

Dead Syrian Children and Drones on the Wing

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by *Judy Bello* rePosted from [The Deconstructed Globe](#)

Recently the Pentagon admitted to killing two Syrian children in a drone attack last fall when they bombed a group of al Qaeda fighters in the suburbs of the Syrian city of Aleppo. Someone from the press asked me if I thought this was a sign of increasing transparency. A few of my remarks were quoted in the ensuing article, which I have linked at the end of this one. What follows is my full response.

Recently the Pentagon admitted to killing two Syrian children in a drone attack last fall when they bombed a group of al Qaeda fighters in the suburbs of the Syrian city of Aleppo. At the time they claimed this group was a critical target because they were high level operatives associated with Al Qaeda who were planning attacks on the United States mainland.. No one that I know had ever heard of this group, but their name, Khorasan, is the name of a province in Iran, which is an odd choice for an Al Qaeda affiliate. So they bombed this small group of 50 or less foreigners, holed up in a suburb of Aleppo, Syria, in a civilian neighborhood in the middle of a war zone, plotting to kill Americans in America. It is a stretch to to wrap the mind around this rather incredible story.,

But, it isn't a surprise that some children were killed in Syria in a drone strike. In fact, children are regularly killed in U.S. drone strikes in Afghanistan, Pakistan, Somalia, Yemen and wherever. In 2013, due to a lot of negative



attention brought by International Human Rights NGOs and the United Nations on drone killings in Pakistan and Yemen, President Obama produced a document that set standards limiting drone strikes where civilians might be present. Last year, after declaring war on ISIS in Syria and Iraq, he waived those limits. Soon thereafter, these children were killed by a U.S. drone strike in Syria. The picture is actually of some other children killed by drone strikes in Syria. Now, there is once again discussion of placing limits on drone strikes.

This is all very amusing, but not very helpful. In fact, any kind of military strike likely to harm uncounted (but certain to be present) civilians is a violation of international humanitarian law. The U.S. government wants to bend the definitions to allow us to have these unconventional non-state wars, but it doesn't want to accept the limits that, in old-fashioned wars, were enforced by the existence of a battlefield where civilians would not be likely to be present. But we no longer fight under the formal procedures of interstate war which both require and demand boundaries.



War is the name we now use for global policing, which has not boundaries as far as the United States is concerned, but which is governed by international human rights law, which is even more stringent in its protection of civilians than humanitarian law, or the laws governing war.. So, why are we, the people, the dissatisfied populace, the defenders of peace and justice,, asking for transparency rather than justice under the law? Why should we respect fluctuating assertions of compliance or noncompliance by serial violators as new law? The result is an endless buzz of discussion around

a line that is already deep in civilian territory and wholly outside the law. No one is safe in a war zone that is not and cannot be defined. Endless dribbles of transparency in a constantly redefined context have no substance.

In revealing the latest transgression, focusing our attention on the deaths of these children and whatever remedies President Obama might choose to put in place, the Pentagon is covering for something larger and creating a cover story that it can use to have an appearance of transparency. The tragic deaths of these 2 children are just a drop in the bucket of casualties from US airstrikes in countries our leaders wish to control.. When they choose to target groups that are 'bunkered' in civilian areas, even when they are legitimate targets – and that isn't always the case – the strikes are bound to hit civilian targets. This war is not being fought on a battlefield but in the cities and villages of Syria. The fact that these deaths occurred in this brazenly illegitimate context has been forgotten. There are only these children.

At the time these children died, there were other stories in the alternative press about civilian casualties of U.S. strikes in the vicinity of Raqqa. Notably, there were strikes on a grain silo which stored precious food for the civilians living in this desert city, and another instance where a US strike on a compound targeted a Da'ish prison, killing a large number of 'prisoners-of-war' being held by a handful of Da'ish guards. Strikes on Da'ish targets in the city Raqqa were fruitless because Da'ish had abandoned their urban headquarters for civilians neighborhoods in the suburbs of the city. So, armed U.S. drones followed with the expectable consequence of civilian deaths.

Words like 'building' and 'compound' cover up the reality that the buildings and compounds are homes, schools, places of business and the structures of



ordinary social living. Just because the children aren't playing in the street during a war doesn't mean they aren't present. Not every gathering of men is a militia. As I learned in Pakistan, the women we don't see are generally in kitchens attached to the public areas where the men meet, and which are primary drone targets. This war is taking place in the cities and towns of Syrian, not on a battlefield. It is impossible that U.S. military and government decision makers don't know this.

In modern wars, which are largely fought in the cities and villages of someone's country, there is no way to entirely avoid a vast number of civilian casualties, usually more in number than the combatant casualties. Combatants are paying attention, and often protected by their weapons and armored vehicles and so on. Civilians have no protection. This is one reason why starting and fueling these wars is such a heinous crime.

The Syrian Arab Army and their allies consistently attempt to evacuate the sites of battles before engaging the enemy. They have the information to do this because they are part of the local society. Yet western news sources generally paint them as psychopathic murderers. The US strikes are based on abstract intelligence; video feedback from drones a couple of miles in the air, satellite imagery that can only pick out certain types of physical material and temperature gradients and radio signals, and information provided by spies on the ground who often have agendas separate from US interests. The information is evaluated by people with little understanding of the local context. So that information is not complete

and may be very misleading. The guys with the joysticks know this. Their bosses know this. Yet they fire anyway. Who are the real psychopathic killers?

To lessen the risk of civilian casualties the US would have to coordinate with the Syrian government and the Syrian Arab Army and their allies who have reliable information about civilians on the ground. They would also have to rethink some of their surveillance and weapons deliveries. Some percentage of weapons are delivered directly to Da'ish and Jabhat al Nusra forces on the ground, and many more are delivered to areas and organizations they can easily control and co-opt. Then our barbarism could be reduced to the level of the Syrian Arab Army loyal to Bashar Assad, who are doing their best to preserve their county and protect their countrymen.

And yes, other instances have occurred where the United States has admitted deadly errors. This is part of a shell game that engages people to look at small disturbing details while the broad pattern of abuse remains invisible. People receive apologies and expend their outrage. Such revelations do cause outrage among activists and others, but since it is no mystery to those who are informed, and explained to those who aren't, they do not incite further analysis and discussion. The truth is that The U.S. violates International laws of war and peace on a regular basis, day in and week out, month in and year out, while the world vacillates around a fruitless discussion of transparency, as if the truth is irrelevant until after a liar confesses.



Meanwhile, even as U.S. forces are focused on surveilling these civilian neighborhoods where 'enemy' forces might be set up under civilian cover, they apparently don't take the trouble to surveil areas where these forces are in the process of vanquishing or have recently

vanquished local forces. After pretty much every victory, Da'ish has a celebratory parade, often transporting weapons not only through the city, but across the desert for long distances as they redistribute their resources. Surely these events are visible on satellite surveillance, but none of these caravans have ever been struck by U.S. forces. Also, there appears to be no US surveillance on the Turkish border with Syria or the Israeli border, both of which are the locus of known supply lines for Da'ish and Al Nusra. These facts have been known, literally for years.

Additionally, U.S. proxies are feeding al Qaeda, ISIS and the foreign Jihadis in Syria and Iraq, while the U.S, makes a show of fighting them. What isn't obvious, what the broader citizenry turns away from, is that there would be no necessity of anyone bombing anywhere if the US would focus it's substantial economic and political power on blocking it's allies from supporting these groups it then bombs in the towns and cities of Syria and Iraq.

Turkey is the middle man, profiting from the sale of Da'ish oil, and also a transit hub for foreign fighters. It allows border crossings to be openly controlled by Da'ish and Al Nusra fighters, who use these crossings as supply routes and for troop movement. Turkey hosts training camps for the incoming jihadis, and there is some indication that the US Base at Incirlik is involved in this project. Foreign fighters fly into Istanbul and can be seen on public transportation in the city as they make their way to the training camps and the Syrian border.

Israel is providing logistical support to al Nusra fighters in the Golan, including supply routes and medical support. Israel also bombs Syrian government sites periodically. They not only bomb government military sites, but recently have attacked Iranian and Hezbollah fighters in the region. Binyamin Netanyahu has been photographed visiting wounded Al Nusra fighters in an Israeli hospital.

Jordan also hosts training camps.

Saudi Arabia and Qatar and other oil rich Emirates have been funding both al Nusra and Da'ish fighters. Qatar has been providing salaries to Syrian Muslim Brotherhood members to induce them to take up arms against their government since 2011. Both countries are home to wealthy donors who fund transportation and payroll for fighters in Syria, and provide weapons and training to them. Powerful satellite news organizations, Al Jazeera and Al Arabia, owned by members of the royal families of Qatar and Saudi Arabia, provide political cover for the ongoing wars and popularize or normalize vicious sectarian points of view.

The US does nothing to contain any of these activities. Instead it supports them with weapons and diplomatic cover.

The tragic deaths of 2 children provide us with a glimpse of a much larger tragedy, The United States and its allies have the Syrian government and the Syrian people enmeshed in a war that they did not initiate, and which they cannot end because it is fueled by an endless supply of men and resources coming from outside the country. Many more men women and children have died in this senseless war to undermine the sovereignty of Syria, and we can expect that they will continue to die as long as those forces continue to prevail in the region.

The U.S. also continues to use weaponized drones for so called targeted killings in civilian areas of countries whose governments we are not at war with, and that includes Afghanistan. Targeted killing target so called 'militants' – if they were 'combatants' they would have some rights under International law – in their homes, mosques and marketplaces where it is unsurprising to find them surrounded by women, children and other civilians who have nothing to do with the so called wars in the context of which they are being targeted.

Sputnik article based on the original interview: [US Lacks Transparency on Drone Policy Despite Children's Deaths](#)

Open Letter to German Chancellor Angela Merkel

On Ramstein: An Open Letter From US Citizens to German Chancellor Angela Merkel

authored by Elsa Rassbach, Judy Bello, Nick Mottern, Ray McGovern

reprinted from [Truthout.org Speakout](#)

The letter was written and endorsed by Americans who stand in solidarity with the Yemeni survivors of drone strike victims on behalf of their murdered loved ones. Faisal bin Ali Jaber, the first complainant on the suit, has previously met with members of Congress in the United States, but received no satisfactory response. We further stand in solidarity with the German people who should not be made to host a U.S. center of warmaking and facilitate the illegal murderous U.S. military drone program.

[The Upstate Coalition to Ground the Drones and End the Wars](#), the [Syracuse Peace Council](#) and [Rochester Peace Action and Education](#) are among the endorsers of the letter, which has been signed by Judy Bello and Carol Baum on our behalf.

May 26, 2015

Her Excellency Dr. Angela Merkel
Chancellor of the Federal Republic of Germany
Bundeskanzleramt
Willy-Brandt-Straße 1

10557 Berlin, Germany

Dear Chancellor Merkel:

On May 27th a German court in Cologne will hear evidence from Faisal bin Ali Jaber, an environmental engineer from Yemen who lost two relatives to a 2012 U.S. drone strike. This is the first time that a court in a country providing significant military/technical support for the U.S. drone program has permitted such a case to be heard.

U.S. drone strikes have killed or maimed tens of thousands in many countries with which the U.S. is not officially at war. The vast majority of drone-strike victims have been innocent bystanders, including large numbers of children. One respected study found that for every target or known combatant killed, 28 "unknown persons" were also killed. Because the victims were/are not U.S. citizens, their families do not have standing to initiate legal action in U.S. courts. Shamefully, the families of these victims have had no legal recourse whatsoever.

Thus the case of Mr. bin Ali Jaber, representing his family in a German court, is of great interest to many who have long been dismayed at the U.S. government's violations of human rights and international law in the so-called "war on terror." Reportedly, Mr. bin Ali Jaber will argue that the German Government has violated the German Constitution by allowing the U.S. to use Ramstein Air Base in Germany for extrajudicial "targeted" killings in Yemen. He is expected to request that the German government "take legal and political responsibility for the U.S. drone war in Yemen" and "forbid use of the Satellite Relay Station in Ramstein."

Credible evidence has already been widely published indicating that the U.S. Satellite Relay Station in Ramstein plays an essential role in ALL U.S. drone strikes in the Middle East, Africa, and Southwest Asia. The killings and maiming resulting

from missiles fired from U.S. drones would not be possible without the cooperation of the German government in enabling the U.S. to use Ramstein Air Base for the illegal drone wars – a military base which, we respectfully suggest, is an anachronism a full seventy years after the liberation of Germany and Europe from the Nazis.

Irrespective of the ultimate outcome in court of Mr. bin Ali Jaber's case, which possibly could continue for years, now is the time for Germany to take effective measures to stop the U.S. from using Ramstein Air Base for combat drone missions.

The reality is this: The military base in Ramstein is under the legal jurisdiction of the Federal Government of Germany, even though the U.S. Air Force has been allowed to use the base. If illegal activities such as extrajudicial killings are conducted from Ramstein or other U.S. bases in Germany – and if U.S. authorities do not desist from these legal offenses then we respectfully suggest that you and your government have a duty under international law to act. This is clearly expressed in the Nuremberg Trials Federal Rules Decisions of 1946-47 (6 F.R.D.60), which were adopted into US law. Accordingly, every individual participating in the enactment of a war crime is responsible for that crime, including businessmen, politicians and others who enable the criminal act.

In 1991 the reunited Federal Republic of Germany was granted "complete sovereignty at home and abroad" via the Two-plus-Four-Treaty. The Treaty emphasizes that "there shall be only peaceful activities from German territory" as does Article 26 of the Basic Law of the Federal Republic of Germany, which states that the acts undertaken to prepare for a war of aggression are deemed "unconstitutional" and "a criminal offense." Many in the U.S. and around the world hope that the German people and their government will provide much-needed

leadership in the world on behalf of peace and of human rights.

The German Government often states that it has no knowledge of the activities being conducted at Ramstein Air Base or other U.S. bases in Germany. We respectfully submit that if this is the case, you and the German Government may have a duty to require the needed transparency and accountability from the U.S. military and intelligence agencies in Germany. If the present Status of Forces Agreement (SOFA) between the U.S. and Germany precludes the transparency and accountability that the German Government needs in order to enforce German and international law, then the German Government must request that the U.S. make appropriate modifications in the SOFA. As you know, Germany and the U.S. each have the right to unilaterally terminate the SOFA upon giving two years' notice. Many in the U.S. would not oppose but would indeed welcome a renegotiation of the SOFA between the U.S. and Germany if this should be required to restore the rule of law.

The end of hostilities in 1945 seventy years ago saw the world faced with the task of restoring and advancing the international rule of law. This led to efforts to define and punish war crimes – major efforts like the Nuremberg Tribunal and the formation of the United Nations, which in 1948 proclaimed the Universal Declaration of Human Rights. While Germany has sought to adhere to the principles of the Declaration, the U.S. increasingly in recent years ignored these principles. In addition, the U.S. seeks to draw NATO and other allies into complicity in violating these principles.

The U.S. began the drone program in secrecy in 2001 and did not reveal it to the American people or to most of their representatives in Congress; the drone program was first discovered and revealed by U.S. peace activists in 2008. The British people were also not informed when the United Kingdom in 2007 obtained killer drones from the U.S. And only recently have the German people been informed, through courageous

reporting by independent journalists and whistleblowers, of the key role of Ramstein in the illegal U.S. drone program.

Now aware of the role Ramstein in undermining human rights and international law, many German citizens are calling upon you and the German government to enforce the rule of law in Germany, including on the U.S. bases. And because of the indispensable role of Ramstein for all the U.S. drones strikes, the government of Germany now holds in its hands the power to actually stop the illegal U.S. drone killings altogether.

If the German Government were to take decisive action in this matter, Germany would surely find support among nations of the world, including the nations of Europe. The European Parliament in its Resolution on the Use of Armed Drones, which was adopted by a landslide vote of 534 to 49 on February 27, 2014, urged its Member States to “oppose and ban the practice of extrajudicial killings” and “not perpetrate unlawful targeted killings or facilitate such killings by other states.” The European Parliament Resolution further declares that Member States must “commit to ensuring that, where there are reasonable grounds for believing that an individual or entity within their jurisdiction may be connected to an unlawful targeted killing abroad, measures are taken in accordance with their domestic and legal obligations.”

Extrajudicial killing – the killing of ‘suspects’ – is in fact also a grievous violation of the U.S. Constitution. And the U.S. initiation and prosecution of killings and wars in sovereign countries that do not threaten the U.S. mainland violate international treaties the U.S. has signed and Congress has ratified, including the United Nations Charter.

Tens of thousands of Americans have struggled in vain for years to expose and end the U.S. drone program and other U.S. war crimes that have quite predictably led to increasing hatred for the U.S. and its allies among the targeted and

terrorized populations. Like the incarceration without due process at Guantanamo, drone warfare has clearly undermined the post-WWII international law upon which we all rely.

We hope that major U.S. allies – and particularly Germany, because of the indispensable role it plays – will take firm action to end extrajudicial drone killings. We implore you to take all steps necessary to put a stop to all activities in Germany that support drone warfare and killings by the U.S. government.

Signed:

- Carol Baum, Co-Founder of Upstate Coalition to Ground the Drones and End the Wars, Syracuse Peace Council
- Judy Bello, Co-Founder of Upstate Coalition to Ground the Drones and End the Wars, United National Antiwar Coalition
- Medea Benjamin, Co-Founder of CodePink
- Jacqueline Cabasso, National Co-convener, United for Peace and Justice
- Leah Bolger, Former President of National Veterans for Peace
- David Hartsough, PeaceWorkers, Fellowship of Reconciliation
- Robin Hensel, Little Falls OCCU-PIE
- Kathy Kelly, Voices for Creative Nonviolence
- Malachy Kilbride, National Coalition for Nonviolent Resistance
- Marilyn Levin, Co-Founder of United National Antiwar Coalition, United for Justice with Peace
- Mickie Lynn, Women Against War
- Ray McGovern, Retired CIA Analyst, Veteran Intelligence Professionals for Sanity
- Nick Mottern, KnowDrones
- Gael Murphy, CodePink
- Elsa Rassbach, CodePink, United National Antiwar Coalition

- Alyssa Rohricht, Graduate Student in International Relations
- Coleen Rowley, Retired FBI Agent, Veteran Intelligence Professionals for Sanity
- David Swanson, World Beyond War, War is a Crime
- Debra Sweet, Director of World Can't Wait
- Brian Terrell, Voices for Creative Nonviolence, Missouri Catholic Worker
- Colonel Ann Wright, Retired Military Officer and Diplomatic Attaché, Veterans for Peace, Code Pink

Endorsed by:

- Brandywine Peace Community, Philadelphia, PA
- CodePink Women for Peace
- Ithaca Catholic Worker, Ithaca, NY
- Know Drones
- Little Falls OCC-U-PIE, WI
- National Coalition for Nonviolent Resistance (NCR)
- Peace Action and Education, Rochester, NY
- Syracuse Peace Council, Syracuse, NY
- United For Justice with Peace, Boston, MA
- United National Antiwar Coalition (UNAC)
- U.S. Foreign Policy Activist Cooperative, Washington DC
- Upstate (NY) Coalition to Ground the Drones and End the Wars
- Veterans For Peace, Chapter 27
- Voices for Creative Nonviolence
- War Is A Crime
- Watertown Citizens for Peace Justice and the Environment, Watertown, MA
- Wisconsin Coalition to Ground the Drones and End the Wars
- Women Against Military Madness, Minneapolis, MN
- Women Against War, Albany, NY
- World Beyond War
- World Can't Wait

Afterward:

The Yemeni plaintiffs did not prevail on May 27, nor was it anticipated that they would prevail in such an important matter in a lower court in Germany. Nevertheless, the Court's decision in the case set some important legal precedents:

a) The Court ruled that the Yemeni survivors, who are not German citizens, have standing to sue the German government in the German courts. This is the first known time that a NATO country that has granted drone survivors or victims who are not citizens of their country such standing in court.

b) The Court stated in its decision that the media reports regarding the essential role of Ramstein in the US drone killings are "plausible," the first time that this has been officially acknowledged by authorities Germany.

But the Court held that it is in the discretion of the German government to decide what steps must be taken to protect the people of Yemen from the danger of being killed by drones with essential assistance from Ramstein Air Base. In addition, the Court mentioned that the present Status of Forces Agreement (SOFA) between the US and Germany may at this time prohibit the German government from closing the Satellite Relay Station in the Ramstein base. The plaintiffs argued that the SOFA could be renegotiated or even cancelled by the German government.

In an unusual step, the Court immediately granted the plaintiffs the right to appeal. [ECCHR](#) and [Reprive](#) will appeal on behalf of the Yemeni plaintiffs as soon as the full written decision of the court in Cologne is available.

Taking Responsibility for Drone Killings

Taking Responsibility for Drone Killings *President Obama and the Fog of War*

by Brian Terrell, reprinted from [Voices for Creative Nonviolence](#)

When President Barack Obama apologized on April 23 to the families of Warren Weinstein and Giovanni Lo Porto, an American and an Italian, both hostages killed in a drone attack in Pakistan in January, he blamed their tragic deaths on the “fog of war.”

“This operation was fully consistent with the guidelines under which we conduct counterterrorism efforts in the region,” he said, and based on “hundreds of hours of surveillance, we believed that this (the building targeted and destroyed by drone launched missiles) was an al Qaeda compound; that no civilians were present.” Even with the best of intentions and most stringent of safeguards, the president said, “it is a cruel and bitter truth that in the fog of war generally and our fight against terrorists specifically, mistakes – sometimes deadly mistakes – can occur.”

The term “fog of war,” *Nebel des Krieges* in German, was introduced by the Prussian military analyst Carl von Clausewitz in 1832, to describe the uncertainty experienced by commanders and soldiers on the battlefield. It is often used to explain or excuse “friendly fire” and other unintended deaths in the heat and confusion of combat. The term raises vivid images of chaos and ambiguity. Fog of war describes incredible noise and trauma, volleys of bullets and artillery shells, bone jarring explosions, screams of the wounded,

orders shouted out and countermanded, vision limited and distorted by clouds of gas, smoke and debris.

War itself is a crime and war is hell, and in its fog soldiers can suffer from emotional, sensory and physical overload. In the fog of war, fatigued past the point of endurance and fearful both for their own lives and for those of their comrades, soldiers must often make split second decisions of life and death. In such deplorable conditions, it is unavoidable that "mistakes – sometimes deadly mistakes – can occur."

But Warren Weinstein and Giovanni Lo Porto were not killed in the fog of war. They were not killed in war at all, not in any way war has been understood until now. They were killed in a country where the United States is not at war. No one was fighting at the compound where they died. The soldiers who fired the missiles that killed these two men were thousands of miles away in the United States and in no danger, even if anyone were firing back. These soldiers watched the compound go up in smoke under their missiles, but they did not hear the explosion nor the cries of the wounded, nor were they subjected to the concussion of its blast. That night, as the night before this attack, it can be assumed that they slept at home in their own beds.

The president attests that those missiles were fired only after "hundreds of hours of surveillance" were carefully studied by defense and intelligence analysts. The decision that lead to the deaths of Warren Weinstein and Giovanni Lo Porto was not reached in the crucible of combat but in the comfort and safety of offices and conference rooms. Their line of sight was not clouded by smoke and debris but was enhanced by the most advanced "Gorgon Stare" surveillance technology of the Reaper drones.

The same day as the president's announcement the White House Press Secretary also issued a release with this news: "We have

concluded that Ahmed Farouq, an American who was an al-Qa'ida leader, was killed in the same operation that resulted in the deaths of Dr. Weinstein and Mr. Lo Porto. We have also concluded that Adam Gadahn, an American who became a prominent member of al-Qa'ida, was killed in January, likely in a separate U.S. Government counterterrorism operation. While both Farouq and Gadahn were al-Qa'ida members, neither was specifically targeted, and we did not have information indicating their presence at the sites of these operations." If the president's drone assassination program sometimes accidentally kills hostages, it also sometimes accidentally kills Americans alleged to be members of al-Qa'ida and apparently the White House expects us to take some consolation in this fact.

"Hundreds of hours of surveillance" notwithstanding, and despite being "fully consistent with the guidelines under which we conduct counterterrorism efforts," the order to attack the compound was given in the absence of any indication that Ahmed Farouq was there or that Warren Weinstein was not. Three months after the fact, the United States government admits that they blew up a building that they had been watching for days without the slightest idea who was in it.

The "cruel and bitter truth" is actually that Warren Weinstein and Giovanni Lo Porto were not killed in a "counterterrorism effort" at all, but in an act of terrorism by the United States government. They died in a gangland style hit that went awry. Killed in a high-tech drive-by shooting, they are victims of negligent homicide at best, if not of outright murder.

Another "cruel and bitter truth" is that people who are executed by drones far from a battlefield for crimes they have not been tried for or convicted of, such as Ahmed Farouq and Adam Gadahn were, are not enemies lawfully killed in combat. They are victims of lynching by remote control.

“Predators and Reapers are useless in a contested environment,” admitted General Mike Hostage, chief of the Air Force’s Air Combat Command in a speech in September, 2013. Drones have proven useful, he said, at “hunting down” al Qa’ida but are no good in actual combat. Since al Qa’ida and other terrorist organizations have only flourished and multiplied since Obama’s drone campaigns took off in 2009, one might take issue with the general’s claim for their usefulness on any front, but it is a fact that the use of lethal force by a military unit outside of a contested environment, outside of a battlefield, is a war crime. It might follow that even the possession of a weapon that is useful only in an uncontested environment is a crime, as well.

The deaths of two western hostages, one an American citizen, are indeed tragic, but no more so than the deaths of thousands of Yemeni, Pakistani, Afghan, Somali and Libyan children, women and men murdered by these same drones. Both the president and his press secretary assure us that the events in Pakistan last January were “fully consistent with the guidelines under which we conduct counterterrorism efforts,” business as usual in other words. It seems that in the president’s view, death is only tragic when it is inconveniently discovered that western non-Muslim people are killed.

“As President and as Commander-in-Chief, I take full responsibility for all our counterterrorism operations, including the one that inadvertently took the lives of Warren and Giovanni,” said President Obama on April 23. From the time President Ronald Reagan took full responsibility for the Iran-Contra arms deal to the present, it is clear that a presidential admission of responsibility means that no one will be held accountable and that nothing will change. The responsibility that President Obama accepts for only two of his victims is too paltry for consideration and, along with his partial apology, is an insult to their memories. In these

days of governmental evasions and official cowardice, it is crucial that there are some who do take full responsibility for all of those killed and act to stop these acts of reckless and provocative violence.



Taking Responsibility for Drone Killing At Beale AFB, California

Five days after the president's announcement of Weinstein's and Lo Porto's murders, on April 28, I was privileged to be in California with a dedicated community of activists outside of Beale Air Force Base, home of the Global Hawk surveillance drone. Sixteen of us were arrested blocking the entrance to the base, reciting the names of children who have also been killed in drone attacks but without a presidential apology or even, for that matter, any admission that they died at all. On May 17, I was with another group of anti-drone activists at Whiteman Air Force Base in Missouri and in early March, in the Nevada desert with more than one hundred resisting drone murders from Creech Air Force Base. Responsible citizens are protesting at drone bases in Wisconsin, Michigan, Iowa, New York at RAF Waddington in the United Kingdom, at the CIA headquarters in Langley, Virginia, at the White House and other scenes of these crimes against humanity.

In Yemen and in Pakistan, too, people are speaking out against the murders taking place in their own countries and at great risk to themselves. Lawyers from Reprieve and the European Center for Constitutional and Human Rights have filed suit in a German court, charging that the German government has

violated its own constitution by allowing the U.S. to use a satellite relay station at Ramstein Air Base in Germany for drone murders in Yemen.

Perhaps one day President Obama will be held responsible for these murders. In the meantime, the responsibility that he and his administration shirks belongs to all of us. He cannot hide behind a fog of war and neither can we.

Drones and Discrimination: Kick the Habit

Kathy Kelly talks about her recent trial, the action she was convicted for, and her pending jail sentence. She talks about drone victims and the victims she is sure to meet when she arrives at whatever prison she is told to report to.

On December 10, International Human Rights Day, federal Magistrate Matt Whitworth sentenced me to three months in prison for having crossed the line at a military base that wages drone warfare. The punishment for our attempt to speak on behalf of trapped and desperate people, abroad, will be an opportunity to speak with people trapped by prisons and impoverishment here in the U.S.

Our trial was based on a trespass charge incurred on June 1, 2014. Georgia Walker and I were immediately arrested when we stepped onto Missouri's Whiteman Air Force where pilots fly weaponized drones over Afghanistan and other countries. We carried a loaf of bread and a letter for Brig Gen. Glen D. Van Herck. In court, we testified that we hadn't acted with criminal intent but had, rather, exercised our First Amendment right (and responsibility) to assemble peaceably for redress

of grievance.

A group of Afghan friends had entrusted me with a simple message, their grievance, which they couldn't personally deliver: please stop killing us.

I knew that people I've lived with, striving to end wars even as their communities were bombed by drone aircraft, would understand the symbolism of asking to break bread with the base commander. Judge Whitworth said he understood that we oppose war, but he could recommend over 100 better ways to make our point that wouldn't be breaking the law.

The prosecution recommended the maximum six month sentence. "Ms. Kelly needs to be rehabilitated," said an earnest young military lawyer. The judge paged through a four page summary of past convictions and agreed that I hadn't yet learned not to break the law.

What I've learned from past experiences in prison is that the criminal justice system uses prison as a weapon against defendants who often have next to no resources to defend themselves. A prosecutor can threaten a defendant with an onerously long prison sentence along with heavy fines if the defendant doesn't agree to plea bargain.

In his article "Why Innocent People Plead Guilty," Jed S. Rakoff draws attention to the institution of plea bargaining which now ensures that less than 3% of federal cases go to trial at all. "Of the 2.2 million U.S. people now in prison," Rakoff writes, "well over 2 million are there as a result of plea bargains dictated by the government's prosecutors, who effectively dictate the sentence as well."

"In 2012, the average sentence for federal narcotics defendants who entered into any kind of plea bargain was five years and four months," Rakoff writes, "while the average sentence for defendants who went to trial was sixteen years."

It's one thing to read about the shameful racism and discrimination of the U.S. criminal justice system. It's quite another to sit next to a woman who is facing ten or more years in prison, isolated from children she has not held in years, and to learn from her about the circumstances that led to her imprisonment.

Many women prisoners, unable to find decent jobs in the regular economy, turn to the underground economy. Distant relatives of mine knew plenty about such an economy several generations ago. They couldn't get work, as Irish immigrants, and so they got into the bootlegging business when alcohol was prohibited. But no one sent them to prison for 10 years if they were caught.

Women prisoners may feel waves of guilt, remorse, defiance, and despair. In spite of facing extremely harsh punishment, harsh emotions, and traumatic isolation, most of the women I've met in prison have shown extraordinary strength of character. When I was in Pekin Prison, we would routinely see young men, shackled and handcuffed, shuffling off of the bus to spend their first day in their medium-high security prison next door. The median sentence there was 27 years. We knew they'd be old men, many of them grandfathers, by the time they walked out again.

The U.S. is the undisputed world leader in incarceration, as it is the world leader in military dominance. Only one in 28 of drone victims are the intended, guilty or innocent, targets. One third of women in prison worldwide, are, at this moment, in U.S. prisons. The crimes that most threaten the safety and livelihood of people in the U.S. of course remain the crimes of the powerful, of the corporations that taint our skies with carbon and acid rainfall, peddle weapons around an already suffering globe, shut down factories and whole economies in pursuit of quick wealth, and send our young people to war.

Chief Executive Officers of major corporations that produce products inimical to human survival will most likely never be charged much less convicted of any crime. I don't want to see them jailed. I do want to see them rehabilitated

Each time I've left a U.S. prison, I've felt as though I was leaving the scene of a crime. When I return to the U.S. from sites of our war making, abroad, I feel the same way. Emerging back into the regular world seems tantamount to accepting a contract, pledging to forget the punishments we visit on impoverished people. I'm invited to forget about the people still trapped inside nightmare worlds we have made for them.

On January 23, 2015, when I report to whichever prison the Bureau of Prisons selects, I'll have a short time to reconnect with the reality endured by incarcerated people. It's not the rehabilitation the prosecutor and judge had in mind, but it will help me be a more empathic and mindful abolitionist, intent on ending all wars. Kathy Kelly (Kathy@vcnv.org) coordinates Voices for Creative Nonviolence (www.vcnv.org)