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## New Light on CIA “Double Tap” Drone Strikes on Taliban “First Responders” in Pakistan’s Tribal Areas

by Brian Glyn Williams

### *Abstract*

*This Research Note provides the first overview of the CIA’s controversial policy of follow up drone strikes on targets previously targeted for drone strikes. While this policy has been widely criticized, it is argued here that the follow up (or double tap) strikes are aimed at Taliban who have a policy of cordoning off drone strike zones and retrieving their dead or wounded comrades; in other words: they are not targeting civilians.*

### *Introduction*

One of the most controversial practices of the CIA in its drone war on Taliban and Al Qaeda terrorists and insurgents in Pakistan’s FATA (Federally Administered Tribal Agencies) has been the so-called ‘double tap’ strike tactic. [1] This involves follow up drone attacks on those who rush to a drone strike location to save victims buried in the rubble of targeted *hujras* (guest houses) or compounds. Perhaps no aspect of the drone campaign has caused as much furor as this tactic. Christof Heyns, the United Nations Special Rapporteur on Extra-judicial Executions, captured the nature of this controversy when he stated “Allegations of repeat strikes coming back after half an hour when medical personnel are on the ground are very worrying. To target civilians would be crimes of war.” [2] UK’s *Daily Mail* reported

An authoritative joint study, by Stanford and New York Universities, concludes that men, women and children are being terrorised by the operations ‘24 hours-a-day’. And the authors lay much of the blame on the use of the ‘double-tap’ strike where a drone fires one missile – and then a second as rescuers try to drag victims from the rubble. One aid agency said they had a six-hour delay before going to the scene. The tactic has cast such a shadow of fear over strike zones that people often wait for hours before daring to visit the scene of an attack. [3]

The above-mentioned study by Stanford and New York Universities concludes that double taps by U.S. drones raise

crucial moral and legal concerns. Not only does the practice put into question the extent to which secondary strikes comply with international humanitarian law’s basic rules ... but it also potentially violates specific legal protections for medical and humanitarian personnel, and for the wounded. As international law experts have noted, intentional strikes on first responders may constitute war crimes. [4]

This report further states “secondary strikes have discouraged *average civilians* (emphasis mine, BGW) from coming to one another’s rescue, and even inhibited the provision of

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emergency medical assistance from humanitarian workers.” [5] A report by Britain’s *Independent* similarly states “Researchers said people in Waziristan – the tribal area where most of the strikes take place – are “acutely aware of reports of the practice of follow-up strikes”, and explained that the secondary strikes have “discouraged *ordinary civilians* (emphasis mine, BGW) from coming to one another’s rescue.” [6]

There has been no group more active in shedding light on this double tap strike policy than the UK-based Bureau for Investigative Journalism. In February 2012 the Bureau released a damning publication that was picked up by the British *Sunday Times*, the *New York Times*, and newspapers across the globe. The article titled “Obama terror drones: CIA tactics in Pakistan include targeting rescuers and funerals” reported that the drones had killed numerous *civilians* who were trying to help those who were previously targeted by drones. [7] A *New York Times* account of the Bureau investigation titled “US Said to Target Rescuers at Drone Sites” stated:

British and Pakistani journalists said Sunday that the C.I.A.’s drone strikes on suspected militants in Pakistan have repeatedly targeted rescuers who responded to the scene of a strike, as well as mourners at subsequent funerals. The report, by the London-based Bureau of Investigative Journalism, found that at least 50 civilians had been killed in follow-up strikes after they rushed to help those hit by a drone-fired missile. [8]

Anti-drone activist Clive Stafford-Smith, a lawyer who heads a British American charity called Reprieve, said that such strikes “are like attacking the Red Cross on the battlefield. It’s not legitimate to attack anyone who is not a combatant.” [9] Such reactions were typical among readers who doubtless envisioned the drones firing on responding paramedics and concerned civilians trying to dig fellow civilians out of the rubble of drone strike.

What most stories in the media that covered the Bureau of Investigative Journalism’s investigation did not report were the further details found on their website. This website analyzed the first “double tap strike” in depth and the report is telling. According to the Bureau’s site;

The first confirmed [drone] attack on rescuers took place in North Waziristan on May 16 2009. According to Mushtaq Yusufzai, a local journalist, Taliban militants had gathered in the village of Khaisor. After praying at the local mosque, *they were preparing to cross the nearby border into Afghanistan to launch an attack on US forces. But the US struck first.* (emphasis mine, BGW)

A CIA drone fired its missiles into the Taliban group, killing at least a dozen people. Villagers joined surviving Taliban as they tried to retrieve the dead and injured. But as rescuers clambered through the demolished house the drones struck again. Two missiles slammed into the rubble, killing many more. At least 29 people died in total. “We lost very trained and sincere friends,” a local Taliban commander told *The News*, a Pakistani newspaper. “Some of them were very senior

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Taliban commanders and had taken part in successful actions in Afghanistan. Bodies of most of them were beyond recognition.’ [10]

In other words, the civilians killed in the above drone strike were assisting Taliban militants who had been “preparing to cross the nearby border into Afghanistan to launch an attack on US forces” before the drone struck them. The Taliban then bemoaned the loss of “some very senior Taliban commanders” in the strikes. The “villagers” who ran to the rescue were thus aiding and abetting active Taliban that the Pakistani, Afghan and US governments consider terrorists who engage in suicide bombings and other mass casualty outrages. In this context, it should be stated that the US government had dropped leaflets in the FATA warning local tribesmen that if they assisted the militants/terrorists they would share their fate. [11] And make no mistake it is the Taliban and Al-Qaeda that the drones are targeting.

A study by the Jamestown Foundation demonstrated that the vast majority of those who are killed in drone strikes are militants and only 5% of those killed were civilians. [12] A study by the *Long War Journal* similarly found that there have been 2,507 militants slain in drone strikes in Pakistan and just 153 civilians. [13] A study by the New America Foundation similarly found that in 2010 approximately 5% of those killed in drone strikes were civilians. [14] Thus the odds are high that those being dug out of the rubble from drone strikes are Taliban or Al Qaeda militants/terrorists, not civilians.

In addition, in many, if not most, cases, those who are removing the victims from the rubble are themselves Taliban (there are very few if any EMT paramedics or first responders in this undeveloped area). The first responders are not, as the *Living Under the Drones* report states, “average civilians.” The Taliban militants are the *de facto* authorities in most the targeted regions (most notably North and South Waziristan) so this is not surprising.

This point can be easily demonstrated. For example, there are numerous reports of the Taliban “cordoning off” drone strike zones and “conducting recovery operations.” [15] A typical account of such a recovery operation reads “A local resident said he was woken by two loud explosions around 4 a.m. on Thursday. Militants rushed to the site immediately after the attack to clear the rubble and retrieve the bodies, he said, speaking on the condition of anonymity.” [16] A second source states, “Eight militants were killed and two wounded. Militants have surrounded the (targeted) compound and are removing the dead bodies.” [17] A third report similarly states “First a volley of four missiles hit a compound in the village of Mizar Madakhel. After Taliban fighters cordoned the area and began to recover bodies, a second volley was fired. Initial reports indicated that 12 Taliban fighters were killed.” [18] A fourth report of the aftermath of a drone strike on May 30, 2013, which killed Wali ur Rehman, the number two in the Pakistani Taliban hierarchy, states “A local resident, reached by phone, said that shortly after the strikes, three pickup trucks carrying fighters rushed to the site to retrieve bodies and look for wounded militants.” [19] Another local Pashtun source claims “The reason why these estimates about civilian ‘casualties’

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in the US and Pakistani media are wrong is that after every attack the terrorists cordon off the area and no one, including the local villagers, is allowed to come even near the targeted place. The militants themselves collect the bodies, bury the dead and then issue the statement that all of them were innocent civilians.” [20] A BBC story similarly reported “Officials say that local Taliban militants immediately cordoned off the [strike] area and closed the road in the aftermath of the attack.” [21]

There are many such accounts in the Pakistani press which make it clear that the Taliban have a policy of cordoning off drone strike impact zones as they are moving to assist or retrieve their wounded or dead comrades. It is, by contrast, all but impossible to find reports in the Pakistani press of *average civilians* rushing to the scene of a drone strike on Taliban terrorists/insurgents to help out wounded militants or retrieve their bodies. So well known is the Taliban’s propensity to cordon off areas where their comrades have been killed or wounded in a drone strike that a FATA-based Pakistani official even offered the Americans some advice on how to kill more Taliban using drones. According to *Al Jazeera* “He explained that after a strike, the terrorists seal off the area to collect the bodies; in the first 10-24 hours after an attack, the only people in the area are terrorists. You should hit them again - there are no innocents there at that time.” [22]

Clearly the CIA has taken the above advice and, based on numerous precedents where the Taliban have rushed to the scene of drone attacks to save their buried or wounded comrades, begun targeting those who arrive at drone strike locations to rescue wounded militants or retrieve the bodies of their comrades. The Bureau of Investigative Journalism must have realized that in the vast majority of cases those who are killed or wounded in CIA drone strikes are themselves Taliban and that those who are killed in follow up strikes on those trying to rescue or retrieve their comrades are more than likely Taliban. Yet they chose to completely omit this important detail in their scathing report which was widely picked up by the media.

Regardless of the actual facts, the notion that CIA drone strikes deliberately target “average civilian” first responders for extrajudicial execution has become one of the more enduring myths of the drone war and has certainly helped shape the perception that the drone strikes are beyond the pale of humanity. In this respect this policy could, for all of its effectiveness in targeting militant responders who are aiding their comrades and thus dissuading villagers from assisting wounded Taliban, end up being a prime recruiter for the enemy.

**About the Author:** *Brian Glyn Williams is Professor of Islamic History at the University of Massachusetts-Dartmouth and author of ‘Predators. The CIA’s Drone War on Al Qaeda.’ (Washington DC, Potomac Press, 2013) and numerous articles on drone strikes in Pakistan which can be found on his interactive website at: brianglynwilliams.com. He has considerable field experience in Afghanistan, Pakistan and Central Asia, including research in the tribal areas on the Af/Pak border.*

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*Notes*

- [1] For an overview of the CIA's drone war in Pakistan see: Brian Glyn Williams. *Predators. The CIA's Drone War on Al Qaeda*. Washington DC; Potomac Press. 2013.
- [2] Ibid.
- [3] "America's deadly double tap drone attacks are 'killing 49 people for every known terrorist in Pakistan.'" *Daily Mail*, 25 September, 2012.
- [4] *Living Under the Drones*. New York: NYU Law School and Stanford Law School. September 2012. Page 90. Found at: [http://livingunderdrones.org/wp-content/uploads/2012/09/Stanford\\_NYU\\_LIVING\\_UNDER\\_DRONES.pdf](http://livingunderdrones.org/wp-content/uploads/2012/09/Stanford_NYU_LIVING_UNDER_DRONES.pdf)
- [5] Ibid., page 89.
- [6] "Outrage at CIA's Double Tap Drone Attacks." *Independent*, 25 September, 2012.
- [7] "Obama terror drones: CIA tactics in Pakistan include targeting rescuers and funerals." <http://www.thebureauinvestigates.com>
- [8] "US Said to Target Rescuers at Drone Sites." *New York Times*, 5 February, 2012.
- [9] Ibid.
- [10] Ibid.
- [11] "Blast Kills at Least Twenty in Pakistan." *Washington Post*, 20 June, 2007.
- [12] Avery Plaw, Matthew Fricker and Brian Glyn Williams. "New Light on the Accuracy of the CIA's Predator Drone Campaign in Pakistan." *Terrorism Monitor*. Volume 8 Issue: 41, 11 November, 2010.
- [13] "Charting the Data on US Airstrikes in Pakistan." *Long War Journal*. <http://www.longwarjournal.org/pakistan-strikes.php>
- [14] Peter Bergen, Katherine Tiedemann. "The Year of the Drone. An Analysis of Drone Strikes in Pakistan, 2004-2011." New America Foundation. Updated 2 August, 2011. Found at: <http://counterterrorism.newamerica.net/drones>.
- [15] "US Drone Kills 10 'Militants' in North Waziristan Strike." *Long War Journal*, 8 February, 2012.
- [16] "Drone Kills Pakistani Militant, Officials Say." *New York Times*, 9 February, 2012.
- [17] "US Drone 'Kills 10' in Pakistan." *BBC.co.uk.*, 8 February, 2012.
- [18] "Top Waziristan Leader Badar Rumored Killed in Drone Strike." *Long War Journal*, 11 March, 2010.
- [19] "Pakistan Says US Drone Killed Taliban Leader." *New York Times*, 30 May, 2013.
- [20] "Drone Attacks; Challenging Some Fabrications." *Dawn*, 2 January, 2010.
- [21] "Pakistan Drone Attack 'Kills' Top Militants." *BBC*, 27 October, 2011.
- [22] "Leaked US Diplomatic Messages Show Pakistan Military Requested More Drone Strikes and Help from US Special Forces." *Al Jazeera*, 21 May, 2011.