

**COLLATERAL DAMAGE AND  
THE ADMINISTRATIVE PROCESS OF TARGETED KILLINGS**  
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**ABSTRACT**

During any targeted killing operation, military commanders are required by the Laws of War to minimize collateral damage. The minimization of collateral damage takes place through mitigation techniques that balance mission requirements and the threat to friendly forces against expected collateral damage. In legal scholarship this is frequently described as a binary balancing process, however in practice the process of estimating collateral damage and mitigating the likelihood of collateral damage is a complex multi step process grounded in scientific evidence derived from research, experiments, history, and battlefield intelligence.

My goals in this paper are modest and the paper (at this stage) is intentionally descriptive and explanatory. My aim is to fully explain for the first time in scholarly literature the process of collateral damage estimation as practiced by the U.S. military in targeted killing operations. My data is drawn from publicly available documents, principally those filed by the government in the *Al Aulqi* litigation. By explaining this process I anticipate this paper can provide scholars with a basis for analyzing whether the U.S. military's administrative processes and accountability techniques adequately adhere to the principles established in the Laws of War. After describing the administrative process followed by U.S. forces I offer some preliminary thoughts on the implications of these processes.