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CIA's torture experts now use their skills in secret drones program

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The controversy over the CIA's secret drone program has gone from bad to worse this week. We now know that many of those running it are the same people who headed the CIA's torture program, the spy agency can bomb people unilaterally without the president's explicit approval and that the government is keeping the entire program classified explicitly to prevent a federal court from ruling it illegal. And worst of all, Congress is perfectly fine with it.

The New York Times reported on Sunday that many of those in charge of the CIA's torture program – the same people whose names were explicitly redacted from the Senate's torture report in order to avert accountability – “have ascended to the agency's powerful senior ranks” and now run the CIA drone program under the agency's Counterterrorism Center. Rather than being fired and prosecuted, they have been rewarded with promotions.

The longtime Counterterrorism Center chief who just stepped down, Michael D'Andrea, was previously in charge of the notorious CIA prison known as the Salt Pit, where prisoners were regularly tortured and some died. His replacement, Chris Wood, was also “central to the interrogation program”, according to the Times.

The only reason we know D'Andrea and Wood's names is because the New York Times' executive editor Dean Baquet commendably decided to publish them – unlike the many

newspapers who refused to for virtually no other reason except for the fact that the CIA asked them not to. As Baquet put it to the Huffington Post: “It would have been weird to not name the guys who run it. They’re not undercover. They’re not unknown. They’re sort of widely known.”

Adding to the disturbing nature of the CIA’s ability to kill people in complete secrecy, the agency apparently now has a carte blanche to conduct drone strikes on its own. According to the New York Times, President Obama doesn’t individually approve them anymore – he lets the CIA unilaterally decide to kill people if the strikes “fit certain criteria.” We have no idea what those conditions are since virtually everything about drone strikes at the CIA is secret.

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Prior to last week’s controversial drone strike, the public at least had the general outlines of what the supposed rules constraining drone strikes were. After the last major drone controversy in 2013, the president announced the government would need to know with “near certainty” that civilians would not get killed. Obama called it: “the highest standard we can set” in a highly publicized 2013 speech.

Yet, up until the Wall Street Journal reported it on Sunday, the public did not know that Obama secretly gave the CIA a “waiver” from those rules for drone strikes in Pakistan, the place where the vast majority of the CIA’s strikes over the last decade have occurred. The publicly-touted policy was made meaningless by a classified order the public had no idea about. (Sound familiar?)

The most absurd part of this whole debate is that the White House actually refused to admit that the two hostages killed in Pakistan died in a US drone strike. Despite an almost universal acknowledgement by media reports – and a multitude of leaks by anonymous US officials – that the hostages were killed by a CIA drone, the administration has attempted to argue that it was a “counterterrorism operation” that resulted in the hostages’ deaths. This led to an awkward exchange between the press and the White House press secretary Josh Earnest, in which it was clear to everyone in the room what had happened, but the White House could not utter the word “drone.”

The reason for this denial apparently has nothing to do with legitimate secrets; the administration just wants to avoid a court ruling their program illegal. The Wall Street Journal reported on Sunday: “the Attorney General’s office warned Mr. Obama that publicly disclosing the CIA’s role in this case would undermine the administration’s standing in a series of pending lawsuits challenging its legality”.

Think about that for a second: The Obama administration has promised more transparency around drone strikes, yet at the same time, won’t even acknowledge that the controversial drone strike it’s apologizing for even happened - just because such admission might force courts to hold the government accountable for its actions.

The dismal state of affairs around drone strike transparency was perfectly summed up in an exchange in early 2013, when the Guardian’s Spencer Ackerman, then writing for Wired, asked

Senate Intelligence Committee chairman Dianne Feinstein why, if the CIA repeatedly and brazenly lied to Congress about torture, she trusted the spy agency to tell the truth about drone strikes. Senator Feinstein's response still encapsulates the current debate: "That's a good question, actually. That's a good question."

More than two years later, we still don't have an answer.