

A Flawed UN Investigation on Syria

Exclusive: U.N. investigators increasingly make their conclusions fall in line with Western propaganda, especially on the war in Syria, as occurred in a distorted report about last year's attack on an aid convoy, explains Gareth Porter.

By Gareth Porter

The March 1 report by the United Nations' "Independent International Commission of Inquiry" asserted that the bloody attack on a humanitarian aid convoy west of Aleppo City on Sept. 19, 2016, was an airstrike by Syrian government planes. But an analysis of the U.N. panel's report shows that it was based on an account of the attack from the pro-rebel Syrian "White Helmets" civil defense organization that was full of internal contradictions.

The U.N. account also was not supported by either the photographic evidence that the White Helmets provided or by satellite imagery that was available to the commission, according to independent experts. Further undermining the U.N. report's credibility, the White Helmets now acknowledge that rockets they photographed were not fired from Russian or Syrian planes but from the ground.

Like last December's summary of the U.N.'s Headquarters Board of Inquiry report on the same incident, the Commission's report described the attack as having begun with "barrel bombs" dropped by Syrian helicopters, followed by further bombing by fixed-wing planes and, finally, strafing by machine guns from the air.

The March 1 report did not identify any specific source for its narrative, citing only "[c]ommunications from governments and non-government organizations." But in fact the U.N. investigators accepted the version of events provided by the White Helmets chief in Aleppo province as well as specific evidence that the White Helmets had made public.

The White Helmets, which are heavily funded by Western governments and operate only in rebel-controlled areas, are famous for using social media to upload videos purporting to show injured children and other civilian victims of the war.

Last year, a well-organized campaign pushed the group's nomination for a Nobel Peace Prize and a Netflix film about the group won an Oscar last month. The United Nations and the mainstream Western news media have frequently relied on White Helmets accounts from war zones that are not accessible to outsiders. But

the White Helmets' officials have pursued an obvious political agenda in support of opposition forces in Al Qaeda-dominated zones in Aleppo and Idlib where they have operated.

On Sept. 19, immediately after the attack on the aid convoy, the chief of the White Helmets organization in the Aleppo governorate, Ammar al-Selmo, presented a dramatic narrative of a Russian-Syrian air attack, but it was marked by obvious internal contradictions.

At first, Selmo claimed in an interview that he had been more than a kilometer away from the warehouses where the attack occurred and had seen Syrian helicopters dropping "barrel bombs" on the site. But his eyewitness account would have been impossible because it was already dark by the time he said the attack began at about 7:15 p.m. He changed his story in a later interview, claiming that he had been right across the street at the moment of the attack and had heard the "barrel bombs" being dropped rather than seeing them.

Selmo insisted in a video filmed that night that the attack began with Syrian helicopters dropping eight "barrel bombs," which are described as large, crudely constructed bombs weighing from 250 kg to 500 kg or even more. Citing a box-shaped indentation in the rubble, Selmo said the video is showing "the box of the barrel bomb," but the indentation is far too small to be a crater from such a bomb.

Selmo continued the account, "Then the regime also target this place with cluster bombs two times, and also the aircraft of the Russians target this place with C-5 and with bullets," apparently referring to Soviet-era S-5 rockets. The White Helmets photographed two such rockets and sent it to media outlets, including the Washington Post, which published the picture in the Post story with credit to the White Helmets.

Story Contradictions

But Hussein Badawi, apparently the White Helmet official in charge of the Urum al Kubrah area, contradicted Selmo's story. In a separate interview, Badawi said the attack had begun not with "barrel bombs" but with "four consecutive rockets" that he said had been launched by government forces from their defense plant in Aleppo province – meaning that it was a ground-launched attack rather than an air attack.

In an email response to a query from me, Selmo retracted his own original claim about the S-5 rockets. "[B]efore aircraft's attack on the area," he wrote, "many land to land missiles attacked the place coming from the defense factories which [are] located in eastern Aleppo [east of] the city, regime controlled area.

[T]hen aircraft came and attacked the place.”

But such a rocket attack from that “regime controlled area” would not have been technically possible. The Syrian government defense plant is located in Safira, 25 kilometers southeast of Aleppo City and even farther from Urum al-Kubrah, whereas the S-5 rockets that the White Helmets photographed have a range of only three or four kilometers.

Moreover, the Russians and Syrian government forces were not the only warring parties to have S-5s in their arsenal. According to a study of the S-5 rocket by Armament Research Services consultancy, Syrian armed opposition forces had been using S-5 rockets as well. They had gotten them from the CIA’s covert program of moving weapons from Libyan government stockpiles to be distributed to Syrian rebels beginning in late 2011 or early 2012. Syrian rebels had used improvised launch systems to fire them, as the ARS study documented with a picture.

Significantly, too, the explicit claim by Selmo that Russian planes were involved in the attack, which was immediately echoed by the Pentagon, was summarily dismissed by the U.N. panel report, which stated flatly, without further explanation, that “no Russian strike aircraft were nearby during the attack.”

Misplaced Evidence

Yet, despite the multiple discrepancies in the White Helmets’ story, the U.N. investigators said they corroborated the account of the air attack “by a site assessment, including analysis of remnants of aerial bombs and rockets documented at the site, as well as satellite imagery showing impact consistent with the use of air-delivered munitions.”

The U.N. Commission’s report cited a photograph of the crumpled tailfin of a Russian OFAB-250 bomb found under some boxes in a warehouse as evidence that it had been used in the attack. The White Helmets took the photograph and circulated it to the news media, including to the Washington Post and to the Bellingcat website, which specializes in countering Russia’s claims about its operations in Syria.

But that bomb could not have exploded in that spot because it would have made a crater many times larger than the small indentation in the floor in the White Helmet photo – as shown in this video of a man standing in the crater of a similar bomb in Palmyra.

Something other than an OFAB-250 bomb – such as an S-5 rocket – had caused the fine shrapnel tears in the boxes shown in the photo, as a detail from the larger scene reveals. So the OFAB bomb tailfin must have been placed at the scene after

the attack.

Both U.N. imagery analysts and independent experts who examined the satellite images found that the impact craters could not have come from the “aerial bombs” cited by the Commission.

The analysis of the satellite images by United Nations specialists at UNITAR-UNOSAT made public by the U.N. Office of Humanitarian Coordination on March 1 further contradicts the White Helmet account, reflecting the absence of any evidence of either “barrel bombs” or OFAB-250 bombs dropped on the site.

The U.N. analysts identified four spots in the images on pages five and six of their report as “possible impact craters.” But a U.N. source familiar with their analysis of the images told me that it had ruled out the possibility that those impact points could have been caused by either “barrel bombs” or Russian OFAB-250 bombs.

The reason, the U.N. source said, was that such bombs would have left much larger craters than those found in the images. Those possible impact points could have been either from much smaller air-launched munitions or from ground-based artillery or mortar fire, but not from either of those weapons, according to the U.N. source.

Expert Challenges

A former U.S. intelligence official with long experience in analysis of aerial photos and Pierre Sprey, a former Pentagon analyst, both of whom reviewed the satellite images, agreed that the spots identified by UNOSAT could not have been from either “barrel bombs” or OFAB-250 bombs.

The former intelligence official, who demanded anonymity because he still deals with government officials, said the small impact points identified by the U.N. team reminded him of impacts from “a multiple rocket launcher or possibly a mortar.”

Sprey agreed that all of those impact points could have been from artillery or mortar fire but also noted that photographs of the trucks and other damaged vehicles show no evidence that they were hit by an airstrike. The photos show only extensive fire damage and, in the case of one car, holes of irregular size and shape, he said, suggesting flying debris rather than bomb shrapnel.

Sprey further pointed to photographic evidence indicating that an explosion that the U.N. Commission blamed on a Syrian airstrike came from within the building itself, not from an external blast. The building across the street from some of the trucks destroyed by an explosion (in Figure 9 of a series of photos on the

Bellingcat website) clearly shows that the front wall of the building was blown outward toward the road, whereas the rear wall and the roof were still intact.

The photograph (in Figure 10) taken from inside the remains of that same building shows the debris from the blast was blown all the way across the street to the damaged truck. Sprey said those pictures strongly suggest that an IED (improvised explosive device) had been set in the house to explode toward the trucks.

In embracing the Syrian-air-strike narrative – although it falls apart on closer examination – the U.N. “Commission of Inquiry” thus fell into line with the dominant Western political bias in favor of the armed opposition to the Syrian government, a prejudice that has been applied to the Syrian conflict by U.N. organs since the beginning of the war in 2011.

But never has the evidence so clearly contradicted that line as it has in this case – even though you will not learn that by reading or watching the West’s commercial news media.

Gareth Porter is an independent investigative journalist and winner of the 2012 Gellhorn Prize for journalism. He is the author of the newly published *Manufactured Crisis: The Untold Story of the Iran Nuclear Scare*.

Lynne Stewart: ‘War on Terror’ Casualty

In America’s “war on terror,” normal actions, such as lawyer Lynne Stewart passing a client’s message to friends, became criminalized. Stewart was imprisoned, likely speeding her death from cancer, reports Dennis J Bernstein. By Dennis J Bernstein

Civil rights attorney Lynne Stewart, who died March 7 from cancer, saw her condition worsen while she was in prison as a result of her legal representation of Sheikh Omar Abdel-Rahman, an Egyptian cleric who was convicted of planning terror attacks. The U.S. government then won a conviction against Stewart for passing on messages to the Sheikh’s friends and supporters.

Journalist Chris Hedges wrote about Stewart in 2014 after Stewart was released having served four years of a ten-year sentence. Suffering from terminal cancer, she received a compassionate release after thousands protested and signed petitions against her continued incarceration.

Hedges wrote: “The lynching and disbarring of civil rights lawyer Lynne Stewart,

who because she has terminal cancer was recently released from prison after serving four years of a 10-year sentence, is a window into the collapse of the American legal system. Stewart—who has stood up to state power for more than three decades in order to give a voice to those whom authorities seek to crush, who has spent her life defending the poor and the marginalized, who wept in court when one of her clients was barred from presenting a credible defense—is everything a lawyer should be in an open society. But we no longer live in an open society. The persecution of Stewart is the persecution of us all.”

Stewart upheld the tradition of the people’s lawyer as embodied in the work of Clarence Darrow and William Kunstler. Like them, she deeply believed that all people deserved a vigorous defense.

I interviewed Stewart for the Flashpoints show on Pacifica Radio, along with her husband, Ralph Poynter, in 2014, right after her release from Maximum Security prison in New York.

Dennis Bernstein: Why do you think they put you in jail? Is it because for a zillion years you represented the poorest of the poor, the people who really had the right to be represented, but not the money?

Lynne Stewart: Well, I think it’s a combination really of wanting to send a warning shot, as we say, to ice the zeal of lawyers who represent such people. I mean, the fact of the matter is that I was the stalking horse, and they wanted to let lawyers know they could represent controversial people but they had to do so within the bounds set by the government: “Do it our way.” Don’t do it the way, you and the client, I mean which is traditional thing. You sit with the client, you decide on a strategy and you do it. But, no, they wanted to make it, “You have to do it within the parameters we suggest.” And that, of course, is a terrible incursion on the attorney/client privilege, and the relationship.

DB: How thoroughly were you and your clients bugged?

LS: Well, we didn’t know it, at the time. But, it was visits, in a prison setting, and they recorded everything. They had audio and visual. And it was very funny because they couldn’t put it like where we would be seeing a camera or anything, so they mounted it above our heads. So you see these hands moving across a table. The Sheikh’s hands, my hands, my interpreter’s... really showing nothing. But they liked that, they liked that, just everything they could get.

DB: And where are we? Here we are, 2014, where we’re seeing endless revelations about the level of national security activities that undermine all the core aspects of free speech. How would you evaluate where we are now, in that world of first amendment free speech? Do we have any left?

LS: Well, I tell you, it was interesting. You know, of course, we raised that as an issue for the case, when I was indicted. That their intrusion in 6th amendment sacred precincts should preclude them from being able to prosecute. However, by that time, the Patriot Act had been passed, in the interim between the time they did it, and the time that we raised this. And it was more or less to say, well, under the Patriot Act they could do it, so what's the problem?

Even though it was not done under the Patriot Act. But it's the halo effect of the Patriot Act that allowed them to do it. And I think that that covers a lot of situations nowadays. Now they want to be able to take someone's cell phone, which is really a mini-computer. And if you're arrested they can get any information off there, including medical information, including any information that's private and confidential. So the fact of the matter is, I think we all have to say ourselves [...] "What would I say, freewheeling. They're out there, they can get anything they want, whenever they want it." And we act accordingly.

DB: Lynne Stewart in the studio, she's free, she's with us. What's the advice [for lawyers]? Should they take on these tough clients? Should they be afraid?

LS: Well, [...] I was being interviewed today by an AP reporter from New York, who was doing a thing on how people who represent difficult clients are punished personally and professionally. And so we were talking about this very point and he said, "Do you see anybody coming along that's going to take your place, that could do what you did?" And I said, "There are some folks, I count my own son as one of them, although he does it in a very low key way without publicity, etc."

But, I said to Larry Undermeister, I said, "Listen, I got, I would say, upwards of 100 letters when I was in prison, and they were from young lawyers, either in law school or about to enter law school, or just starting on their careers." And they said, "I became a lawyer because I want to be a lawyer like you are." And [...] they say, "What's your advice?" and I said, "If you have that fire in your belly, do it, do it."

Although I recognize that they enter the arena in a very different way... when I entered, I had no debt. I could hang out my shingle and say, "Okay, let's see who comes in the door." They can't do that. They've got these enormous student loans that they've got to pay off. They've got to get something that gives them a salary, that enables them... and, of course, by the time you pay off the student loans the fire has sometimes become embers.

DB: So, there's a real temptation to start lying for some bank or major corporation to pay off your debt.

LS: Oh, yeah...or government, even. Work for the government, and do their bidding.

But there are enough others that I think ... [are] out there still. The sense is out there that if you're going to do this work, you ought to do it for the least among us. You can do it for the Wall Street, you can do it for inside traders.

But the real people to do it for, where it's you and the government and everybody in the courtroom hates you (which was many times the case, for me), those are the cases you really want to do, as a lawyer. You need to do. And I still, I still have a pang. I'll read about something in the newspaper and I'll say, "Gee, I would have loved to have done that case" or "I would like to do this case." [...]

DB: Have you been asked to give counsel in certain cases?

LS: I'm not allowed. I'm disbarred, and you're not even allowed to... you can't work in a law office alphabetizing. You can't go anywhere near a law office. Because I think that they understand that lawyers, being the wily people we are, if you're in a law office, you're going to do a little bit more than alphabetize the files. But the answer is, I can't help but be interested or make comments, or get mad at the T.V. set when they do these outrageous programs...

DB: Well, you can alphabetize my legal files any time. Also in the studio, and we thank Jeff Mackler for bringing you to the Bay Area, and not only that, we thank Jeff Mackler for being unrelenting in this fight to free you. I mean, and I'm serious, knock-the-door-down unrelenting in this fight. And I have to be honest, I was sort of hopeless, I didn't think he was going to be able to do it. I didn't think the folks who rose up around the country could do it. But they did, and you're here. Jeff how does it feel to see Lynne here?

Jeff Mackler: Magnificent. Of course, I visited her in prison, and she was upbeat that we could win. But since I have the opportunity, I want to make some criticisms of Lynne. First, when she was on the witness stand and they said to her in court, and I attended the entire proceedings, they said, "Lynne, if you had to do it all over again" said her attorney, Mike Tigar, "would you do the same thing?" That is, pass out a press release on behalf of your client, for which she was convicted of conspiracy to aid and abet terrorism. And I watched Lynne closely and I could see a tear come out of her eye. And she said, "I would hope I would think...no, I would do it again. I have a duty to my client." That's one criticism. Lynne, you should have lied.

And second, they said, "Well, why did you do it? I mean, why didn't you just appeal this special administrative order that prevented you from passing a press release?" And she said, "Well, let me give you a story. A friend of mine, named Mumia Abu Jamal," this is a quote, "a convicted murderer," and she was using him as a reference in front of a jury, where her life is at stake, "complained that

they were opening his mail, and he filed a lawsuit and it took years. Well, I have a duty to my client. I'm not going to let him stand there in prison for years, so I just did the right thing for my client." Well, that's Lynne Stewart and that's why she's here and she's free with her dignity.

Dennis J Bernstein is a host of "Flashpoints" on the Pacifica radio network and the author of Special Ed: Voices from a Hidden Classroom. You can access the audio archives at www.flashpoints.net.
