

Italy seeks arrest of 13 CIA agents for abduction of Egyptian cleric

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The US practice of abducting terrorism suspects on foreign soil and secreting them to third countries, where they are held without charges and routinely tortured, has been propelled to the forefront of international diplomatic relations with the issuing of criminal arrest warrants for 13 CIA agents accused of seizing an Egyptian cleric on the streets of Milan and shipping him to an Egyptian jail.

The warrants were requested by prosecutors and police in Milan and signed by a judge on June 22. They concern the case of Hassan Mustafa Osama Nasr, 42, also known as Abu Omar, who had been granted political refugee status by Italy and headed a mosque in Milan at the time of his kidnapping and disappearance on February 17, 2003.

Italian authorities say they do not know the whereabouts of those named on the warrants, but if found, tried and convicted, they could be sentenced to more than 10 years in jail. Neither the CIA nor the US Embassy in Rome has issued any comment. A US State Department spokesman would only say he had no information on the case.

Nasr, a militant Islamist who regularly denounced the US, was under investigation at the time by Italian authorities, who suspected him of seeking to build a recruiting cell for Al Qaeda-type terrorists in Europe and the Middle East. Italian investigators were sharing the results of their investigation of Nasr with CIA officials in Italy, and were angered by the kidnapping, which, they maintain, was carried out without their knowledge and aborted the criminal case they were seeking to assemble against the cleric.

According to prosecution documents cited in press reports Saturday and Sunday, some of the 13 CIA operatives seized Nasr as he was walking from his home to his mosque at noontime, sprayed his eyes with a chemical substance, and bundled him into a van. They drove him to Aviano Air Force Base, a joint US-Italian facility several hours away, making cell phone calls along the way to a US commander at the base to inform him of their progress. From Aviano he was flown to the US base at Ramstein, Germany, and from there to Egypt.

Nasr was released from prison for a brief time in 2004, when he telephoned family and friends and told them he had been subjected to electric shocks to his genitals and had lost hearing in one ear. He has since disappeared again, and may have been

reincarcerated in Egypt.

The prosecution of the CIA agents is the first such criminal action by authorities abroad against US officials in connection with the so-called “war on terrorism.” It is all the more significant coming from Italy, whose right-wing government, headed by Prime Minister Silvio Berlusconi, has staunchly supported the Bush administration and the war in Iraq.

There are already public demands for an investigation into whether Rome played any role in the kidnapping of Nasr, and some supporters of Berlusconi are suggesting that the criminal case launched by prosecutors in Milan was politically motivated. However, Armando Spataro, Milan’s deputy chief prosecutor, who led the investigation into Nasr and, following the abduction, into the suspect’s disappearance, is generally regarded as a figure on the right of Italian politics. Spataro led the prosecution of the Red Brigade terrorist organization in the 1970s and 1980s.

In a recent interview, Spataro expressed his opposition to the US practice of extrajudicial abduction and transfer of alleged terrorists to third countries, known as “rendition.” He said the “struggle against terrorism” should be conducted “in accordance with international laws and the rights of the defendant.”

While Italian authorities are the only ones to date to issue criminal charges against US citizens in connection with renditions, judicial or parliamentary investigations are ongoing in Sweden, Germany and Canada concerning the rendition of citizens or residents of these countries. The US government is refusing to cooperate with these probes.

It is generally agreed that since 9/11, the US has kidnapped and “rendered” at least 100 people. Only three months ago, at a March 16 press conference, President Bush was asked about the practice and defended it.

Prosecutors in Italy and other European countries are growing increasingly angry not only over the US practice of rendition, but also the refusal of the US to allow them access to witnesses and intelligence information which they consider essential to their own investigation and prosecution of terrorist suspects within their borders. The *New York Times* on Sunday quoted a “senior Italian counterterrorism official” as saying: “The American system is of little use to us. It’s a one-way street. We

give them what we have, but we are given no useful information that can help us prosecute people.”

In Germany, according to the *Times*, “counterterrorism officials were furious when a criminal trial against Mounir el-Montassadeq, a suspected associate of several Sept. 11 hijackers, crumbled and he was released. They openly blamed American officials for failing to provide crucial evidence.”

The *Times* continued: “And the Bush administration has refused to allow the Spanish authorities to interview Ramzi bin al-Shibh, a central Qaeda suspect, to bolster their case against two men on trial in Madrid on charges of helping to plan the 2001 attacks.”

The friction between the US and Italian counterterrorism officials, police and prosecutors evidently accounts, at least in part, to the readiness of Milan investigators to provide the press with many details of their investigation into the CIA agents. In interviews given over the weekend, Italian officials said that they believed a total of 19 CIA operatives were involved in the abduction and rendition of Nasr, although they have as of yet charged only 13. While the whereabouts of most of the agents are unknown, and most appeared to use cover names while they were working in Milan, Italian sources identified one of those charged as the CIA’s station chief at the US consulate in Milan at the time of the abduction.

The *Los Angeles Times* reported Saturday that the then-CIA station chief in Milan, a 51-year-old Honduran-born American, “is believed to have accompanied or followed Abu Omar [Nasr] to Egypt and to have been present for some of the interrogations, a senior Italian judicial official said Saturday.”

The *Los Angeles Times* continued: “That raises the possibility that the American agent was aware of the alleged torture, the Italian official said. The man’s movements were traced by his use of a cellular telephone to make calls from Egypt in the two weeks after the disappearance of Abu Omar, the official said.

“‘He was the one who knew everything about Abu Omar,’ the official said, referring to the ex-station chief, ‘and so he would have been very useful in the interrogation.’”

Italian police on Thursday raided a home near Turin belonging to the former CIA station chief, confiscating a computer, computer disks and papers.

In court documents, the Milan prosecutors state that their findings “allow us to attribute the kidnapping with certainty to the CIA.” The *Washington Post* reported on Saturday that its own investigation of those named in the Italian warrants had turned up a link to the CIA. The article stated: “Two of the individuals had listed their addresses as boxes at the same post office in Dunn Loring, Va. That is used by a man who is listed as an officer of Premier Executive Transport Services, a company that owns two planes used by the CIA for renditions.”

Italian officials gave details of the paper and electronic trail left by the CIA operatives whom they allege were involved in the kidnapping. These include cell phone records, hotel registries, car rental receipts, electronic highway toll passes and

other documents. They also revealed that the agents stayed in some of the most exclusive hotels in Milan and other cities, running up huge bills to pay for their luxurious lifestyle both before and after the abduction of the Egyptian cleric.

The *Los Angeles Times* reported that, according to the indictment, the group ran up a tab of \$150,000 in hotel bills alone.

Italian prosecutors said Saturday they want to question Col. Joseph Romano, a commander at Aviano who has since left Italy, and are considering ordering his arrest as well. Spataro, the lead prosecutor, said he would like to seek the extradition of the suspects, and that the warrants had been forwarded to European police agencies, meaning those named could be arrested anywhere in Europe.

On Monday, the judge who signed the warrants is expected to appoint public defenders for each of the accused. Once that has occurred, the judge’s 230-page arrest warrant, which includes a full investigative report and the names of the accused, will become public.

Whether or not the accused CIA operatives are brought to trial, the indictment against them has thrown the spotlight on the outlaw role of the US on the world arena. But other questions are raised by the US government’s practice of thwarting investigations and prosecutions of terrorist suspects by other countries.

What are the Bush administration and the American intelligence agencies afraid of? Are they following the old adage that dead men—and “disappeared” men—tell no tales? Are they deliberately aborting trials that might reveal links between the American state and terrorist groups and individuals, including those connected to the attacks of September 11, 2001?



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