

The New York Times and Washington Post are Ignoring Civilians Killed by US Drone Strikes

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The Obama administration has repeatedly claimed its drone strikes are precise and conducted in compliance with international law.

Yet, information provided to online journal [The Intercept](#) by an unnamed source paints a different picture.

The Obama administration's drone strikes have also been investigated by multiple UN Special Rapporteurs, including [Philip Alston](#), [Ben Emmerson](#) and [Christof Heyns](#). They have been criticized by numerous human rights NGOs, such as [Amnesty International](#), [Human Rights Watch](#) and [Repeive](#). [Stanford Law School](#), [NYU School of Law](#) and [Columbia Law School](#) have raised ethical and legal questions.

The dichotomy between claims made by the Obama administration and the reports by these well-respected observers should attract scrutiny by the media.

To find out what kind of job the media has been doing reporting this story, I recently completed and published a [study](#) of The New York Times' (NYT) and Washington Post's (WP) coverage of US drone strikes between 2009 and 2014.

These papers were chosen as representatives of the "elite press." The NYT calls itself the "paper of record." The WP is considered by some to be the official paper of Washington, DC. I picked this five-year period because of the dramatic increase in drone strikes that occurred since Obama took office.

My conclusion: both papers have substantially underrepresented the number of civilians killed in drone strikes in Pakistan and Yemen, failed to correct the public record when evidence emerged that their reporting was wrong and ignored the importance of international law.

Reporting on civilian casualties

My research analyzed the NYT's and WP's coverage of the immediate aftermath of drone strikes in Pakistan and Yemen.

The [sample of articles](#) included 81 NYT and 26 WP stories published within two days of particular strikes.

The reporting in the two newspapers was compared to the London-based [Bureau of Investigative Journalism's](#) coverage of the same drone strikes. I considered TBIJ's findings authoritative because they used a methodology that has been endorsed by the [Center for Civilians in Conflict and Human Rights Clinic](#) at Columbia Law School.

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The 81 NYT articles covered the same number of attacks. TBIJ found that civilians were killed in 26 of the 81 attacks – a rate of 32%. Yet, the NYT reported civilians killed in only two of those 26 attacks – a rate of 7.7%.

The 26 WP articles covered 26 separate attacks. TBIJ found that civilians were killed in seven of the 26 attacks – a rate of 27%. The WP, however, reported civilians killed in only one of those seven attacks – a rate of 14%.

According to TBIJ, in the 33 strikes that resulted in civilian casualties, a total of 180 to 302 civilians were killed. In the three NYT and WP articles that reported civilian casualties, the deaths of just nine civilians were documented.

This trend of underreporting of civilian casualties means readers are not being informed of the real consequences of drone strikes in Yemen and Pakistan. It represents a failure by journalists at these papers to view critically government claims regarding who is killed in particular strikes.

On not correcting inaccuracies

Unlike TBIJ's accounts, which are informed by its post-strike investigations, the NYT and WP are unable to confirm exactly who was killed when reporting in the immediate aftermath of a drone strike. Because of this inability, the NYT and WP have a responsibility to correct the public record after reporting misleading information.

When I contacted the NYT and WP about the inaccuracies in their reporting on civilian casualties, and to see whether either newspaper published corrections, the answer from both was that they had not.

In response to a query, Joumana Khatib in the NYT's Office of the Public Editor provided the following quote from an unnamed assistant to the NYT's corrections editor: "We don't re-report old stories, and that's what would be required here." The assistant made this claim despite the fact that the NYT [revisited](#) earlier strikes with followup stories at least [15 times](#) when such strikes targeted "high-value" targets in order to clarify whether the target was killed. Ordinary civilians who were killed have not received the same treatment.

Sylvester Monroe, the WP's assistant managing editor, stated that when using "official sources" it is impossible to "independently verify which of the dead were members of militant groups and which might have been innocent civilians."

Monroe also said: "Even if the CIA were to acknowledge that its count was inaccurate, it would not be up to us to run a correction."

The absence of international law

Because drone strikes are used to employ lethal force, the legality of such strikes is a matter for international law. Depending on the context, lethal force is governed either by international human rights law or international humanitarian law. International human rights law applies at all times, but can be superseded by international humanitarian law in times of armed conflict.

The Obama administration insists that drone strikes are regulated by international humanitarian law. It claims that the US is engaged in an armed conflict with al-Qaeda and “associated forces.”

This is far from a decided matter. Historically, international human rights law has governed the use of lethal force outside of recognized conflict zones.

In order to determine whether the NYT and WP placed the drone strikes in their international legal context, I searched the 81 NYT and 26 WP articles to see if they referred to any of the following terms: human rights, international human rights law, international humanitarian law, laws of war and laws of armed conflict.

In the 81 NYT articles, human rights were mentioned five times – a rate of 6%. In the 26 WP articles, human rights were mentioned once – a rate of 3.8%.

Neither the NYT nor the WP mentioned international human rights law.

Neither of the newspapers referred to international humanitarian law, or either of its interchangeable titles, a single time.

The Obama administration’s lack of transparency and dismal reporting by the nation’s top newspapers combine to protect the administration from accountability for the civilians killed during its drone strikes.

Without government transparency and accurate reporting, whistle-blowers, like the source of the Intercept’s [“Drone Papers,”](#) are the only source for information that will allow us to understand the real consequences of the drone strikes.