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Continuing Devastating U.S. War Crimes

by Nat Hentoff

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During the tumultuous months of the presidential campaign, most Americans heard nothing of this report in the (*Minneapolis-St. Paul*) *Star Tribune* (that originally appeared in *The Los Angeles Times*): "To live under drones is to live in terror." Based on a study by Stanford University and New York University, it was written by Jennifer Gibson, who was one of the on-site researchers of this startling account of the CIA pilotless drones' killings in Pakistan under the enthusiastic authority of President Barack Obama.

Gibson is on the staff of the London-based international human rights organization Reprieve, whose carefully documented work I have frequently cited in these columns.

"Drones," she wrote, after spending weeks in North Waziristan, "are a constant presence ... with as many as six hovering over villages at any one time. People hear them day and night. They are an inescapable presence, the looming specter of death from above. And that presence is steadily destroying a community twice the size of Rhode Island."

Here is the horror that is being inflicted on these people in our nation's name: "Parents are afraid to send their children to school. Women are afraid to meet in markets. Families are afraid to gather at funerals for people wrongly killed in earlier strikes ...

"What makes this situation even worse is that no one can tell people in these communities what they can do to make themselves safe. No one knows who is on the American kill list, no one knows how they got there and no one knows what they can do to get themselves off."

Among the more than 60 people Gibson interviewed were survivors of the strikes, and those who had lost loved ones and family.

And dig this, my fellow Americans: "All of them live under the constant threat of annihilation."

Although I have often reported about these U.S. hellfire missiles, what I did not know — until this Stanford University/New York University study was done — was that our nation is repeating in Pakistan a recklessly flawed procedure that we used in Afghanistan, where, as Gibson has reminded us:

"The Bush Administration paid enormous bounties ... in areas rife with tribal and familial rivalries ... hundreds of innocent people were wrongly fingered (by Afghan informants) as Taliban or al-Qaida, many of whom (then) spent years at Guantanamo or other American prisons overseas."

So, too, "now the United States is offering similar incentives to people in North Waziristan who promise to identify militants. The alleged militants' homes are tagged by GPS trackers and later, when the informant is at a safe distance, blown to smithereens.

"And because no one knows who the informants are, people are reluctant to invite neighbors into their homes."

But sometimes, I expect, they fatally do admit neighbors they've known a long time and still trust.

So how does the United States define "militants" to get them on our kill lists? They are, Gibson wrote, nothing more than "military-age males, typically those between 18 and 65. In addition, because the U.S. generally does not release the names of people who have been killed, we cannot know whether the victims were actually militants or were deemed militants simply because Washington says they were."

For further explanation, here comes Ben Emmerson, the U.N.'s special rapporteur on counterterrorism and human rights. I'm usually wary of quoting any U.N. official because that organization sometimes talks a good game on human rights, but seldom follows through. However, as a recent commondreams.org story explained, "Emmerson's role at the U.N. is that of an independent researcher and adviser, but he does not necessarily represent the views or speak on behalf of the world body" ("U.N. Official: Aspects of U.S. Drone Program Clearly 'War Crimes,'" *CommonDreams.org*, Oct. 26).

According to a copy of a recent speech he gave at Harvard University (and reported by commondreams.org), Emmerson said, "It's not my job to speak for the U.N. I speak to the U.N."

And in my reporting, I've found his to be an accurate statement.

During his Oct. 25 appearance at Harvard University, also reported by *The Harvard Crimson*, Emmerson made this vital point — largely ignored by George W. Bush, Dick Cheney, Obama

and many members of Congress — that "even though a state's primary human rights obligation is protecting the lives of its citizens ... this does not 'mean infringing the rights of those suspected of terrorism'" ("U.N. Official: Geneva To Launch Investigation on Drone Attacks," Francesca Annicchiarico, *The Harvard Crimson*, Oct. 25).

Emmerson told the students at Harvard Law School that he would "be launching an investigation unit within the special procedures of the (U.N.) Human Rights Council to inquire into individual drone attacks, and other forms of targeted killings conducted in counterterrorism operations, in which it has been alleged that civilian casualties have been inflicted" (*CommonDreams.org*, Oct. 26).

He added, as others have, that Obama's government doesn't answer some of the most basic explanations on how it validates these programs, nor has it shown that it has inserted safeguards to prevent false charges against those who it claims are terrorists.

But Emmerson is making a mistake. He himself is independent, but the U.N. Human Rights Council — with some members utterly contemptuous of human rights in their own countries and elsewhere, such as China, Cuba, Saudi Arabia, and the Russian Federation — cannot be trusted on this assignment.

What he should do is get together organizations like Amnesty International, Human Rights Watch, Doctors Without Borders, et al. for a concerted, documented investigation — with crucial direct questions to the U.S. government.

Regarding Obama's and Romney's opinions on drones — as I have reported — Emerson said, "It is perhaps surprising that the position of the two candidates on this issue has not even featured during their presidential elections campaigns ... we now know that the two candidates are in agreement on the use of drones."

Worse yet, the candidates weren't questioned about drones by the media or by the vast majority of us.

We, too, are responsible for these targeted killings.