



UN REPORT FINDS ALLEGED DRUG FACILITIES WERE NOT LAWFUL TARGETS – AIRSTRIKES CAUSED SIGNIFICANT CIVILIAN CASUALTIES

KABUL / GENEVA, 9 October 2019 - A United Nations special report, which examines the impact on civilians of United States' airstrikes on alleged drug-processing facilities on 5 May 2019 in Afghanistan, determines that the operation caused a large number of civilian casualties. The report also examines the legal framework applicable to this incident.

In June 2019, the UN Assistance Mission in Afghanistan (UNAMA), together with representatives of the Afghanistan Independent Human Rights Commission, conducted a site visit to areas impacted by the strikes in Farah province's Bakwa district, as part of its extensive fact-finding into the 5 May incident.

The UN verified 39 civilian casualties, among them 14 children and one woman, from multiple airstrikes on more than 60 sites that the United States Forces-Afghanistan (USFOR-A) identified as drug-production facilities in Bakwa district and in parts of the neighbouring Delaram district of Nimroz province.

Moreover, the UN is working to verify credible reports of at least 37 additional civilian casualties, the majority of whom were women and children.

Although airstrikes on alleged drug-processing facilities had taken place before, this was the first time that UNAMA had received reports of a large number of civilian casualties resulting from such an operation.

USFOR-A assessed there were no civilian casualties resulting from the airstrikes. The United Nations understands that according to longstanding United States policy, economic objects that contribute to the war effort of a party to a conflict are considered legitimate military objectives.

However, according to international humanitarian law, including international customary law, facilities that contribute economically or financially to the war effort of a party to a conflict are considered civilian objectives.

The report, jointly produced by UNAMA and the UN Human Rights Office, concludes that drug facilities and associated workers may not be lawfully made the target of attack and should be protected.

The United Nations maintains that considering these objects and individuals legitimate targets dangerously erodes the fundamental principle of distinction, placing the broader civilian population and infrastructure at risk.

The report sets out a number of recommendations, including that the appropriate – and legal – response to illicit drug activity is through law enforcement, not military operations that endanger civilians.

The report – "Airstrikes on Alleged Drug-Processing Facilities - Farah, 5 May 2019" – is available for download on UNAMA's website: <https://unama.unmissions.org/protection-of-civilians-reports>.

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