

## Investigating Secrets in the War on Terror

### **Investigative Journalism :**

Numerous investigative journalists have contributed to the War on Terror documentary record by posting at web sites the original records they obtained through their reporting, often through leaks from whistleblowers, or by quoting the records at length in their published articles. This list notably includes Seymour Hersh and Jane Mayer of *The New Yorker*, Dana Priest and Barton Gellman of the *Washington Post*, Michael Isikoff of *Newsweek*, Charles Hanley of the AP, Carlotta Gall and Tim Golden and Scott Shane of *The New York Times*, and the staff of Salon.com. Examples include: Abu Grahیب abuses: *60 Minutes* (4-28-04);<sup>i</sup> Seymour Hersh, *New Yorker* (4-30-04; 5-10-04)<sup>ii</sup>; NSA warrantless U.S. surveillance: James Risen and Eric Lichtblau, *New York Times* (12-16-2005)<sup>iii</sup> (Pulitzer Prize); Wikileaks Afghanistan and Iraq leaks<sup>iv</sup>; CIA covert operations: Dana Priest CIA, *Washington Post* (2005)<sup>v</sup> (Pulitzer Prize); extraordinary renditions: John Goetz and Britta Sandberg, *Der Spiegel* (4-27-09)<sup>vi</sup>; Open Society Justice Initiative and Helsinki Foundation for Human Rights<sup>vii</sup>. For an overview of the secret domestic aspects of the War on Terror, see Dana Priest and William Arkin, *Washington Post* (7-19, 20, 21-10)<sup>viii</sup>; on the campaign for government transparency, known as “Sunshine Week,” see <http://www.sunshineweek.org/>

### **Court cases:**

Numerous court cases have brought to light secret practices from the War on Terror. The Associated Press brought the Freedom of Information Act lawsuit that first opened the identities of the detainees at Guantanamo and forced the release of thousands of pages of related hearing transcripts. The American Civil Liberties Union (ACLU) brought a spectacularly successful series of FOIA lawsuits starting in 2003 against the Department of Defense and other federal agencies that has produced thousands of documents that might otherwise still be secret today.<sup>ix</sup> The Center for Constitutional Rights has brought major litigation coordinated by more than 500 attorneys who have worked pro bono that has contributed to the documentary and public record on Guantanamo detainees.<sup>x</sup> *Al Rawi and Others v Foreign and Commonwealth Office and Others (UK)* was litigation in British courts documenting British “ghost” prisoners.<sup>xi</sup>

### **U.S. Congressional investigations:**

Senate Armed Services Committee, especially under chair Sen. Carl Levin (D-Michigan),<sup>xii</sup> pursued the torture issue from Abu Ghraib to the present and has compelled the release of hundreds of documents.

### **Other Government Investigations:**

Investigations by government bodies into secret activities of the U.S. and others in the war on terror have been carried out by Germany, Spain, and the United Kingdom, and national investigations have been begun but terminated before completion by Poland and Lithuania; transnational investigations include those by the United Nations<sup>xiii</sup>, Council of Europe<sup>xiv</sup>, and the European Parliament.<sup>xv</sup>

## Sources for specific reports and investigations into secret aspects of the War on Terror:

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- <sup>i</sup> *60 Minutes*, “Abuse of Iraqi POWs by GIs Probed,” Apr. 28, 2004.  
<http://www.cbsnews.com/stories/2004/04/27/60II/main614063.shtml>
- <sup>ii</sup> Seymour Hersh, “Torture at Abu Grahیب,” *The New Yorker*, May 10, 2004.  
[http://www.newyorker.com/archive/2004/05/10/040510fa\\_fact](http://www.newyorker.com/archive/2004/05/10/040510fa_fact); s.a.  
[http://www.newyorker.com/magazine/bios/seymour\\_m\\_hersh/search?contributorName=seymour%20m%20hersh](http://www.newyorker.com/magazine/bios/seymour_m_hersh/search?contributorName=seymour%20m%20hersh)
- <sup>iii</sup> James Risen and Eric Lichtblau, “Bush Lets U.S. Spy on Callers Without Courts.” *New York Times*. Dec. 16, 2005. <http://www.nytimes.com/2005/12/16/politics/16program.html>
- <sup>iv</sup> Wikileaks War Diary or War Logs <http://wardiary.wikileaks.org/>
- s.a <http://www.guardian.co.uk/world/datablog/2010/jul/25/wikileaks-afghanistan-data> and  
<http://www.nytimes.com/interactive/world/war-logs.html>
- <sup>v</sup> <http://www.pulitzer.org/works/2006-Beat-Reporting>
- <sup>vi</sup> <http://www.spiegel.de/international/world/0,1518,621450,00.html>
- <sup>vii</sup> <http://jurist.law.pitt.edu/paperchase/2010/02/rights-groups-confirm-cia-extraordinary.php>
- <sup>viii</sup> <http://projects.washingtonpost.com/top-secret-america/>
- <sup>ix</sup> <http://www.aclu.org/national-security/secretcy>
- <sup>x</sup> [http://www.gwu.edu/~nsarchiv/torture\\_archive/index.htm](http://www.gwu.edu/~nsarchiv/torture_archive/index.htm)
- <sup>xi</sup> [http://www.reprive.org.uk/2010\\_07\\_14\\_al\\_rawi\\_court\\_revelations](http://www.reprive.org.uk/2010_07_14_al_rawi_court_revelations)
- <sup>xii</sup> <http://armed-services.senate.gov/>
- <sup>xiii</sup> <http://bernard.pitzer.edu/~jparker/social-issues/links/UN.htm> (see Arbitrary Detentions, Torture, Human Rights, and Special Rapporteur.)
- <sup>xiv</sup> For the Council of Europe Committee on Legal Affairs and Human Rights report on CIA rendition program, see [http://assembly.coe.int/CommitteeDocs/2006/20060606\\_Ejdoc162006PartII-FINAL.pdf](http://assembly.coe.int/CommitteeDocs/2006/20060606_Ejdoc162006PartII-FINAL.pdf)
- <sup>xv</sup> For European Parliament Report on CIA rendition and detentions, see <http://jurist.law.pitt.edu/paperchase/2007/02/eu-parliament-condemns-member-states.php>