near the house. I got up to see where the missile had fallen, and when I returned I found Salim’s mother on the ground. She had fainted from the shock of the explosions that followed the falling of the successive missiles, which shook the location very hard. They came from more than one direction, the first, second, third, and fourth missiles.

“... I dragged Salim’s mother inside the house. I then went outside to see what had happened. I found families and people gathered at the site of the incident, wrapping up body parts of people from the ground, from here and there, putting them in grave clothes like lamb. One of them came to me and took my hand and said: ‘Where is your son Salim?’ I told him that Salim had gone to visit his friend the day before in the village nearby, and that he would return here the next day, and then go to Al-Makalla to perform a teaching assignment. But the friend he had gone to stay with, Sayf, was there at the site. Sayf came and took me by the hand, murmuring, ‘Praise God. Praise God, father of Salim.’ As soon as he said, ‘Praise God,’ it was as if I awoke and became aware of

something I was not expecting to happen. Salim left behind seven children. No one came to stand by me for what happened to me, neither from the government nor anyone else.”

The brother of Walid Abdullah Abdul Mahmoud bin Ali Jabir stated: “The name of Walid’s two and half year old son was Saud, but the family changed his name to the name of his father. The boy now lives with his mother. Their situation is very difficult and they are in continuous grief. I ask God to help the son. Whenever he hears the sound of an airplane, he screams and yells, ‘The plane, the plane, the plane, my father, my father, I want my father.’ By God, he makes us cry every day.”

Dr. Abdullah Jabir, age 40, a relative of one of the victims and a community leader, stated: “Four missiles struck the region after evening prayers. There are remains of the fourth missile, which exploded near the home of one of the townspeople. The missiles melted iron.

“... People were scared. The region was in a state of fear and terror. The women and children were screaming loudly because of the severity of the explosion. Some windows were broken and houses were cracked. Some rooms fell down, because the buildings here are old, and most of them are made of clay. Even the mosque was damaged.

“... Sheikh Salim bin Ahmad bin Salim bin Ali Jabir was one of the civilian martyrs. He was the imam and preacher of the Al-Mutadarrarin mosque in Al-Makalla. He was an educator who worked as a teacher and was working on his doctorate at the University of Hadramout. He was a man known for his peacefulness, enlightenment, and balance. In addition to that, the people of Hadramout as a whole hate acts of violence. They are known for their peacefulness. They know right from wrong. Leaders of society, religious men, and scholars are in every part of Hadramout, and they expend great efforts to make the youth aware of the dangers of extremism and violence. They work towards a solution to disagreements and other problems that occur in our country. My friend Walid Abdullah Abdul Mahmoud bin Ali Jabir worked as an officer with the traffic police. He was a peaceful young man, and he was the father of one child. He was respected and honored by his family and friends. He was killed for no wrong of his.

“... Even if we were to grant the assumption that those people were truly wanted men, there needs to be respect for the women, children and old men, and the rest of the inhabitants of the region. This kind of behavior reflects a picture of America. It is she that terrifies those who are living in safety, and violates the rights of the innocent and kills defenseless civilians, without trial or investigation. We condemn, denounce, and decry this unfair assault. We ask for people to support us, stand with us, and help us regain our rights, our honor, and the honor of our whole region from this injustice, these infractions, these violations of sovereignty, and this invasion of territory.”

Muhammad Nasir bin Ahmad bin Ali Jabir, age 28, a relative of one of the victims, stated: “The catastrophe that shook this peaceful village is a tragedy according to any international standards. These planes send terror into the hearts of people and

spread blood in this region, whose people are known for peace, security, stability, and tranquility. Just hearing the sounds of these planes sends terror, fright and dismay into the souls of people. A person leaves his house in the morning and he looks right and left, not knowing from where a blow might come that would be his end. This psychological state is unbearable for people to live in. This by itself causes terror.

“... My message to the world, which calls for freedoms and respect of human rights: The people who live in this country are part of this world and are asking for a minimum level of human rights. The site of these strikes cannot resemble what the world is demanding and what America claims as far as achieving safety, justice, stability, and freedom for people. The message I send from here is to help and support the families of the victims.”

September 2, 2012, Walad Rabi'

For more than a year, a state of terror and fear has fallen over the Walad Rabi' district in the Al-Bayda' governate because of drones, which hover over the region. On September 2, 2012, a strike targeted a car carrying 14 civilians, including women and children on their way back to their villages at midday. Eleven were killed immediately, including three children ages 12 and 13, and three were injured.

One of those killed was Mabruk Muqbil Al-Daqari, age 13. His father said on the day of his burial: “Everyone loved Mabruk, but the one who loved him most was his grandfather, whom we have not dared to inform of his death until now.” Another victim, Dawlat Nasir, age 12, died with her father and mother as they were returning from a visit to a doctor in the city. At the morgue, her small body was wrapped in cloth, but her hands were open and stretched out. When we asked why, we were told that she was hugging her mother when the missile exploded, and died hugging her mother. They were separated, but her arms were still stretched out.

With great difficulty we were able to enter the national hospital in Sana'a on September 4 to see the dead and injured and receive testimonies. Their bodies had been burned in various areas. The swelling and purulence were visible, especially on the face and limbs. They had difficulty seeing.

They spoke to us quickly and with difficulty: “We were returning from the city after work. We saw two planes coming close to us. One of them got very close and fired a missile and we flew from the car. Some were still alive, and wanted to flee, but the plane fired another missile to kill those who were not yet dead from the first. The flame and the gases surrounded us from all sides and our bodies were burned.” One of the surviving victims continued: “The plane came very close to us, which enabled them with all certainty to see us and confirm to them that we were civilians and that we had children and women with us.” Another added: “Why did they do this to us? Why do Americans want to kill us? Are we not people like they are?”

Because of the lack of adequate medical care for their conditions, they were transferred to Egypt for treatment. Several days after the transfer, one of the injured,

Muhammad Abduh Jarallah, died from his wounds. The rest returned to Yemen because they ran out of funds and were unable to pursue the treatment they needed.

At a meeting of the families of the victims organized by HOOD and Alkarama, the families said that American drones have been hovering above their region night and day for a year, causing terror and fear among residents. On September 12, Hood asked the prosecutor to investigate the strikes. To date, the prosecutor has declined to open any investigation.

December 24, 2012, Al-Shihr

Drone attacks in the city of Al-Shihr in the province of Hadramout in December 2012 are still the subject of significant discussion by residents. The effects of the attacks are still evident in the life of the people.

At 6:30 p.m. on December 24, 2012, there were three consecutive violent explosions, shaking areas of the city of Al-Shihr. Several Hellfire missiles fired from drones struck a public soccer field in the middle of the city, killing at least four people. The identities of some of the victims are unknown, since the missiles eviscerated their bodies.

On the other side of the field, there was a group of children playing soccer. One of them, Hamzah Hussayn bin Dahman, age 16, suffered a severe psychological shock during the attack. Hamzah's father, Hussayn Sa'id bin Abdullah bin Dahman, said: When he returned home, Hamzah was shaking with fear. He spoke with difficulty and said he saw people dismembered and bleeding, and then he fainted.

Since the strike Hamzah has not been the same physically or mentally. His father has traveled abroad, to Egypt and Jordan, to seek medical tests and consultations. He said: "I had no other choice but to travel abroad to treat my son. I sold everything I had to restore my child's health so he could return to school. My wife sold her jewelry and we borrowed huge amounts of money. What happened to my son was the result of the American attack, and I demand both the American government and the Yemeni government to help with my son's treatment. Now we live in a state of fear and worry for our lives, and fear any complications or permanent disability, and I fear as well that the mother will suffer from complications out of fear for her son. Until now, the family has not been offered aid of any kind."

January 23, 2013, outside of Sana'a

On January 23, 2013, an American drone fired missiles at a car traveling between the Jihanah and Sanhan districts in the Sana'a province. The strike killed all of its four passengers.

The driver of the car, Salim Hussayn Ahmad Jamil, age 20, was accompanied by one of his relatives, Ali Ali Salih Al-Qawili, age 33, who worked as a teacher in the

Khalid bin Al-Walid school in the region of Qawil. The two were driving when two other men, whose identities they did not know, stopped and asked if they could pay for a ride to a nearby region. The drone attack occurred along the way.

The Ministry of the Interior confirmed that Ali Ali Salih Al-Qawili was one of the dead and had been a schoolteacher. Al-Qawili's brother gave HOOD the attendance slip that confirmed his brother's presence at the school continuously, and particularly on the day of the attack. He had signed in and out of school on the day he died.

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The foregoing accounts are just some of the stories of those impacted most by U.S. targeted killing operations in Yemen. The submitting organizations hope that these accounts will inform the Subcommittee's inquiry into the legality, morality and wisdom of the Administration's current positions and program.