

UN SPECIAL RAPPORTEUR CONDEMNS AMERICA'S KILLER DRONES

One of last Friday's big stories somewhat lost in the hustle and focus on the BP Gulf oil disaster and the holiday weekend concerned the continuing outrage of the US drone targeted assassination program. Specifically, Charlie Savage's report at the New York Times that the United Nations Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions, Philip Alston, was expected to issue a report calling on the United States to stop Central Intelligence Agency drone strikes thus "complicating the Obama administration's growing reliance on that tactic in Pakistan".

Today, the report is out, and Charlie Savage again brings the details in the Times:

A senior United Nations official said on Wednesday that the growing use of armed drones by the United States to kill terrorism suspects is undermining global constraints on the use of military force. He warned that the American example will lead to a chaotic world as the new weapons technology inevitably spreads.

In a 29-page report to the United Nations Human Rights Council, the official, Philip Alston, the United Nations Special Rapporteur on extrajudicial executions, called on the United States to exercise greater restraint in its use of drones in places like Pakistan and Yemen, outside the war zones in Afghanistan and Iraq. The report – the most extensive effort by the United Nations to grapple with the legal implications of armed drones –

also proposed a summit of “key military powers” to clarify legal limits on such killings.

In an interview, Mr. Alston, said the United States appears to think that it is “facing a unique threat from transnational terrorist networks” that justifies its effort to put forward legal justifications that would make the rules “as flexible as possible.”

Here is Alston’s official report.

Interestingly, Alston’s report comes hot on the heels of the news the biggest get yet for the Obama drone assassination program, Al-Qaida Number Three (or at least the latest Number Three) Mustafa Abu al-Yazid. But Alston, although indicating that al-Yazid might could be distinguished because of the direct al-Qaida status, nevertheless expressed reservations even in such situations.

For example, it criticized the United States for targeting drug lords in Afghanistan suspected of giving money to the Taliban, a policy it said was contrary to the traditional understanding of the laws of war. Similarly, it said, terrorism financiers, propagandists and other non-fighters should face criminal prosecution, not summary killing.

It also said that a targeted killing outside of an armed conflict “is almost never likely to be legal.” In particular, it rejected “pre-emptive self-defense” as a justification for killing terrorism suspects far from combat zones.

“This expansive and open-ended interpretation of the right to self-defense goes a long way towards destroying the prohibition on the use of armed force contained in the U.N.

Charter,” Mr. Alston said. “If invoked by other states, in pursuit of those they deem to be terrorists and to have attacked them, it would cause chaos.”

Alston’s concerns are especially troubling considering Charlie Savage’s first NY Times report in last Friday’s print edition on the quiet efforts of the Obama Administration to insure its drone operators can never be prosecuted for the extrajudicial murders they commit. Describing surreptitious efforts to amend the Military Commissions Manual:

The Pentagon delayed issuing a 281-page manual laying out commission rules until the eve of the hearing. The reason, officials say, is that government lawyers had been scrambling to rewrite a section about murder because it has implications for the C.I.A. drone program.

An earlier version of the manual, issued in 2007 by the Bush administration, defined the charge of “murder in violation of the laws of war” as a killing by someone who did not meet “the requirements for lawful combatancy” – like being part of a regular army or otherwise wearing a uniform. Similar language was incorporated into a draft of the new manual.

But as the Khadr hearing approached, Harold Koh, the State Department legal adviser, pointed out that such a definition could be construed as a concession by the United States that C.I.A. drone operators were war criminals. Jeh Johnson, the Defense Department general counsel, and his staff ultimately agreed with that concern. They redrafted the manual so that murder by an unprivileged combatant would instead be treated like espionage – an offense under domestic law not

considered a war crime.

All of which is not just distressing, but telling as to who the United States have become as a country. Made all the more sickening by the fact the extrajudicial assassination program has exacerbated geometrically under the short, but deadly, tenure of the supposedly enlightened Constitutional law authority Barack Obama.

The new rules have transformed the program from a narrow effort aimed at killing top Al Qaeda and Taliban leaders into a large-scale campaign of airstrikes in which few militants are off-limits, as long as they are deemed to pose a threat to the U.S., the officials said.

Instead of just a few dozen attacks per year, CIA-operated unmanned aircraft now carry out multiple missile strikes each week against safe houses, training camps and other hiding places used by militants in the tribal belt bordering Afghanistan.

The original NY Times article by Savage last Friday is an excellent piece on the drone program worthy of a read if you did not catch it at the start of the holiday weekend when it first was published.

Getting back to Philip Alston's UN Special Rapporteur report, the wrath of the world against the US is growing not just from the existence of the program to start with, but by the indiscriminate "collateral damage the US wreaks with callous impunity. Overshadowed by the glee of the Obama Administration and the blinkered stenographic major media over the remote hit on al-Qaida Number Three al-Yazid was a concurrent report lost in the shuffle of that even US Military investigators have determined completely innocent Afghan citizens were being murdered by the Obama Killer Drones along with a

pattern of deception trying to cover it up. From the AP via the Arizona Republic:

U.S. military investigators found that “inaccurate and unprofessional” reporting by U.S. operators of a Predator drone was responsible for a missile strike that killed 23 Afghan civilians in February, according to a report released Saturday.

Release of the scathing report is part of a U.S. effort to counter rising public anger over civilian deaths, which threatens to undermine the campaign against the Taliban at a critical juncture in the nearly nine-year war. Twelve other civilians including a woman and three children were wounded in the missile strike, the report said.

Four American officers – two described as senior – received career-damaging reprimands, the U.S. command said in a statement. The top U.S. and NATO commander in Afghanistan, Gen. Stanley McChrystal, called on the Air Force to investigate the actions of the Predator crew.

Isn't that special? Grossly wanton and willful work by American remote video gameboys leave a swath of death 23 innocent civilian souls wide and they have received some demerits on their record. The “operators’ of the drones, back in Nevada, where the video gameboys are shackled up, just somehow had never noticed any Afghani women and children in the cars, despite watching them for 3 1/2 hours. Not only had they not noticed women and children themselves, they didn't notice warnings intelligence analysts sent to them that children were present and visible.

It is not a mistake, it is murder. But don't try to tell that to US governmental officials:

That comment drew a response from a U.S. official: “Those who think we strike at

terrorists over the objections of the Pakistani government are mistaken. This is a common fight against those who menace both our countries. That fact alone renders absurd the notion that U.S. officials might be tried in a Pakistani court for counterterrorism operations.

Yeah, just totally absurd. You give the CIA a huge budget, the whole world as a killing field, carte blanche to terminate human souls with prejudice, no duty to get individual Presidential authorization for each kill, put the President directly in the authorization to murder chain, remove all substantive accountability and then give them killer drones operated by jacked up video gameboys. What could possibly go wrong?

[Notice of erratum: Due to author error on my part, I incorrectly originally attributed two later block quotes in this post to the LA Times when they, in fact, came from Charlie Savage and the New York Times. The post has been corrected to reflect the same with my sincere apologies to Charlie.]