

Watching Human Rights Watch

Open Letter to the Executive Director of HRW

By [Gabriele Zamparini](#)

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[The Cat's Dream](#) 10 December 2005

Region: [Middle East & North Africa](#)

Theme: [Crimes against Humanity](#)

In-depth Report: [IRAQ REPORT](#)

Dear Mr. Kenneth Roth, Executive Director Human Rights Watch

On December 2, 2005 the New York Times published an article with the title "Rights Group Lists 26 It Says U.S. Is Holding in Secret Abroad". The article quotes Marc Garlasco, Senior Military Analyst at Human Rights Watch, saying:

"One thing I want to make clear is we are talking about some really bad guys," Mr. Garlasco said. "These are criminals who need to be brought to justice. One of our main problems with the U.S. is that justice is not being served by having these people held incognito."

Mr. Garlasco said, "Our concern is that if illegal methods such as torture are being used against them," trials may "either be impossible or questionable under international standards of jurisprudence." (1)

On December 4, 2005 I wrote to Mr. Garlasco, asking:

- 1) did the New York Times quote you correctly?
- 2) if not, will you ask for a formal correction to the NYT?
- 3) if yes, don't you think your words are quite bizarre for a HRW's representative? Did we get to the point that even Human Rights Watch doesn't care for the presumption of innocence? Is that really HRW's concern about torture?

In my e-mail I also wrote:

I had the opportunity to interview HRW's Reed Brody and Hanny Megally just a few years ago. Also because of those interviews I have great esteem and respect for the work of your organization. I fear that your words - as reported by the New York Times' article - will damage HRW's image and the trust many people have for its work. (2)

Since I haven't received any answer, I have now decided to write you an open letter to reiterate my questions and also to ask you if someone who "recommended thousands of aimpoints on hundreds of targets during operations in Iraq and Serbia [and who] also participated in over 50 interrogations as a subject matter expert" fits a senior position at Human Rights Watch.

Mr. Garlasco's biography reads:

Before coming to HRW, Marc spent seven years in the Pentagon as a senior intelligence analyst covering Iraq. His last position there was chief of high-value targeting during the Iraq War in 2003. Marc was on the Operation Desert Fox (Iraq) Battle Damage Assessment team in 1998, led a Pentagon Battle Damage Assessment team to Kosovo in 1999, and recommended thousands of aimpoints on hundreds of targets during operations in Iraq and Serbia. He also participated in over 50 interrogations as a subject matter expert. (3)

According to The Chronicle of Higher Education, Mr. Garlasco had also an interesting role in damaging a study "published in The Lancet, a prestigious British medical journal, concluding that about 100,000 civilians had been killed in Iraq since it was invaded by a United States-led coalition in March 2003." (4) The Chronicle of Higher Education writes:

The Washington Post, perhaps most damagingly to the study's reputation, quoted Marc E. Garlasco, a senior military analyst at Human Rights Watch, as saying, "These numbers seem to be inflated."

Mr. Garlasco says now that he hadn't read the paper at the time and calls his quote in the Post "really unfortunate." He says he told the reporter, "I haven't read it. I haven't seen it. I don't know anything about it, so I shouldn't comment on it." But, Mr. Garlasco continues, "Like any good journalist, he got me to."

Mr. Garlasco says he misunderstood the reporter's description of the paper's results. (5)

Marc Garlasco, Senior Military Analyst at Human Rights Watch had also an interesting role in a BBC's Editorial Complaints Unit's investigation following a series of Media Lens' Alerts on the BBC's reporting on Fallujah. (6) The BBC reports

"In its verdict that the NewsWatch report was not misleading, the Editorial Complaints Unit - which investigates complaints independently of journalists - cited the evidence given to it by the HRW spokesman:

"I find nothing inaccurate in what Paul stated. I think the issue is with the choice of the word "investigation". As Paul noted, we did not have a full-fledged investigation with testimony from eye-witnesses, etc.

What we did have, and I communicated to him [BBC's defence correspondent Paul Wood, who was embedded with the US marines in Falluja at the time] was an investigation more on the lines of what I would term an inquiry. We had folks try to get into Falluja but were unable, and we had folks talk to people in Baghdad who had left Falluja.

But the information was not of the quality for us to do any reporting. Beyond that, we made inquiries to the US Government, and other press. To the best of our knowledge no banned weapons were used during either battle of Falluja." (7)

Dear Mr. Roth, I would kindly ask you to re-read this last paragraph:

“But the information was not of the quality for us to do any reporting. Beyond that, we made inquiries to the US Government, and other press. To the best of our knowledge no banned weapons were used during either battle of Falluja.”

Why the best of Human Rights Watch’s knowledge didn’t include:

1) Some artillery guns fired white phosphorous rounds that create a screen of fire that cannot be extinguished with water. Insurgents reported being attacked with a substance that melted their skin. (U.S. Forces Battle Into Heart of Fallujah, by Jackie Spinner, Karl Vick and Omar Fekeiki, Washington Post, November 10, 2004)

2) The US occupation troops are gassing resistance fighters and confronting them with internationally-banned chemical weapons,” resistance sources told Al-Quds Press Wednesday, November 10. (US Troops Reportedly Gassing Fallujah, Islam OnLine, November 10, 2004)

3) The U.S. military has used poison gas and other non-conventional weapons against civilians in Fallujah, eyewitnesses report. (‘Unusual Weapons’ Used in Fallujah, by Dahr Jamail, November 26, 2004)

4) “I saw cluster bombs everywhere, and so many bodies that were burned, dead with no bullets in them. So they definitely used fire weapons, especially in Julan district.” (An Eyewitness Account of Fallujah, by Dahr Jamail, December 16, 2004)

5) White Phosphorous. WP proved to be an effective and versatile munition. We used it for screening missions at two breeches and, later in the fight, as a potent psychological weapon against the insurgents in trench lines and spider holes when we could not get effects on them with HE. We fired “shake and bake” missions at the insurgents, using WP to flush them out and HE to take them out. (...) We used improved WP for screening missions when HC smoke would have been more effective and saved our WP for lethal missions. (“The Fight for Fallujah,” a “memorandum for record” by Captain James T. Cobb, First Lieutenant Christopher A. LaCour, and Sergeant First Class William H. Hight, published in the March-April 2005 issue of the US Army’s Field Artillery magazine)

6) “Bogert is a mortar team leader who directed his men to fire round after round of high explosives and white phosphorus charges into the city Friday and Saturday, never knowing what the targets were or what damage the resulting explosions caused. (...)” “Gun up!” Millikin yelled when they finished a few seconds later, grabbing a white phosphorus round from a nearby ammo can and holding it over the tube. “Fire!” Bogert yelled, as Millikin dropped it. The boom kicked dust around the pit as they ran through the drill again and again, sending a mixture of burning white phosphorus and high explosives they call “shake ‘n’ bake” into a cluster of buildings where insurgents have been spotted all week.” (Violence Subsides for Marines in Fallujah, by Darrin Mortenson, North County Times, Saturday, April 10, 2004)

I am not making any charge. I am just asking questions. Is it still possible to ask questions in these dark times of preemptive wars? After embedded journalists, shall we have embedded human rights organizations? Shouldn’t Caesar’s wife be above suspicion?

Kind regards,

Gabriele Zamparini

NOTES:

- 1) [Rights Group Lists 26 It Says U.S. Is Holding in Secret Abroad](#), by IAN FISHER, The New York Times, December 2, 2005
 - 2) [Questions for Human Rights Watch](#), Gabriele Zamparini's e-mail to Marc Garlasco, Senior Military Analyst HRW and Kenneth Roth, Executive Director HRW
 - 3) [Bio of Human Rights Watch's Mark Garlasco](#), Mother Jones, October 2, 2005
 - 4) Lost Count. Researchers rushed a rigorous study of Iraqi civilian casualties into print. [Is that why it was dismissed as pure politics?](#) by Lila Guterman, The Chronicle of Higher Education, February 4, 2005
 - 5) ibidem
 - 6) Rapid Response Media Alert: [Doubt Cast On BBC Claims Regarding Fallujah](#), Media Lens, April 18, 2005
 - 7) NewsWatch complaint not upheld, [NewsWatch](#), BBC News, 3 August 2005
- (*) [Gabriele Zamparini](#) is an independent filmmaker, writer and journalist living in London. He's the producer and director of the documentaries XXI CENTURY and The Peace! DVD and author of American Voices of Dissent (Paradigm Publishers). He can be reached at info@thecatsdream.com - Find out more about him and his work at <http://TheCatsDream.com>

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