

# CIA Drone Strikes in Pakistan: History, Perception and Future

**A CRSS Publication**

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Editors: Imtiaz Gul and Zeeshan Salahuddin



**Center for  
Research &  
Security  
Studies**

*Rule of Law - Security - Governance*

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## About Author

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## Table of Contents

EXECUTIVE SUMMARY .....	8
1.0. Introduction .....	9
2.0. What initiated CIA drone campaign in Pakistan? .....	12
3.0. Are drones legal and effective? .....	17
4.0. How do Pakistanis perceive drones? .....	22
5.0. Perception Survey in FATA .....	24
5.1. Demographics .....	24
5.2. Survey Findings .....	24
6.0. What next?.....	25
7.0. Conclusion.....	29
Annex.....	31
References .....	41



## EXECUTIVE SUMMARY

This report is a part of CRSS's special publication series that focuses on perception and impact of drone strikes on security and counter-terrorism in Pakistan. The report discusses the background of the Central Intelligence Agency (CIA)-operated US drone strikes in Pakistan's Federally Administered Tribal Areas (FATA), along with how the success of the first strike and the confusion surrounding it gave the US an unmanned option to target alleged terror heads in the region.

Since the first strike in 2004 which targeted Taliban leader Nek Muhammad Wazir, the US has conducted over 400 strikes in various areas of FATA. These strikes on the one hand have resulted in the elimination of high profile targets, while on the other, have contributed to civilian casualties. There are conflicting opinions and sentiments on the issue both abroad and in Pakistan, with arguments that such strikes have led to a spike in extremism and terrorism in FATA. The primary survey conducted in this report suggests that drones remain a complex issue with competing narratives. There are also a significant number of respondents from FATA who believe that drones not only eliminate terrorists, but are also the least of three evils: military operations, Taliban and drones.

Finally, the report recommends that if the government of Pakistan has a tacit drone deal with the US government and believes drones are effective in FATA, it needs to formulate an effective and clear narrative in order to give clarity.



## 1.0. Introduction

The 9/11 attacks that resulted in the US government invading Afghanistan, also pulled neighbouring Pakistan in to the Global War on Terror (GWOT). The then President Pervaiz Musharraf's decision to side with US in the GWOT has so far resulted in over 60,000 casualties in the country to date.<sup>1</sup> For the first three years of this war, the US forces were engaged exclusively in Afghanistan. This changed in 2004, when a drone strike targeted Nek Muhammad Wazir – a local Taliban commander and Afghan Jihad fighter - in South Waziristan agency of the Federally Administered Tribal Areas (FATA) in Pakistan, laying down the foundation for the drone program.

The drone program was carried out by the Central Investigation Agency (CIA) in both Afghanistan and FATA in Pakistan. Peter Bergen, US security expert, has called these strikes one of the 'worst kept secrets', especially because of their frequent occurrence and high secrecy.<sup>3</sup> This secrecy, coupled with the violation of Pakistan's territorial sovereignty, has inspired national and global domestic debates surrounding their efficacy, legality and legitimacy. "Drones are the most discriminating use of force that has ever been developed," says Richard Pildes, a professor of constitutional law at New York University's School of Law. "The key principles of the laws of war are necessity, distinction and proportionality in the use of force. Drone attacks and targeted killings serve these principles better than any use of force that can be imagined".<sup>2</sup>

Advocates of drone strikes also argue that predator drones have had the highest success in rooting out terrorist leaders in the Afghanistan-Pakistan (Af-Pak) region.<sup>4</sup> This argument stands in cases where influential militant heads and top leadership of major groups was eliminated. These include 50+ leaders belonging to Al Qaeda, Taliban and Tehrik-e-Taliban Pakistan (TTP), such as Nek Muhammad Wazir,

Abu Haitham al Yemeni, Abu Hamza al Rabia, Baitullah Mehsud, Hakimullah Mehsud, and Akhtar Mansur.<sup>5</sup>

On the other hand, those who oppose these strikes, both in terms of their legality and effectiveness, argue that such operations not only undermine Pakistan's sovereignty but also feed the extremist narratives.<sup>6</sup> On the legal front, it is also argued that drone strikes in Pakistan have violated the United Nations (UN) Charter, whereas others believe that because of Pakistan's tacit agreement with the United States on drones, the UN charter and international law becomes void in FATA.<sup>7</sup>

The drone strikes, which started during the Bush administration, saw a marked increase during Obama's administration. In the final years of Obama, there was a decline in these strikes, with his administration's attention shifting to the Middle East and growing threat of the Islamic state (IS). This, it was argued, was seen as an apparent end of the US drone campaign in FATA. However, with a total of six strikes under Trump's administration<sup>8</sup> – the most recent on October 16, 2017, days after the rescue of a US-Canadian couple in FATA – suggests that drones remain an integral part of the US counter-terrorism policy in the region.

Pakistanis fear that if drones saw a substantial spike during Obama's era, it could get worse under Trump's volatile presidency. Additionally, the CIA has also asked for more authority on conducting drone strikes in the region, a proposal favoured by the White House. These developments suggest that drone strikes, even with a decline in frequency, are here to stay for as long as the US forces are based in Afghanistan.

The current regional relevance for drones and the US military complex can be observed in India where US Defense Secretary James Mattis, on his recent visit, put fighter jet and drone deals on his agenda.<sup>9</sup> If these strikes persist, they will affect both the Pakistani army operations and

narrative-building in FATA, and negatively affect all counter-terrorism efforts. This report aims to determine the public perception on drones in Pakistan, specifically in FATA, and discuss measures the state needs to take to address them.

## Methodology

This report is based on a descriptive methodology where both primary and secondary sources of data were collected. The secondary data consists of online and literature sources, along with two major online databases of the New America Foundation (NAF), and the Bureau of Investigative Journalism (BIJ).<sup>1</sup> The primary data for this report was collected through a survey conducted among the residents (displaced or otherwise) of FATA. The questionnaire consisted of closed ended questions. Due to restricted access, purposive questionnaires were also sent to FATA residents currently based in the Khyber Pakhtunkhwa (KP) province.

Respondents were selected through random and snowball sampling, and a total of 132 responses were received. Eighty-seven responses were collected online, whereas forty-five responses were collected from on field surveys in FATA and KP. Some of these responses came from Internally Displaced Persons (IDPs) from camps in Peshawar. In order to ensure the privacy of respondents, the survey was anonymous in nature. For respondents who were unable to read and understand English, Urdu questionnaires were used, and their responses were translated into English. Online questionnaires were also used, using snowballing and convenience sampling, in order to maximise the number of responses.

Comparing and analysing the secondary data against the primary helped in understanding the validity and relevance of the secondary research.

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<sup>2</sup> There exists a discrepancy in figures of both these databases, yet due to nature and focus on this research, the figures would be presented as they are, with limited discussion.

Also, this report covers drone strikes between June 2004 and October 2017, as a cut-off date is necessary due to the dynamic nature of drone strikes developments. Finally, due to the heterogeneity of responses in terms of tribal agencies, the sample size of 132 could not be regarded as a representative sample for the whole FATA region.

## **2.0. What initiated CIA drone campaign in Pakistan?**

The dramatic decline in drone strikes led to an assumption that the US drone operations might end once Obama left office, especially since all US focus had diverted to the Middle East region. But the drone strikes conducted under the Trump administration suggest that drones are still an active part of US counter terror policy under the new administration.<sup>10</sup> Thus, it is important to analyse the background of drone strikes in Pakistan.

On September 14, 2001, three days after the 9/11 attacks, the US Senate passed the Authorization for Use of Military Force (AUMF) to authorize President George W. Bush to use discretionary powers to go after the terrorists responsible for the 9/11 attacks and launch Operation Enduring Freedom (OEF).<sup>11</sup> The AUMF also triggered the Bush administration to deploy Predator drones in Afghanistan's newly started GWOT. On November 18, 2001, a drone spotted a number of individuals gathering in a three-story building in Kabul. The drone, with assistance from a F-18 Hornet jet, fired missiles on the compound killing Abu Hafs Al Masri, also known as Muhammad Atef (Al Qaeda's third in command and Bin Laden's close aide).<sup>12</sup> This success cemented Washington's position on using drones, and the drone strikes became a regular occurrence.

In 2002, Al Qaeda released a video of Osama alongside Zawahiri in FATA.<sup>13</sup> In March 2004 the Pakistan Army learned that the local Taliban might be protecting Zawahiri alongside other Al Qaeda militants in FATA. This resulted in the first full scale military operation in FATA.<sup>14</sup> The

operation, launched in haste and on foreign pressure, did not go as planned with the army incurring heavy losses, losing nearly one hundred soldiers. A peace dialogue ensued with the local Taliban and tribal elders in FATA. The local Taliban deputed former Afghan war fighter (and local tribesman) Nek Muhammad Wazir as their intermediary to negotiate with the Pakistan Army. After a series of talks, the famous Shakai Accord was signed in April, stipulating that the army would halt military operations on the condition that the local tribesmen would not only withdraw their support for militants but also ask them to leave Pakistani territory.<sup>15</sup>

This deal, with a terrorist group and leader, was seen as a major reason for the US to extend its drone operations to Pakistan. On June 19<sup>th</sup> 2004, it was reported that Wazir had been taken out in a Pakistani military operation. His death not only sparked outrage in FATA, but also forced the militants to both suspend the accord, and abandon any sort of peace talks with the state. The military had also argued that the local Taliban had violated the Shakai accord, attacking Pakistani forces, and thus the accord was already dead in practice. Additionally, questions were raised as to why the military would eliminate a terrorist with whom they had already signed a peace accord. Therefore, soon after the strike, a local witness revealed that Wazir was killed in a drone strike, making it the first known drone strike on Pakistani soil.<sup>16</sup>

The apparent success of this strike and the formulation of a *signature protocol* – targeting individuals based on their observed behaviour or ‘signature’ - drone strikes were initiated in Pakistan’s tribal areas. Additionally, FATA’s reputation as a sanctuary for Jihadists exacerbated the issue, and thus the region became a major flashpoint of US counter terror efforts. Other factors, such as treacherous terrain, and mixed results of the army operations, led the US to believe that drones were the best possible course of action for counter-terrorism in FATA.<sup>17</sup>

The fourteen year US/CIA drone campaign has garnered mixed results and responses. On the one hand, innocent civilians have been killed, sparking outrage. On the other hand, it is argued that elimination of major terror targets justifies drone usage (a detailed chronological list of major eliminated targets can be found in [Annex2](#)).<sup>18</sup>



**Hakimullah Mehsud – Tehrik-e-Taliban Pakistan (TTP) Head  
killed in a drone strike**

Source: Umar Farook [militant] Media/Facebook

Both the US and the Pakistani government, along with different human rights groups, have presented contrasting and conflicting drone casualty figures.<sup>19</sup> This report has analysed figures from the NAF and the BIJ. According to BIJ, the total number of drone strikes in Pakistan is at 429, whereas the NAF<sup>20</sup> puts this figure at 406.<sup>21</sup> President Bush conducted a total strikes of 51 strikes, and they rose dramatically during Obama era with 373 strikes (BIJ).

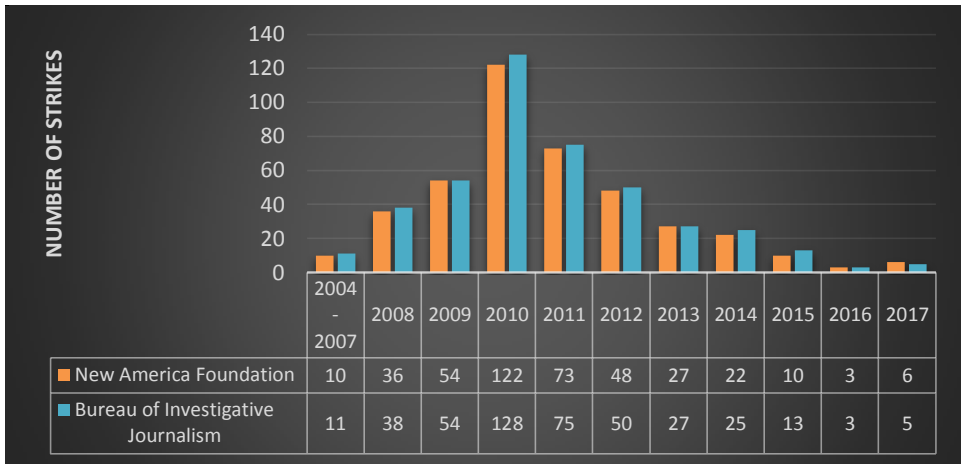


Illustration 1: Total number of drone strikes in Pakistan (as of October 31)

In terms of civilian deaths, as shown in [illustration 2](#), there is also a discrepancy in the numbers of the BIJ and NAF, as NAF divides the victims into terrorists, civilians and unknown.

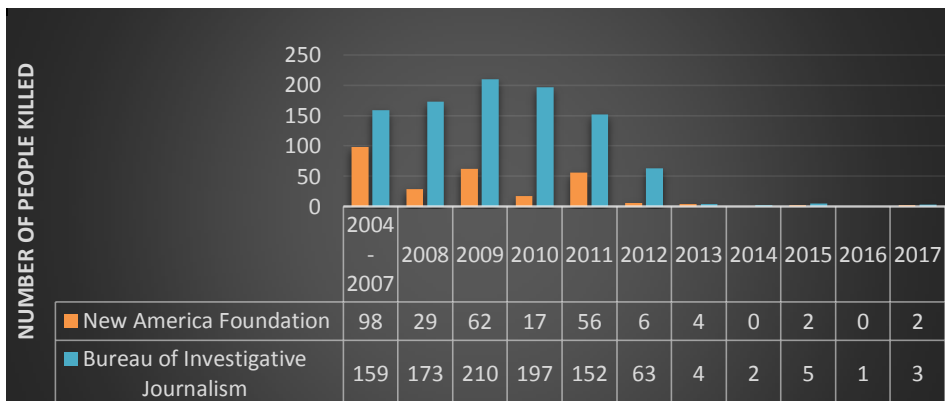
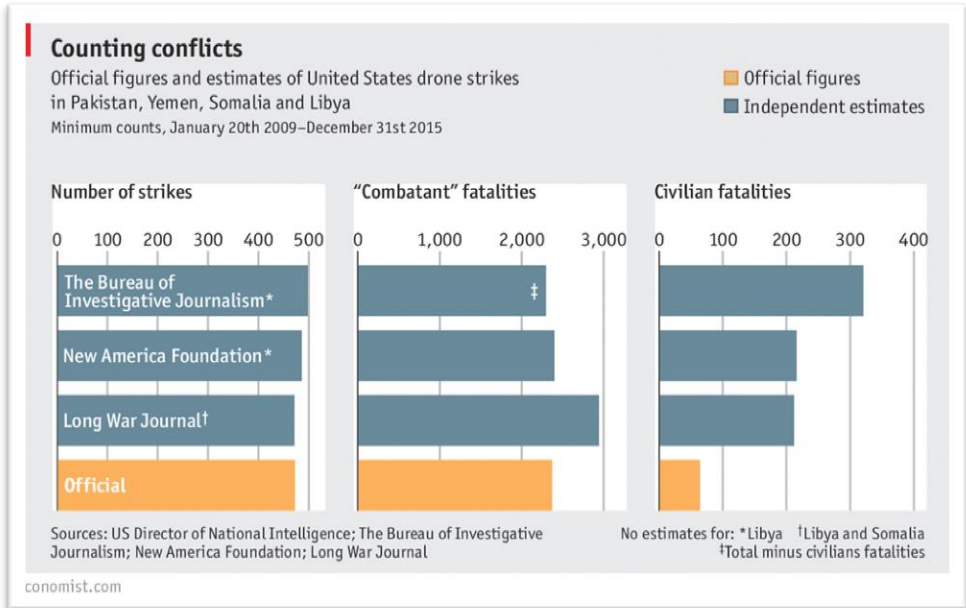


Illustration 2: Number of civilian deaths (as of October 31)<sup>2</sup>

<sup>2</sup> The BIJ uses a range of minimum and maximum casualties, with this chart mentioning the maximum numbers reported by the BIJ.



Source: The Economist<sup>24</sup>

The NAF database is predominantly focused on the militant casualties and how drones strikes have affected the operations of these militant organizations. The BIJ database focuses only on highlighting the number of casualties, primarily civilians. The discrepancy in drone casualty numbers was also observed when a statement submitted by the Pakistani Ministry of Defence in 2013 to the Senate reported that no civilian casualties took place in drone strikes since 2012.<sup>22</sup> This official claim was contradicted in the aforementioned databases, both of which report four civilian casualties in 2013. On the other hand, the report also claimed that only 67 civilians were killed between 2008 and October 2013 in US drone strikes<sup>23</sup>, whereas both databases report a far higher number. This discrepancy between official and independent figures was also discussed in The Economist (figure below), where it is argued that even the number of civilian casualty estimates provided by the White House are far lower



than independent sources.

These discrepancies, coupled with biased reporting, varying definitions of ‘militants’ and other factors also play a major role in the underestimation of figures and a mixed narrative around drone strikes. Understandably, the outrage surrounding drone strikes will be amplified if the civilian casualty count is in the hundreds, as reported by the independent sources.

### **3.0. Are drones legal and effective?**

Understandably, the use of drones has birthed debates on legality, legitimacy, and effectiveness. The US cites the AUMF for conducting counter-terror drone operations on foreign soil.<sup>25</sup> The AUMF gives blanket authority to the president to hunt down terrorists in Afghanistan, and elsewhere.<sup>26</sup> The following passage in the AUMF reflects on the nature of authority afforded to the President of the United States.

*That the President is authorized to use all necessary and appropriate force against those nations, organizations or persons he determines planned, authorized, committed or aided the terrorist attacks that occurred on Sept. 11, 2001, or harboured such organizations or persons, in order to prevent any future acts of international terrorism against the U.S. by such nations, organizations or persons.*<sup>27</sup>

Additionally, the AUMF was supplemented by the National Defense Authorization Act of 2012, asking the US president to take all possible measures to go after terrorists both home and abroad.<sup>28</sup> While responding to two anti-drone reports in 2013, the US State Department maintained that all its drone operations were legal.<sup>29</sup> In terms of United Nations charter, section 4 of Article 2 prohibits any member from using force against another member, unless either the Security Council allows

such an action or the host country agrees on a foreign intervention or help.<sup>30</sup> Strictly within this framework, the US drone strikes are illegal by international law.

However, Pakistan's ex-president Musharraf has publically acknowledged permitting 'a few' drone strikes in the past.<sup>31,32</sup> Musharraf's admission fulfills the conditions under the UN charter, and thus makes Pakistan's litigation options against the US drone strikes very limited. This was also confirmed by a US Pentagon spokesman, who told VOA news that "The CIA typically oversees drone strikes in Pakistan, but the agency does not confirm them under a long-standing arrangement with Pakistan". Additionally, the presence of a drone base in Pakistan in the past also hints towards a mutual Pak-US consent on drones.<sup>33</sup>

On the other hand, Article 51 of the UN charter, the local nature of AUMF, and lack of formal consent by the state of Pakistan, render drone operations illegal. Protests and condemnation of drone strikes from the foreign office and successive governments in power suggest that any agreement was null and void post-Musharraf. In 2013, the Peshawar High Court also heard a case on drones' legality and deemed the strikes illegal, violating the country's sovereignty<sup>34</sup>. The court also noted that as long as there is no written consent document, there is no ground for the US to conduct these strikes in the tribal areas.

Mary Ellen O'Connell, Professor of Law at the University of Notre Dame Law School, argues against the legality of drones as follows:

*Under international law they may be used in situations of armed conflict hostilities, which means the actual fighting of an armed conflict as defined under international law — limited geographical spaces where organized armed groups are engaged in actual fighting of some intensity [...] For another intentional killing in Yemen of a U.S. citizen in September 2011, the Obama administration tried to argue a drone attack was*

*permitted under the international law of self-defense. That law has five stringent conditions. None were met in the case of the killing of Anwar Al-Awlaki.*<sup>35</sup>

Additionally, the clandestine nature of strikes makes it hard to justify them under the self-defence doctrine using the UN Charter's Article 51.<sup>36</sup> Also, according to legal experts, three conditions that make drones illegal are: 1) they operate in a situation where there is no established armed conflict, 2) the attacks violate the international humanitarian principle, and 3) they violate the principle of proportionality.<sup>37</sup> One of the major points arguing against the legality of drones is that it bypasses the right to a fair trial for as the accused is deemed guilty and summarily executed. This especially applies to the so-called 'signature' strikes where a certain look or attire is used a barometer to hit an unknown target.<sup>38</sup> In this case, those who operate in, or oversee, drone operations are playing judge, jury and executioner. The legal debate on drone strikes is thus provided a dilemma, not only for the policy makers but also for international humanitarian organizations.

The arguments on drone effectiveness are also polarized. Drone strikes in FATA have resulted in the elimination of top militant heads (see [annex 2](#)), such as Baitullah and Hakimullah Mehsud. In their defense, former White House Chief of Staff Leon Panetta argued in 2009 that the drones were the only means to kill terrorists in tricky terrain, such as the tribal areas.<sup>39</sup> Additionally, General Patreus had similar arguments claiming that drones caused minimal collateral damage compared to other options in the GWOT.<sup>40</sup>

In terms of local perceptions and effectiveness, a young student from Waziristan agency, in 2013, told the author that they preferred drones over Pakistani military operations due to the former's precision and lower collateral damage.<sup>41</sup> A journalist, while interviewing anonymous members of a militant organization in FATA, confirmed that drone strikes forced

them to avoid social events and gatherings.<sup>42</sup> Peter Bergen – renowned US security expert and author argues that drones are “a dream come” true for Pakistani politicians, as they are an effective option to put pressure on Taliban and Al Qaeda leaders.<sup>43</sup> Thus, advocates of drones make four arguments: 1) they cause minimum collateral damage, 2) are efficient in taking out high value targets, 3) build pressure on terrorists, and 4) improve the cost-benefit ratio<sup>44</sup>. On the other hand, drones have also caused significant civilian casualties<sup>45</sup>. President Obama, in 2013, said: “It is a hard fact that U.S. strikes have resulted in civilian casualties... these deaths will haunt us”.<sup>46</sup> The 2006 Chenagai drone attack in Bajaur is one such example, which killed more than 60 innocent children, among the 80 total casualties.<sup>47</sup> It also failed to kill its intended target, Aymen Al-Zwahiri. This only fanned the flames of the anti-American sentiment in FATA (and Pakistan), in addition to providing justification to the militant narrative.<sup>48</sup> This sentiment thereon helped the militant groups recruit youngsters as well as relatives of the affected families.<sup>49</sup>

One such example was Faisal Shahzad, the Times Square bomber, who said his motivation stemmed from the innocent lives that were lost in US drone strikes.<sup>50</sup> David Kilcullen – US counterinsurgency expert – along with Andrew McDonald Exum, in 2009, arguing against drone strikes and innocent casualties, wrote: “...every one of these dead non-combatants represents an alienated family, a new desire for revenge, and more recruits for a militant movement that has grown exponentially even as drone strikes have increased”.<sup>51</sup> A Guardian article published in 2014, using drone statistics argued that it took, on average, three attempts to hit or eliminate a target, hence killing more innocent people than intended targets.<sup>52</sup>

A militant organizer was quoted saying that the drone strikes, resultant loss of life, and widespread coverage on media, made it easier to recruit young fighters.<sup>53</sup> Experts argue that even if the drones help in achieving the short term objectives of the US, they undermine the legitimacy of the

Pakistani government in the long run.<sup>54</sup> In terms of everyday life and human psychology, drones, for a long time, had created fear among the residents of FATA. Children and their parents were fearful that both their homes as well as schools could be targeted by drones at any time.<sup>55</sup> A mother in FATA shared her fear: “Because of the terror, we shut our eyes, hide under our scarves, and put our hands over our ears.”<sup>56</sup> A labourer, on the other hand, said: “I can't sleep at night because when the drones are there... I hear them making that sound, that noise. The drones are all over my brain, I can't sleep. When I hear the drones making that drone sound, I just turn on the light and sit there looking at the light. Whenever the drones are hovering over us, it just makes me so scared.”<sup>57</sup>



*Sadaullah Khan, a man from Pakistan's North Waziristan tribal region, who lost both legs and one eye in a 2009 drone strike on his house. Source: Reuters*

The aim of this section, presenting both sides of the arguments on legality and effectiveness, was to establish why the narrative and perception on drones is polarized. Questions of legality remain because Pakistan has

never presented a written consent agreement. Lack of any formal protest from Pakistan following the recent September and October drone strikes also weakens Pakistan's case internationally.

#### **4.0. How do Pakistanis perceive drones?**

The contrast continues in how drones are perceived in Pakistan. It is argued that their negative perception is rooted in anti-Americanism.<sup>58</sup> In a 2012 PEW survey, 74% of Pakistanis perceived the US as an enemy.<sup>59</sup> In a 2013 PEW survey, more than 65% of Pakistanis opposed drone strikes,<sup>60</sup> and increased to 67% in 2014.<sup>61</sup> Aliya Robin Deri, in her paper on reactions to drone strikes in US and Pakistan, argued that the drones were adding to the already negative perception of US among Pakistanis, which could have serious repercussions for US interests in the region.<sup>62</sup> The decline in civilian casualty rate (down to 3% over the years) did little to assuage negative public perception.<sup>63</sup> Pakistan's political landscape and condemnation by political leaders has also added to fuel to the fire.<sup>64</sup>

The state, under multiple regimes, publically condemned strikes, generating a negative discourse on drones. However, there is evidence that they approved the strikes in private and acknowledged their role towards eliminating terrorists.<sup>65</sup> In a leaked WikiLeaks cable, it was revealed that former Prime Minister Yousaf Raza Gillani of the Pakistan People's Party around 2009/2010 stated that he did not care that drone strikes were happening as long as they were targeting the right people.<sup>66</sup> The government publically rejected the notion that drones might have flown from inside Pakistan, despite an embarrassing article in The Times, showing satellite imagery of a drone base in Balochistan.<sup>67</sup>

A 2012 study concluded that the framing of drones in a negative manner by the national media played a major role in creating an anti-drone perception and narrative.<sup>68</sup> A study conducted by US academic Christine Fair and Ali Hamza argued that due to lack of awareness among majority

of Pakistanis regarding the drone strikes, much of their opinions or perceptions on drones are framed by the Pakistani media, which already carries a negative bias on drones.<sup>69</sup> Additionally, journalist Taha Siddiqui believes that most of the anti-drone narrative that came out of FATA in the past was controlled by the Taliban. The population, fearing for their lives, gave an unfavourable narrative and perception to the mainstream media and surveying groups.<sup>70</sup> Analyst Zeeshan Salahuddin believes that “the true debate is not the legality of the drone strikes, but what the Pakistani state is legally and constitutionally allowed to do (and perhaps supposed to do) on behalf of its citizens.”<sup>71</sup>

On the other hand, a survey conducted by Community Motivation and Appraisal Programme (CAMP) – a non-profit organization based in Islamabad - in FATA suggested that only 6% of the respondents believed that drones were ‘sometimes, or always’ justified, with the majority opposed to strikes.<sup>72</sup> Shahzad Akbar, while writing on drones, also believes that a return to drone warfare under Trump would make the situation worse in tribal areas. He argues: “If Trump sends his drones back to Pakistan, he will be condemning thousands to daily terror and hundreds to death, without even knowing their names. The people of Pakistan should not be used as bargaining chips in a diplomatic game against Islamabad being played in the West Wing.”<sup>73</sup>

On the other hand, Nizam Dawar, chairman of an independent development organization, in 2013 stated: “The locals in Waziristan, where most of the drone strikes happen, actually see them as the only thing saving them from the terrorists since the government has not been taking any action against the elements operating there.”<sup>74</sup> Aqil Shah, a Pakistani academic based in the US, while conducting a survey among 147 respondents, argued against the hypothesis that drone strikes created a blowback effect and fuelled militancy.<sup>75</sup>

## 5.0. Perception Survey in FATA

### 5.1. Demographics

Out of 132, 76 respondents (57%) were between 18-29 years old, 33 (25%) were 30-39, 15 (>11%) were 49-59, 6 (5%) were 50-59, and 2 (>1%) were over 60 years old. Therefore, the opinions expressed in this survey were predominantly youth-oriented. Approximately 10% of the respondents were females. This disparity was due to the conservative nature of the tribal areas, coupled with a lower number of female students from the region.

Geographically, due to its less volatile political situation and close proximity with Peshawar, the majority of the respondents belonged to Khyber Agency. Almost half of the respondents mentioned that even though they belonged to FATA, they were now settled or based in Peshawar (a descriptive representation of demographic figures can be found in [annex 1.1. Demographics](#)).

### 5.2. Survey Findings

In addition to gauging public perception on drone strikes, the survey enquired about sources of news and information, along with major issues faced in the tribal areas, sentiments about the US drone strikes in general, the perceived reasons for the US to conduct these strikes, and options for conflict resolution and counter-terrorism in FATA.

Figure 1 (see annex 1.2) suggests that the majority (65%) use print and electronic media for consumption of information on developments in FATA. Regarding major issues faced by FATA, 34% claimed it was terrorism, while only 1% said it was drone strikes. A significant number of respondents also believed that Frontier Crimes Regulation (FCR),<sup>76</sup> lack of education, and unemployment were other major issues faced by FATA residents.



The vast majority of the respondents (69%) were against the US drone strikes, as seen in Figure 3, while 26% supported them. Those opposing drone strikes believed that these strikes resulted in higher civilian casualties and violated Pakistan's sovereignty. Those supporting these strikes cited lower collateral damage and efficacy as their reasons.

39% of the respondents believed that the US was conducting these strikes to try and destabilize Pakistan, while 21% believed they were used solely for killing terrorists. More than half of the respondents (figure 5) believed that civilians suffered more casualties than militants. This perception contradicts both the official and non-official figures, suggesting the respondents' opinion was not shaped by the national narrative. 59% of the respondents believed that Pakistan had a tacit agreement with the US to conduct drone strikes. A majority (56%) believed that *Jirgas* – indigenous tribal councils – could aid in conflict resolution in Pakistan's tribal areas, 16% believed that military operations were an appropriate option in this regard, whereas only 8% opted for US drone strikes.

## 6.0. What next?

It is commonly argued by researchers working on the issue that the media in Pakistan has shaped the narrative around drones.<sup>77,78</sup> Also, as witnessed in the survey findings, a significant number of respondents believed that the US was carrying out drone strikes to destabilize Pakistan – another notion widely discussed in Pakistani media. In a similar vein, former Interior Minister Chaudhary Nisar famously criticized the US soon after a drone strike killed Hakeemullah Mehsud, accusing Washington of denting the peace process, as at that time the government was pursuing peace talks.<sup>79</sup> Such statements given by a prominent politician and minister, thus, help in propagating an anti-drone and anti-US narrative among the general public through the national media. Also, with a majority of the respondents using print/electronic media for

information consumption, their perceptions on such issues are predominantly shaped by these mediums.

With regards to major issues faced by FATA, the CAMP report (discussed in the preceding section) on FATA argued that a majority of tribal Pashtuns did not consider drones as a major issue in FATA. This was reflected in this survey with only 1% of the respondents citing drones as a major issue.<sup>80</sup> The survey also suggested that there still exists a wide-ranging anti-American sentiment in FATA. Respondents believe the US drone strikes not only kill innocent civilians, but are also an attack on Islam. Various studies and surveys, conducted over the years, also suggest that Pakistanis, especially those in FATA, consider US as an enemy of Pakistan and Islam.<sup>81</sup>

From a legal perspective the debate surrounding the ever increasing deployment of drones in counter-terror operations by the CIA remains and controversial. The element of justice is missing from this equation and the country where targets are located is never informed of these strikes. Back in 2010, in his report on targeted killings, the United Nations special rapporteur on extrajudicial, summary or arbitrary executions, Philip Iston, too had acknowledged that drone strikes may be lawful in the limited context of armed conflict, but strongly criticized the use of such killings “far from the battle zone”, and the lack of transparency and accountability in these operations.<sup>82</sup>

Alston questioned the use of CIA-operated drones, because the US does not disclose, stating “When the CIA is authorized to kill, how it ensures killings are legal, and what follow-up there is when civilians are illegally killed.” Alston said that “Intelligence agencies, which by definition are determined to remain unaccountable except to their own paymasters, have no place in running programs that kill people in other countries.” By implication, deaths in drone-led CT operations amount to extrajudicial killings, and very much a contravention of the internationally

acknowledged due process of law. But ironically, this modern weapon is meanwhile also projected as “the preferred choice of both the security establishment and of soldiers’ mothers.”

Making a case against the drones as a violation of international law at an international counter-terrorism conference at Geneva in February 2015, Jean-Francois Fehino, director at the International Institute for Peace, Justice and Human Rights, said drones have invaded our skies and homes and it will probably remain so. “Drones are cost-effective and risk-free for those launching them and they are also the preferred weapons for “soldier’s moms” because for action against enemy, the soldier doesn’t have to risk his life on ground,” Fehino argued. The fight against terrorism is taking new shapes, but fundamental principles of democracy, due process of law and human rights are being compromised.

Ben Emmerson, Alston’s successor, looked at the issue from the same perspective. “The plain fact is that this technology is here to stay, and its use in theatres of conflict is a reality with which the world must contend. 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 requirements of international law”,<sup>83</sup> Emmerson had said while launching an investigation into the implications of drones back in 2013. He recommended that the UN Human Rights Council take effective steps, by means of an appropriate resolution aimed at:

*Urging all States to ensure that any measures taken to counter terrorism, including the use of remotely piloted aircraft, comply with their obligations under international law, including international humanitarian law and international human rights law, in particular the principles of precaution, distinction and proportionality.*

*Urging all States to ensure that, in any case in which there is a plausible indication from any apparently*

*reliable source that civilians have been killed or injured in a counter-terrorism operation, including through the use of remotely piloted aircraft, the relevant authorities conduct a prompt, independent and impartial fact-finding inquiry, and provide a detailed public explanation.*

*Urging all States that use remotely piloted aircraft for lethal counter-terrorism operations, and all States on whose territory such operations occur, to clarify their position on the legal and factual issues raised in the present report and the Special Rapporteur's interim report to the General Assembly (A/68/389); to declassify, to the maximum extent possible, information relevant to lethal extraterritorial counter-terrorism operations; to make public the results of all fact-finding investigations into alleged civilian casualties resulting from such operations; and to release their own data on the level of civilian casualties inflicted through the use of remotely piloted aircraft, together with information on the evaluation methodology used.<sup>84</sup>*

In Pakistan's context, the debate on drones and their fallout had gathered greater traction much earlier; a petition filed with the Peshawar High Court in 2012 had resonated sentiment, quoting the instance of drone strikes in North Waziristan, a border region with Afghanistan, where it said only 47 of 896 civilians killed until December 2012 were foreigners (approximately five percent). In its March 11, 2013 ruling, the Peshawar High Court had said that:

*The drone strikes, carried out in the tribal areas (FATA) particularly North and South Waziristan by the CIA and US Authorities, are blatant violation of Basic Human Rights and*

*are against the UN Charter, the UN General Assembly Resolution, adopted unanimously, the provision of Geneva Conventions thus, it is held to be a War Crime, cognizable by the International Court of Justice or Special Tribunal for War Crimes, constituted or to be constituted by the UNO for this purpose... [T]he US Government is bound to compensate all the victims' families at the assessed rate of compensation in kind of US dollars.<sup>85</sup>*

As of 2017, the drone campaign has waned, ostensibly also because most of the Al-Qaeda central leaders have either been eliminated from the Af-Pak border regions or have left the region. There is little doubt though, as Emerson pointed out, that the pilotless aircraft armed with hellfire or other lethal missiles do stand out as the latest cost-effective and smart weapon with ever more countries vying for it. Drones are beyond doubt the weapons of the future. Because of the presence of non-state actors such as Al-Qaeda or IS, countries such as Pakistan, Afghanistan, Yemen or Somalia remain [exposed to arbitrary deployment of this weapon. As and when the US CIA smells an Al-Qaeda target in these territories, drones will hunt them. In all likelihood, the CIA and NATO drone operators would take on the suspects themselves instead of asking the host country for prior permission.

## **7.0. Conclusion**

The aforementioned discussion on drone strikes and public narratives suggest that there are still a number of policy shortcomings in both Pakistan and the US. The government's demonstrably reduced response does not change the fact that drones present a counterterrorism and narrative building dilemma for the state. Pakistan has to consider the following policy options while dealing with drone strikes in the future:

- If the government has engaged in tacit agreements with the US,

this should be made public, and the government should make the case for why it has deemed fit to have its own citizens executed without right to trial,

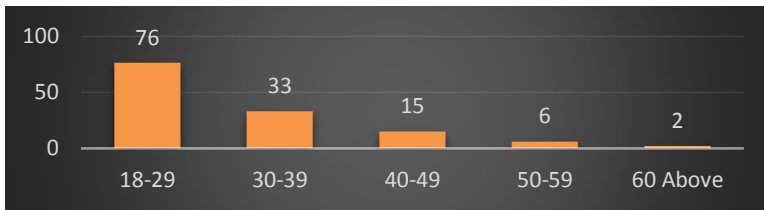
- If Islamabad believes drone strikes are necessary to eliminate terrorists from FATA, the state should increase intelligence cooperation with the US in order to minimize civilian casualties, and
- If the US is conducting these strikes unilaterally, Pakistan needs to leverage international legal bodies and influence the US to cease immediately.

Also, countries affected by drone strikes – taking cue from the US/CIA – could launch similar attacks to hunt down their enemies hiding next door. The situation therefore calls for an internationally recognized legal mechanism which can obligate drone operators to bring out details of their strikes and place primary stakeholders for the sake of transparency. The international legal framework should also enforce a compensation mechanism for civilian victims as per the findings of this independent multi-lateral tribunal or committee. Victim countries such as Pakistan or Yemen should also push for international oversight and investigation. They can diplomatically engage with all 'friendly countries' to politically and morally pressurize the US for optimal compliance with the international humanitarian law principles contained in Geneva Conventions.

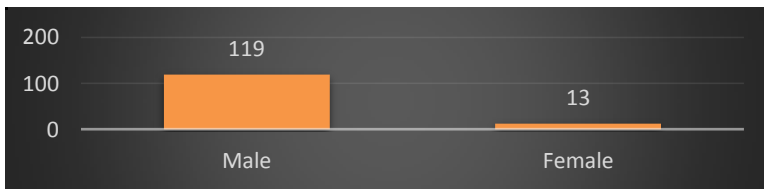
## Annex

### Annex 1: Demographics and Figures

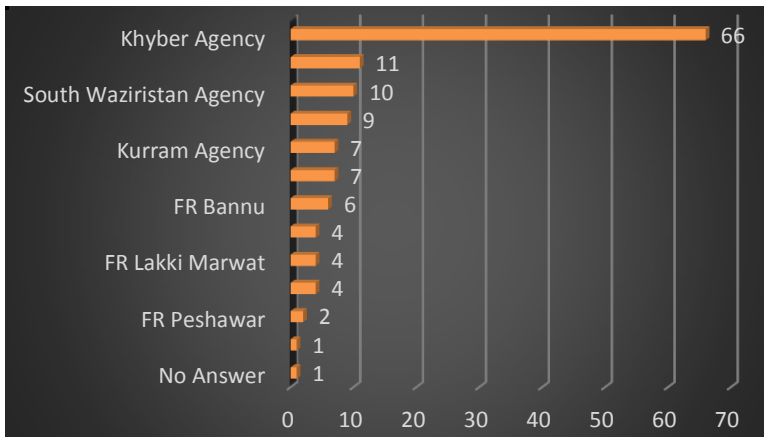
#### 1.1 Demographics Age



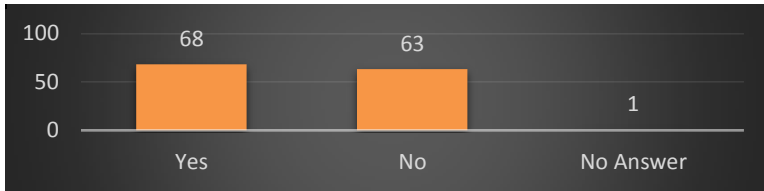
#### Gender



#### Tribal Agency of Origin



## Current Location



## 1.2 Figures

Figure 1: Source of Information/News on situation in FATA

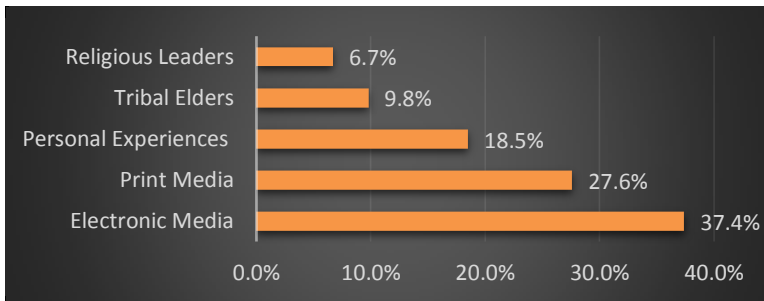


Figure 2: Major issues in FATA

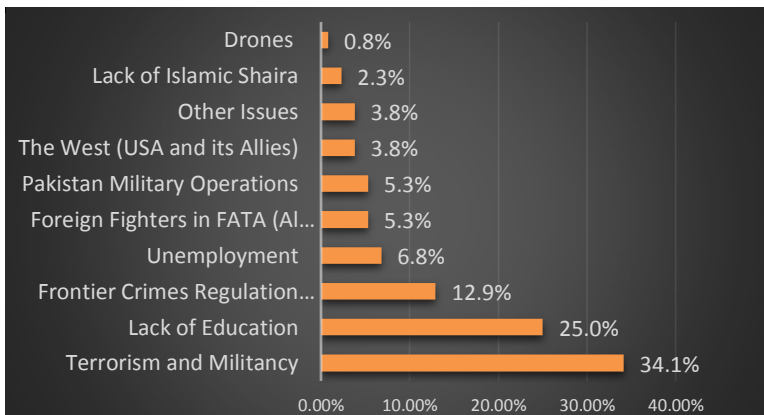




Figure 3: Do you support US Drone Strikes in FATA?

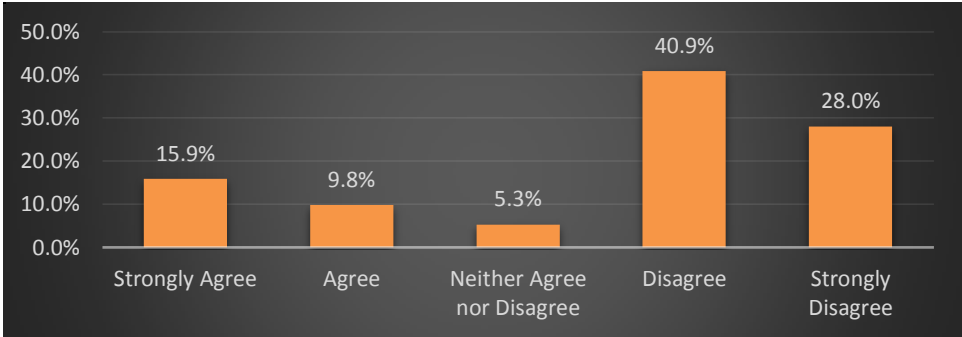


Figure 3A: If yes, what are the reasons for your support?

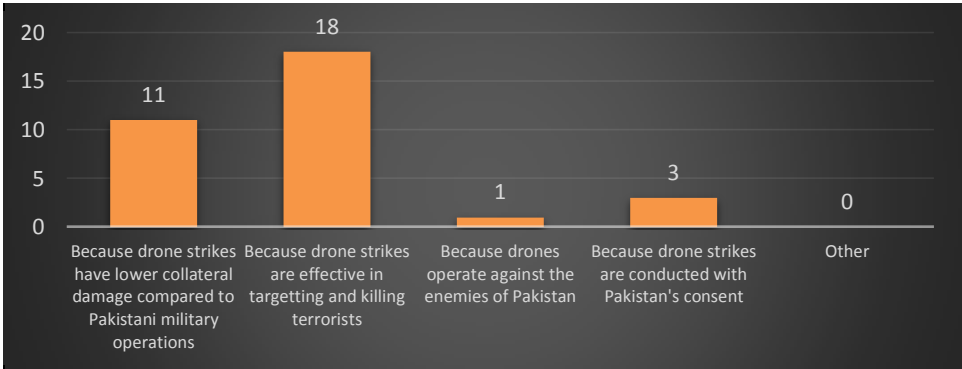


Figure 3B: If no, what are the reasons for your opposition?

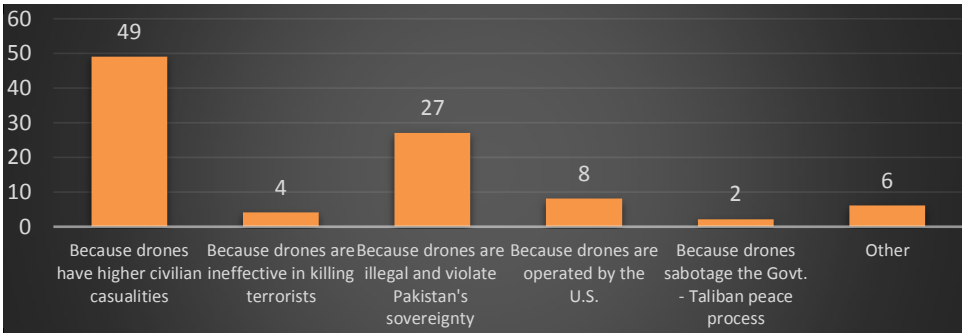


Figure 4: Why do you think the US conducts Drone Strikes in Pakistan?

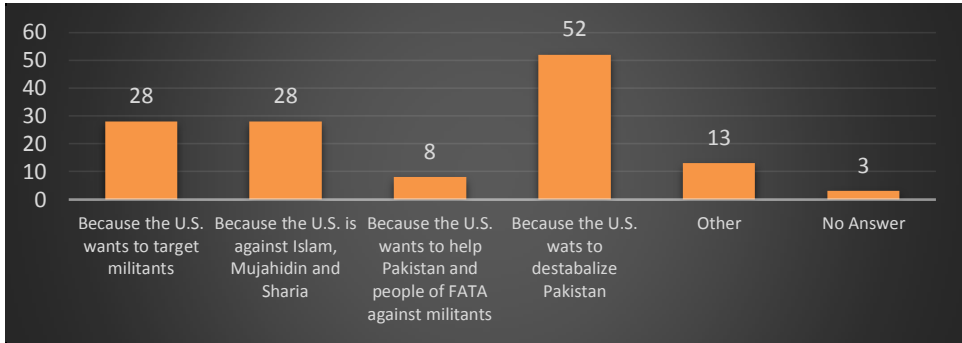


Figure 5: Who suffers more casualties?

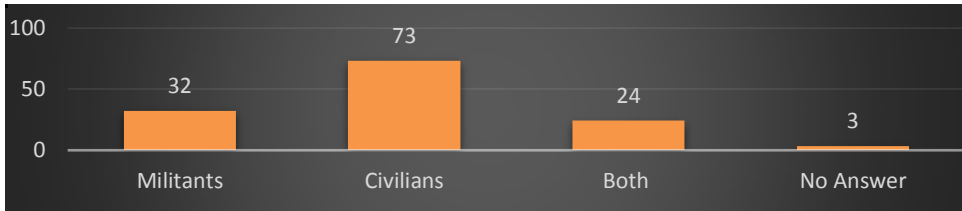


Figure 6: Do you think Pakistan has a tacit deal on drone strikes with the US?

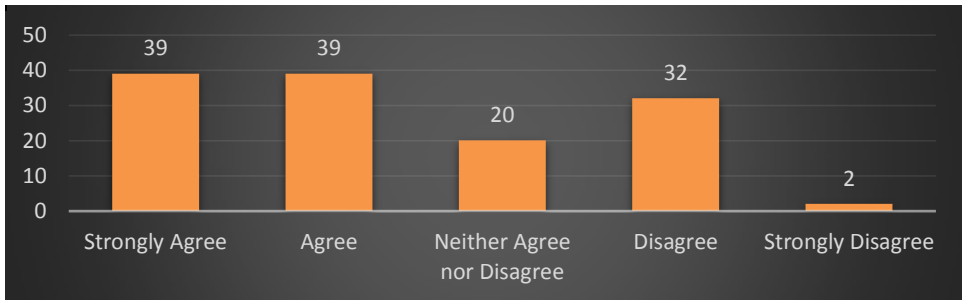
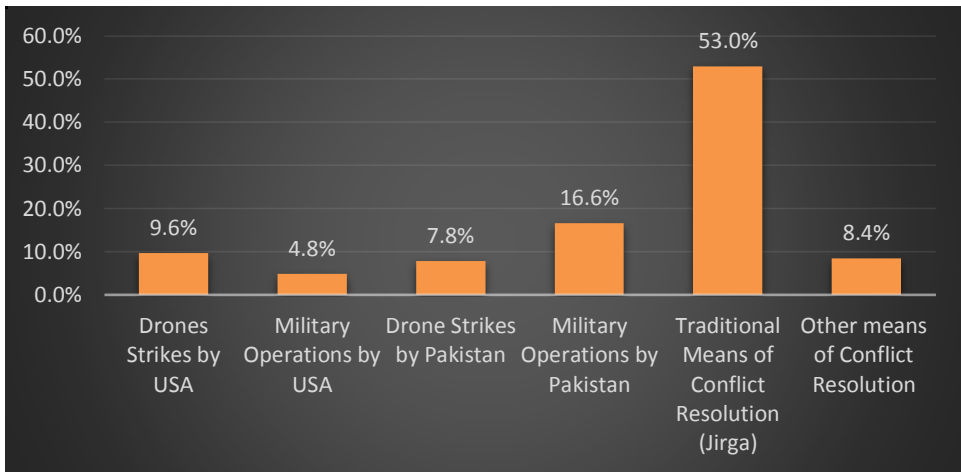


Figure 7: Which forms of counter terrorism strategies would you support in FATA?



Annex 2: Major targets in drone strikes since 2004<sup>3</sup>

	Date	Target	Affiliation	Area
1	July 03, 2017	<b>Pir Agha</b>	ISIS commander	Marghalan, South Waziristan
2	June 12, 2017	<b>Identified as Abubakar Haqqani</b>	Haqqani network	Hangu district, Khyber Punkhtunkhwa
3	March 02, 2017	<b>Qari Abdullah Subari</b>	Senior Taliban commander	Sara Khwa, Kurram Agency
4	May 21, 2016	<b>Mullah Akhtar Mansour</b>	Emir, Taliban	Dahl Bandin, Balochistan
5	January 09, 2016	<b>Maulana Noor Saeed</b>	Commander, Pakistani Taliban	Mangrooti, North Waziristan
6	January 15, 2015	<b>Ahmed Farouq</b>	Deputy Chief, Al Qaeda in the Indian Sub-Continent - also an American	Tehsil Ladha, South Waziristan
7	December 06, 2014	<b>Umar Farooq</b>	Commander, Al Qaeda in the Indian Sub-Continent	Datta Khel, North Waziristan
8	October 30, 2014	<b>Abdullah Haqqani</b>	Commander, Haqqani Network	Wana, South Waziristan
9	October 11, 2014	<b>Muhammad Mustafa</b>	Commander, Pakistani Taliban	Shawal, Tehsil North Waziristan
10	October 11, 2014	<b>Sheikh Imran Ali Siddiqi</b>	Senior Member, Al Qaeda in the Indian Sub-Continent	Tirah Valley, Khyber
11	July 10, 2014	<b>Fayez Awda al Khalidi, Taj al Makki &amp; Abu Abdurahman al Kuwaiti</b>	Al Qaeda	Datta Khel, North Waziristan

12	November 01, 2013	<b>Hakimullah Mehsud, Abdullah Bahar 13Mehsud, and Tariq Mehsud</b>	Hakimullah Mehsud was the leader of the Pakistani Taliban. The other two were key advisers and commanders to him.	Dande Darpa Khel, Miran Shah North Waziristan
13	September 06, 2013	<b>Mullah Sangeen Zadran</b>	Commander, Haqqani Network	Dargah Mandi, Ghulam Khan North Waziristan
14	May 29, 2013	<b>Waliur Rehman and Fakhiri-Alam</b>	Pakistani Taliban	Miranshah, North Waziristan
15	January 06, 2013	<b>Wali Muhammed AKA Toofan</b>	Head of Suicide Wing, Pakistani Taliban	Babar Ghar, South Waziristan
16	January 03, 2013	<b>Faisal Khan</b>	Commander, Pakistani Taliban	Between Miran Shah and Mir Ali, North Waziristan
17	January 02, 2013	<b>Maulvi Nazir, Atta Ullah, Rafey Khan</b>	Maluvi Nazir was the leader of a Taliban faction while Atta Ullah and Rafey Khan were his deputies.	Angoor Adda, South Waziristan
18	December 01, 2012	<b>Abdul Rahman Yamani</b>	Senior leader, al Qaeda	Sheen Warsak, South Waziristan
19	September 24, 2012	<b>Saleh Al-Turki and Abu Kasha Al-Iraq</b>	Al Qaeda	Datta Khel, North Waziristan
20	June 04, 2012	<b>Yahya al-Libi</b>	Deputy Leader, al Qaeda	Hassokhel, North Waziristan
21	March 13, 2012	<b>Amir Hamza Toji Khel and Shamsulah</b>	Nazir Faction of the Pakistani Taliban	Tehsil Bermal, North Waziristan
22	February 09, 2012	<b>Badar Mansoor</b>	Pakistani Taliban with links to al Qaeda	Miranshah, North Waziristan
23	January 10, 2012	<b>Aslam Awan</b>	Al Qaeda	Miranshah, North Waziristan

24	October 27, 2011	<b>Khan Mohammad &amp; Hazrat Omar Khan</b>	Maulvi Nazir Group	Wana, South Waziristan
25	October 26, 2011	<b>Taj Gul Mehsud</b>	TTP Commander	Bobar, North Waziristan
26	October 13, 2011	<b>Janbaz Zadran also known as Jalil Haqqani</b>	Haqqani Network	Darpa Khel, North Wazirista
27	September 11, 2011	<b>Abu Hafs al-Shahri</b>	Al Qaeda	Mir Ali, North Waziristan
28	August 22, 2011	<b>Atiyah Abd al-Rahman</b>	Al Qaeda	Mir Ali, North Waziristan
29	June 03, 2011	<b>Ilyas Kashmiri</b>	Harkat-ul-Jehad-e-Islami 313 Brigade, an Al Qaeda affiliate	Wana, South Waziristan
30	February 20, 2011	<b>Abu Zaid al-Iraqi</b>	Al Qaeda	Wana, South Waziristan
31	December 17, 2010	<b>Ali Marjan, Yar Azam &amp; Mehmud,</b>	Lashkar-e-Islam	Tirah, Valley Khyber
32	December 16, 2010	<b>Ibn-e-Amin</b>	TTP	Tirah, Valley Khyber
33	September 25, 2010	<b>Shaikh al-Fatah, also known as Abdul Razzak</b>	Al Qaeda	Miram, Shah North Waziristan
34	September 14, 2010	<b>Saifullah Haqqani</b>	Haqqani Network	Miranshah, North Waziristan
35	August 14, 2010	<b>Amir Moawia</b>	TTP	Miram, Shah North Waziristan
36	June 29, 2010	<b>Hamza al-Jufi</b>	Al Qaeda / Jundullah	Wana, South Waziristan
37	June 19, 2010	<b>Abu Ahmed Arkash/Abu Ahmad</b>	Al Qaeda	Miram Shah, North Waziristan
38	May 21, 2010	<b>Mustafa Abu Yazid, aka Saeed al-Masri</b>	Al Qaeda	Datta Khel, North Waziristan
39	March 08, 2010	<b>Sadam Hussein Al Hussami, also known as Ghazwan Al-Yemeni/Hussein al-Yemeni</b>	Al Qaeda	Miram Shah, North Waziristan
40	February 24, 2010	<b>Qari Mohammad Zafar</b>	Pakistani Taliban / Fedayeen-i-Islam	Miram Shah, North Waziristan

41	February 18, 2010	<b>Mohammad Haqqani</b>	Haqqani Network	Dandey Darpa Khel, near Miram Shah North Waziristan
42	February 17, 2010	<b>Shaikh Mansoor</b>	Al Qaeda	Miram Shah, North Waziristan
43	January 17, 2010	<b>Shahid ullah, Hafiz Nizamuddin Storikhel, Khawarey and Mohtaj.</b>	Taliban commanders	Nizba Village, Shaktoi region South Waziristan
44	January 09, 2010	<b>Jamal Saeed Abdul Rahim</b>	On the FBI's most wanted list for his role in the 1986 hijacking of PanAm Flight 73.	Ismael Khel in Datta Khel region, North Waziristan
45	December 31, 2009	<b>Haji Omar Khan</b>	Taliban commander	Miram Shah, North Waziristan
46	December 17, 2009	<b>Zuhaib al Zahibi</b>	Al Qaeda	Datta Khel, North Waziristan
47	December 08, 2009	<b>Saleh al-Somali</b>	Al Qaeda	Miram Shah, North Waziristan
48	October 21, 2009	<b>Abu Musa al Masri</b>	Al Qaeda	Spalaga, North Waziristan
49	September 14, 2009	<b>Najmiddin Kamolitdinovic Jalolov</b>	Al Qaaeda	Mir Ali, North Waziristan
50	August 27, 2009	<b>Taher Yuldashev</b>	Islamic Movement of Uzbekistan, Ally of Baitullah Mehsud.	Kanigram, district South Waziristan
51	August 05, 2009	<b>Baitullah Mehsud</b>	Head of TTP / One of Pakistan's most wanted men	Zangra village of Ladha, South Waziristan
52	June 23, 2009	<b>Niaz Wali Mehsud</b>	TTP	Neej Narai, outside Makeen, South Waziristan

53	April 29, 2009	<b>Abu Sulayman al-Jazairi</b>	Al Qaeda	Kaniguram, near Wana, South Waziristan
54	January 01, 2009	<b>Usama al-Kin and Sheikh Ahmed Salim Swedan</b>	Al Qaeda	Karikot, near Wana, South Waziristan
55	November 22, 2008	<b>Rashid Rauf and Abu Zubair al Masri</b>	Al Qaeda	Miram, Shah North Waziristan
56	November 19, 2008	<b>Abdullah Azzam al Saudi</b>	Al Qaeda	Jani Khel, Khyber Pakhtunkhwa
57	October 31, 2008	<b>Abu Jihad al Masri, aka Mohammad Hasan Khalil al- Hakim</b>	Al Qaeda	Mir Ali, North Waziristan
58	October 26, 2008	<b>Mohammad Omar</b>	Taliban	Wana, South Waziristan
59	October 16, 2008	<b>Khalid Habib</b>	Al Qaeda	South Waziristan
60	September 08, 2008	<b>Abu Haris</b>	Al Qaeda	Miram Shah, North Waziristan
61	September 04, 2008	<b>Abu Wafa Al Saudi</b>	Al Qaeda	Char Khel, North Waziristan
62	August 12, 2008	<b>Abdul Rehman</b>	Taliban	Wana, South Waziristan
63	July 28, 2008	<b>Abu Khabab al Masri, aka Midhat Mursi al-Sayid Umar</b>	Al Qaeda	Azam Warsak region, South Waziristan
64	May 14, 2008	<b>Abu Sulayman Jazairi</b>	Al Qaeda	Damadola, Bajaur
65	January 29, 2008	<b>Abu Laith al-Libi</b>	Al Qaeda	Mir Ali, North Waziristan
66	December 01, 2005	<b>Abu Hamza Rabia</b>	Al Qaeda	Patasi Adda, North Waziristan
67	May 08, 2005	<b>Haitham al-Yemeni</b>	Al Qaeda	Toorikhel, Mirali North Waziristan
68	June 19, 2004	<b>Nek Muhammad</b>	Commander, Taliban	Wana South Waziristan



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The logo for the Center for Research & Security Studies (CRSS) features the acronym 'CRSS' in a bold, sans-serif font. The letters are positioned horizontally across the center of a circular emblem. This emblem is composed of several concentric, overlapping curved lines that create a sense of depth and movement, resembling a stylized globe or a series of waves. The entire logo is rendered in a dark teal or blue color against a dark grey background.

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