



December 21, 2025

Ms. Tania Reneaum Panszi
Executive Secretary
Inter-American Commission on Human Rights
1889 F Street NW
Washington, D.C., 20006
United States

Re: Request for Thematic Hearing on the Legality of U.S. Lethal Strikes on Vessels in the Caribbean Sea and Eastern Pacific Ocean

The American Civil Liberties Union (ACLU), writing pursuant to Articles 61, 62 and 66 of the Rules of Procedure of the Inter-American Commission on Human Rights (IACHR), requests a thematic hearing on "Legality of U.S. Lethal Strikes on Vessels in the Caribbean Sea and Eastern Pacific Ocean" in the framework of the 195th Regular Session of the IACHR, to be held March 2-13, 2026 in Guatemala City, Guatemala.

Since September 2, 2025, President Trump has ordered at least 28 lethal military strikes against civilians on boats in the Caribbean Sea and eastern Pacific Ocean that the U.S. government claims were carrying drugs, killing 104 people.¹ See Annex I to this request detailing all lethal strikes to date. There are only two known survivors.

¹ See Lazaro Gamio, Carol Rosenberg, and Charlie Savage, *Tracking U.S. Military Killings in Boat Attacks*, N.Y. Times (Dec. 19, 2025), <https://www.nytimes.com/2025/12/19/us/politics/us-boat-strike-drug-trafficking.html>.

Under well-established principles of international law, the U.S. strikes are unlawful extrajudicial executions that violate the fundamental rights to life and due process. The U.S. may not summarily kill civilians who are merely suspected of smuggling drugs. It must first pursue non-lethal measures like arrest and demonstrate that lethal force is an absolute last resort to protect against a concrete, specific, and imminent threat of death or serious physical injury. The U.S. policy of targeting civil boats and vessels has been widely condemned as illegal both domestically² and internationally.³

The Trump administration has defended the strikes as lawful. For instance, in an October 2, 2025, notice to Congress, President Trump claimed that the strikes complied “with the law of armed conflict” because the United States is allegedly engaged in a “non-

² See, e.g., Sen. Rand Paul, *The Constitution Does Not Allow the President to Unilaterally Blow Suspected Drug Smugglers to Smithereens*, Reason, <https://reason.com/2025/10/08/the-constitution-does-not-allow-the-president-to-unilaterally-blow-suspected-drug-smugglers-to-smithereens/>; Nick Turse, *Trump Administration Admits It Doesn't Know Who Exactly It's Killing in Boat Strikes*, Intercept (Oct. 31, 2025, at 16:30 ET), <https://theintercept.com/2025/10/31/trump-venezuela-boat-strikes-unprivileged-belligerents/> (quoting Rep. Sara Jacobs); Marty Lederman, *The Many Ways in Which the September 2 Caribbean Strike was Unlawful ... and the Grave Line the Military Has Crossed*, Just Security (Sep. 10, 2025), <https://www.justsecurity.org/120296/many-ways-caribbean-strike-unlawful/>; John Yoo, *What's Wrong with a Military Campaign Against the Drug Trade*, Wash. Post (Sep. 23, 2025)

<https://www.washingtonpost.com/opinions/2025/09/23/trump-boat-strikes-drug-cartels-venezuela/>; Tess Bridgeman, Michael Schmitt and Ryan Goodman, *Expert Q&A on the U.S. Boat Strikes*, Just Security (Dec. 3, 2025), <https://www.justsecurity.org/126156/expert-qa-on-the-u-s-boat-strikes/>. See also Ruth Marcus, *The Dishonorable Strikes on Venezuelan Boats*, New Yorker (Dec. 1, 2025), <https://www.newyorker.com/news/the-lede/the-dishonorable-strikes-on-venezuelan-boats>. Natasha Bertrand, *Exclusive: UK Suspends Some Intelligence Sharing with US Over Boat Strike Concerns in Major Break*, CNN (Nov. 11, 2025), <https://www.cnn.com/2025/11/11/politics/uk-suspends-caribbean-intelligence-sharing-us>.

³ United Nations Office of the High Commissioner for Human Rights. (2025, September 16). *US war on “narco-terrorists” violates the right to life, warn UN experts after deadly vessel strike* [Press release]. <https://www.ohchr.org/en/press-releases/2025/09/us-war-narco-terrorists-violates-right-life-warn-un-experts-after-deadly>.

See, e.g., United Nations Office of the High Commissioner for Human Rights. (2025, November 4). *Unprovoked lethal strikes by the United States against vessels at sea may amount to international crimes: UN experts* [Press release]. <https://www.ohchr.org/en/press-releases/2025/11/unprovoked-lethal-strikes-united-states-against-vessels-sea-may-amount>.

See, e.g., *US strikes in Caribbean and Pacific breach international law, says UN rights chief* (2025, October 31). *UN News*. Retrieved from <https://news.un.org/en/story/2025/10/1166234>.

See, e.g., *US: Other Countries Should Push Back on Lawless Executions at Sea* (2025, December 9). *Human Rights Watch News*. Retrieved from <https://www.hrw.org/news/2025/12/09/us-other-countries-should-push-back-on-lawless-executions-at-sea>.

international armed conflict” with unspecified “drug cartels.” On October 10, 2025, the Trump administration reiterated this purported legal rationale in remarks to the United Nations Security Council. Since then, Secretary of Defense Pete Hegseth has similarly insisted that the strikes were carried out “in compliance with the law of armed conflict.” That is unequivocally false, because there are no credible factual or legal arguments that the United States is engaged in an armed conflict with any drug cartel under international law.

Under international law, an armed conflict between a nation and a non-state group requires “protracted armed violence between governmental authorities and organized armed groups or between such groups within a State.” Drug smuggling has undoubtedly harmful consequences and costs, but it is not arguably “armed violence,” let alone the type of sustained violent clashes that meet the criteria for an armed conflict. Additionally, there is no evidence that the groups allegedly targeted in these boat strikes are sufficiently organized and conducting military hostilities and operations against the United States. Just because President Trump or his administration claim that the U.S. is involved in non-international armed conflict does not make this claim legal or factually correct.

According to media reports, this “‘armed-conflict’ argument” is derived from a legal opinion authored by Office of Legal Counsel (OLC), a Department of Justice (DOJ) component whose opinions are generally treated as binding within the executive branch. Unusually, the OLC Opinion reportedly states “that personnel taking part in military strikes on alleged drug-trafficking boats in Latin America [will] not be exposed to future prosecution.” DOJ has adopted these conclusions, publicly stating that “[t]he strikes were ordered consistent with the laws of armed conflict, and as such are lawful orders,” and that “[m]ilitary personnel are legally obligated to follow lawful orders and, as such, are not

subject to prosecution for following lawful orders.” To date, the United States government has refused to disclose the OLC opinion and its full legal reasoning for conducting the lethal strikes.⁴ Furthermore, no independent investigation has been carried out to examine the legality of the strikes, or to investigate domestic and international law violations and provide redress and accountability for victims of these lethal strikes.

Regardless of the identities of the 104 total people the U.S. government has killed in these strikes, they are civilians under both international and domestic law and their family members deserve accountability and justice. The murder statutes in both U.S. criminal and military law prohibit the use of lethal force against civilians, and no plausible exception applies here. Even if the law of war were to apply, though in this instance absolutely does not, it would prohibit direct attacks against civilians who are not directly participating in the conflict — which includes a drug cartel’s criminal activities do not clear the bar.

On December 2, 2025, this honorable Commission has expressed “its deep concern regarding reports of lethal operations against non-state vessels (or boats) conducted by the United States in the Caribbean Sea and the Eastern Pacific Ocean since early September 2025, which have allegedly resulted in the deaths of a high number of persons.”⁵ The Commission urged the United States “to ensure that all security operations, including those carried out beyond its borders, are consistent with international human rights obligations, particularly regarding the protection of the right to life, the use of force, due process guarantees, and accountability mechanisms.”

⁴ American Civil Liberties Union et al. v. Department of Justice. (S.D.N.Y. 2025). <https://www.aclu.org/cases/foia-case-seeking-legality-of-trump-admins-boat-strikes?document=Complaint>

⁵ Inter-American Commission on Human Rights. (2025, December 2). *IACHR urges the United States to ensure respect for human rights in extraterritorial security operations* [Press release]. https://www.oas.org/en/IACHR/jsForm/?File=/en/iachr/media_center/PReleases/2025/248.asp&utm_content=countr-y-usa&utm_term=class-mon.

This proposed hearing would provide the Commission with further information on the illegality and consequences of these lethal strikes. It would also provide the opportunity to obtain further information from the U.S. government on its legal justification for conducting these lethal strikes and explain how they comport with U.S. obligations under regional and international human rights law.

In view of the foregoing, and in accordance with Article 66 of the Rules of Procedure for the IACHR, we respectfully request that this Honorable Commission:

1. Grant a hearing to discuss the human rights and international law implications of United States lethal strikes;
2. Invite the UN special rapporteur on extra-judicial summary or arbitrary executions and the UN special rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism to participate in the hearing to share their views on U.S. lethal strikes;
3. Invite representatives of the U.S. government to the hearing including lawyers and legal experts from the Departments Defense, Justice and State.

Respectfully,



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Annex I

Known U.S. strikes in the Caribbean Sea and Eastern Pacific Ocean based on New York Times Tracker

<u>Date (Most Recent)</u>	<u>Description</u>	<u>No. of People Killed</u>	<u>Link (Read More)</u>
December 18, 2025	The U.S. military announced on Wednesday that it had struck a boat earlier in the day that it suspected of ferrying drugs in the eastern Pacific, killing four people.	4	https://www.nytimes.com/2025/12/17/us/politics/military-4-dead-boat-strike-pacific-ocean.html
December 17, 2025	This strike was announced by the Pentagon's U.S. Southern Command less than a half hour before an address to the nation by President Trump. It was the sixth in a row targeting boats in the Pacific.	4	https://www.nytimes.com/2025/12/17/us/politics/military-4-dead-boat-strike-pacific-ocean.html
December 15, 2025	Eight men were killed in three vessels that were struck in the Eastern Pacific, according to the Pentagon's U.S. Southern Command. One of the three was at a full stop in a military video clip.	8	https://www.nytimes.com/2025/12/15/us/politics/drug-boat-strikes-pacific.html?smid=nytcore-ios-share
December 4, 2025	This strike in the Eastern Pacific was the first in over two weeks, and was announced at a moment of heightened scrutiny of the U.S. military's boat strike campaign.	4	https://www.nytimes.com/live/2025/12/04/us/trump-news/d33b51b9-a8e3-5933-b631-672c0c7577a9?smid=url-share
November 15, 2025	The announcement of this strike in the Pacific came hours after the Navy said its largest and most advanced aircraft carrier, the U.S.S. Gerald R. Ford, had arrived in the Caribbean.	3	https://www.nytimes.com/2025/11/16/us/politics/strike-boat-pacific-caribbean.html
November 12, 2025	In a departure, the announcement of this attack came from the Pentagon's U.S. Southern Command, not the president or defense secretary, and it was four days after the strike.	4	https://www.nytimes.com/2025/11/13/us/politics/trump-drug-boat-strike-caribbean.html
November 9, 2025	These were two separate strikes on two boats in the Eastern Pacific.	6	https://www.nytimes.com/2025/11/10/us/politics/us-boat-strike-deaths-hegseth.html
November 6, 2025	This was the tenth boat destroyed in the Caribbean.	3	https://www.nytimes.com/live/2025/11/06/us/trump-news-shutdown/357873b4-191d-5a3b-896e-9a72d30dd8c7?smid=url-share
November 4, 2025	This was the sixteenth strike overall, and the seventh in the Pacific Ocean.	2	https://www.nytimes.com/2025/11/04/us/politics/boat-strike-deaths-hegseth.html
November 1, 2025	This was the ninth boat destroyed in the Caribbean.	3	https://www.nytimes.com/2025/11/02/us/politics/us-boat-strike-caribbean.html

Annex I

Known U.S. strikes in the Caribbean Sea and Eastern Pacific Ocean based on New York Times Tracker

October 29, 2025	This was the sixth strike in the Pacific in eight days.	4	https://www.nytimes.com/2025/10/29/us/politics/military-drug-boat-strikes.html
October 27, 2025	Mr. Hegseth said a total of 15 people were aboard four boats that the U.S. military destroyed in three separate strikes on this day in the eastern Pacific Ocean. U.S. surveillance spotted one of the men clinging to wreckage and alerted the Mexican Navy, which was closest to the sighting. Search teams tried to find and rescue him for four days but could not. He is presumed to be dead.	15	https://www.nytimes.com/2025/10/28/us/politics/us-military-boat-strikes.html
October 23, 2025	This attack, in the Caribbean Sea, was the first at night, Mr. Hegseth said.	6	https://www.nytimes.com/2025/10/24/us/politics/caribbean-sea-boat-strike-us-venezuela.html
October 22, 2025	This was the second strike in the eastern Pacific Ocean.	3	https://www.nytimes.com/2025/10/22/us/politics/trump-drug-boat-strike-colombia.html
October 21, 2025	This was the first strike in the eastern Pacific Ocean.	2	https://www.nytimes.com/2025/10/22/us/politics/trump-drug-boat-strike-colombia.html
October 17, 2025	Mr. Hegseth described those on the boat as affiliated with Ejército de Liberación Nacional, a Colombian guerrilla group. The strike took place in the Caribbean Sea.	3	https://www.nytimes.com/2025/10/19/us/politics/trump-military-boat-strike-colombia.html
October 16, 2025	This strike was on a semisubmersible in the Caribbean Sea. Two men from the boat were rescued by the U.S. military and repatriated within days to Colombia and Ecuador.	2 killed, 2 rescued	https://www.nytimes.com/2025/10/18/us/politics/boat-strike-survivors.html
October 14, 2025	This strike took place “just off the Coast of Venezuela,” Mr. Trump said.	6	https://www.nytimes.com/2025/10/14/us/politics/trump-drugs-boat-attack.html
October 2, 2025	Colombia’s president said this boat was carrying Colombian citizens.	4	https://www.nytimes.com/2025/10/03/us/politics/hegseth-military-boat-venezuela.html
September 19, 2025	Officials from the Dominican Republic said they recovered cocaine from the wreckage after this strike.	3	https://www.nytimes.com/2025/09/19/us/politics/trump-boat-strike-drugs.html
September 15, 2025	Colombia’s president said the strike occurred near his country and killed an innocent fisherman.	3	https://www.nytimes.com/2025/09/15/us/politics/trump-venezuela-drug-boat-strike.html
September 2, 2025	The first strike on a boat alleged to be carrying drugs was near Trinidad in the Caribbean Sea. The boat appeared to have turned around before being struck.	11	https://www.nytimes.com/2025/09/02/us/politics/trump-venezuela-boat-drugs-attack.html