

# WHAT IS GOVERNMENT COVERING UP WITH THE IMPRISONMENT OF YEMENI JOURNALIST?

Jeremy Scahill has a disturbing story of how President Obama intervened to make sure Yemen kept journalist Abdulelah Haider Shaye imprisoned even after domestic pressure convinced then President Ali Abdullah Saleh to release him. [Note, I've adjusted the order of Scahill's report to make Obama's intervention more clear]

After Shaye was convicted and sentenced, tribal leaders intensified their pressure on President Saleh to issue a pardon. "Some prominent Yemenis and tribal sheikhs visited the president to mediate in the issue and the president agreed to release and pardon him," recalls Barman. "We were waiting for the release of the pardon—it was printed out and prepared in a file for the president to sign and announce the next day." Word of the impending pardon leaked in the Yemeni press. "That same day," Barman says, "the president [Saleh] received a phone call from Obama expressing US concerns over the release of Abdulelah Haider."

[snip]

On February 2, 2011, President Obama called Yemeni President Ali Abdullah Saleh. The two discussed counterterrorism cooperation and the battle against al Qaeda in the Arabian Peninsula. At the end of the call, according to a White House read-out, Obama "expressed concern" over the release of a man named Abdulelah Haider Shaye, whom Obama said "had been

sentenced to five years in prison for his association with AQAP.”

[snip]

Saleh rescinded the pardon.

Shaye’s apparent crime?

Interviewing Anwar al-Awlaki—effectively the equivalent crime for which the US imprisoned Al Jazeera journalist Sami al-Hajj and wiretapped Lawrence Wright, independent contact with people associated with al Qaeda.

Although, as Scahill describes, Yemen trumped up a bunch of evidence to insinuate closer ties between Shaye and AQAP. Scahill also notes that one of the key claims made to justify the killing of Awlaki—his celebration of Nidal Hasasn’s attack on Fort Hood—came in part from Shaye’s reporting, which included a number of questions that challenged Awlaki and called him on his inconsistency.

Read the whole article—it’s infuriating.

I wanted to point out a few points of timing with respect to Shaye’s imprisonment, because I think the government may have specific reasons it wants Shaye to remain in prison.

Yemen’s intelligence agents first detained Shaye in July 2010. Then, he was arrested and detained on August 6, 2010. As Scahill notes, that was right as the US was ratcheting up its attempts to kill Awlaki (Awlaki was placed on the CIA kill list in April 2010, and the OLC memo authorizing his killing was completed in June 2010).

As it happens, that was also the period when State was just beginning to figure out which diplomatic cables might have been leaked to WikiLeaks. Mind you, State didn’t have a really good sense of what would be published until November of 2010, when the NYT happily told them.

But I do find it interesting that Obama's call to Saleh came two months after WikiLeaks published this cable reporting a meeting between then CentCom Commander Petraeus and Saleh. As Scahill noted, the cable recorded Saleh boasting about lying about US airstrikes. But it also included this conversation about civilian casualties.

¶4. (S/NF) Saleh praised the December 17 and 24 strikes against AQAP but said that "mistakes were made" in the killing of civilians in Abyan. The General responded that the only civilians killed were the wife and two children of an AQAP operative at the site, prompting Saleh to plunge into a lengthy and confusing aside with Deputy Prime Minister Alimi and Minister of Defense Ali regarding the number of terrorists versus civilians killed in the strike. (Comment: Saleh's conversation on the civilian casualties suggests he has not been well briefed by his advisors on the strike in Abyan, a site that the ROYG has been unable to access to determine with any certainty the level of collateral damage. End Comment.) AQAP leader Nassr al-Wahishi and extremist cleric Anwar al-Awlaki may still be alive, Saleh said, but the December strikes had already caused al-Qaeda operatives to turn themselves in to authorities and residents in affected areas to deny refuge to al-Qaeda. [my emphasis]

That is, internally, the US dismissed Saleh's complaints about civilian deaths by suggesting that Saleh didn't have the independent means to know how many civilians had been killed. They seemed to expect Saleh to take their word for the number of women and children killed.

But as Scahill notes, there was an independent source for the reporting on civilian deaths at the hand of a US drone strike: Shaye.

While Shaye, 35, had long been known as a brave, independent-minded journalist in Yemen, his collision course with the US government appears to have been set in December 2009. On December 17, the Yemeni government announced that it had conducted a series of strikes against an Al Qaeda training camp in the village of al Majala in Yemen's southern Abyan province, killing a number of Al Qaeda militants. As the story spread across the world, Shaye traveled to al Majala. What he discovered were the remnants of Tomahawk cruise missiles and cluster bombs, neither of which are in the Yemeni military's arsenal. He photographed the missile parts, some of them bearing the label "Made in the USA," and distributed the photos to international media outlets. He revealed that among the victims of the strike were women, children and the elderly. To be exact, fourteen women and twenty-one children were killed. Whether anyone actually active in Al Qaeda was killed remains hotly contested. After conducting his own investigation, Shaye determined that it was a US strike. [my emphasis]

Shaye is as close as we've come to an independent observer cataloging the civilian deaths in a drone strike. And two months after evidence confirmed his story, Obama intervened personally to make sure Shaye would remain in prison.

When The Bureau for Independent Journalism went to investigate civilian drone casualties months and sometimes years after the attacks, an anonymous Administration official insinuated that such independent oversight equated to sympathy with Al Qaeda.

A senior American counterterrorism official, speaking on the condition of anonymity, questioned the report's

findings, saying “targeting decisions are the product of intensive intelligence collection and observation.” The official added: “One must wonder why an effort that has so carefully gone after terrorists who plot to kill civilians has been subjected to so much misinformation. Let’s be under no illusions – there are a number of elements who would like nothing more than to malign these efforts and help Al Qaeda succeed.”

We now know that not only has the government been claiming the reporter who has most directly proved civilian casualties from a drone strike is an Al Qaeda propagandist, but that Obama intervened personally to make sure he’d stay in prison.