



Written by [Joe Wolverton, II, J.D.](#) on October 24, 2012

## Ex CIA Chiefs Face Arrest Over “Horrific” Violence of Drone War

A file containing shocking evidence of the methods and mayhem of U.S. drone strikes has been compiled in Pakistan and forms the basis of a pair of lawsuits being filed in that country against two former CIA officials.

The [Daily Mail \(U.K.\)](#) reports:

The dossier has been assembled by human rights lawyer Shahzad Akbar, who works for Pakistan’s Foundation for Fundamental Rights and the British human rights charity Reprieve.



Filed in two separate court cases, it is set to trigger a formal murder investigation by police into the roles of two US officials said to have ordered the strikes. They are Jonathan Banks, former head of the Central Intelligence Agency’s Islamabad station, and John A. Rizzo, the CIA’s former chief lawyer. Mr Akbar and his staff have already gathered further testimony which has yet to be filed.

A hearing on the first case has already been conducted and should the court in Islamabad rule in Akbar’s favor, an international warrant will be issued for the arrest of the two Americans.

The second complaint was filed by Akbar in the name of several surviving family members of innocent victims of recent drone strikes. In this suit Akbar and the families claim that the drone strikes are “acts of war” and that the government of Pakistan is under an obligation to use its armed forces to protect its citizens from these near-daily assaults from U.S. drones.

Given the horrific and habitual nature of these drone attacks, it is not surprising that another suit has been filed challenging the legality of the strikes and seeking of recompense for the families devastated by the casualties caused by them.

As [we reported earlier](#), Noor Khan has filed suit against the government of Pakistan for its cooperation with the governments of the United States and the United Kingdom on behalf of his father who was killed in a U.S. drone strike while he attended a tribal council meeting on March 17, 2011, in the northwest region of Pakistan.

Among the dead, [according to a report in the Global Post](#), were four Pakistani Taliban members, but what about the other 38, or more, who were killed in that firestorm? Were they innocents? Were they merely acceptable human flotsam left scattered about the wreckage of war?

The *Daily Mail* story paints a similarly shocking picture of the attacks at issue in the latest pair of lawsuits:

The plaintiff in the Islamabad case is Karim Khan, 45, a journalist and translator with two masters’ degrees, whose family comes from the village of Machi Khel in the tribal region of North Waziristan.

His eldest son, Zahinullah, 18, and his brother, Asif Iqbal, 35, were killed by a Hellfire missile fired



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from a Predator drone that struck the family's guest dining room at about 9.30 pm on New Year's Eve, 2009.

“We have never had anything to do with militants or terrorists, and for that reason I always assumed we would be safe,” Khan says in the *Daily Mail* story.

According to reports citing the allegations made in the lawsuit, “someone from the Pakistan CIA network led by Mr Banks — who left Pakistan in 2010 — targeted the Khan family and guided the Hellfire missile by throwing a GPS homing device into their compound.

As for Rizzo, he is a named defendant in the suit because of remarks he made during an interview he gave upon retiring as the CIA general counsel. Rizzo's comments on many occasions reveal a “cavalier” attitude about carrying out assassination orders. In [a story published last year by Newsweek](#), Rizzo seems to describe a video game rather than an act taking the lives of human beings.

It was an ordinary-looking room located in an office building in northern Virginia. The place was filled with computer monitors, keyboards, and maps. Someone sat at a desk with his hand on a joystick. John A. Rizzo, who was serving as the CIA's acting general counsel, hovered nearby, along with other people from the agency. Together they watched images on a screen that showed a man and his family traveling down a road thousands of miles away. The vehicle slowed down, and the man climbed out.

A moment later, an explosion filled the screen, and the man was dead. “It was very businesslike,” says Rizzo.

And later in the story: “It's basically a hit list,” [Rizzo] said. Then he pointed a finger at my forehead and pretended to pull a trigger. “The Predator is the weapon of choice, but it could also be someone putting a bullet in your head.”

Rizzo does say that when marking names off the hit list, he does try to “minimize collateral damage, especially women and children.” Of course, as an attorney, Rizzo should understand that a way to eliminate all collateral damage would be to attempt to apprehend those suspected of threatening the security of the United States and trying them for those charges. Something called due process.

For what it's worth — and that is apparently very little to most in power — the Constitution of the United States forbids the taking of life, liberty, or property without the due process of law.

President Barack Obama, despite the multiplicity and feigned sincerity of his denials, has set himself up as the judge, jury, and executioner of those he alone deems a threat to national security, and notwithstanding the Constitution, he does not believe he is obliged to provide any explanation to the American people or to the families of those murdered by attacks he ordered.

The presidential presumption of guilt by association followed by an autocratic order of a lethal drone strike rightly worries many friends of liberty in the United States and abroad. With regard to due process one asks why the alleged “terrorists” who are the purported targets of these attacks cannot be tried in our federal court system? For decades those accused of terroristic crimes have been formally charged with those crimes, had those charges heard before an impartial federal judge, and been permitted to mount a defense to those crimes.

Perhaps President Obama has created in his mind a place where the burden of killing so many people without due process is lifted by the fact that, as Ladan Cher says, “a soldier carries out the killing from a cubicle using a joystick to operate the predatory drone.”



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When any president usurps the power to place names on a kill list and then have those people summarily executed without due process, he places our Republic on a trajectory toward tyranny and government-sponsored terrorism.

Of course, it would be another matter if those targeted and executed by the president were armed enemy combatants — they were not. Were these suspected “militants” enemy soldiers captured during wartime they would be necessarily afforded certain rights granted to POWs. Those slated for assassination are not allowed any rights — neither the due process rights given to those accused of crimes nor the rights of fair treatment given to enemies captured on the battlefield.

The White House has assumed all power over life and death and created *ex nihilo* a new category of individual — one deprived of rights altogether.

When contacted by *The New American*, neither the CIA nor the White House would comment on the lawsuits or the merits of the charges contained in them.

Photo: Supporters of Pakistani cricketer-turned-politician Imran Khan rally to condemn U. S. drone attacks in Pakistani tribal areas on al-Qaida and Taliban hideouts, in Islamabad, Pakistan.

Oct 28, 2011: AP Images



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