

The following text may be printed, copy/pasted, or downloaded and emailed.

Reports of Secret U.S. Prisons in Europe Draw Ire and Otherwise Red Faces

IAN FISHER

New York Times

December 1, 2005

ROME, Nov. 30 - It is not only anger that is rising in Europe over possible secret American prisons on the Continent, kidnappings of terror suspects and transfers of prisoners on C.I.A. airplanes.

There is also looming embarrassment, with suspicion that Americans, in many cases, operated with the knowledge or consent of local governments.

"Someone knew," said Daria Pesce, the lawyer for a former C.I.A. station chief in Milan, one of 22 Americans formally charged in the kidnapping of an Islamic militant from there to Egypt in 2003. "I don't think that it is possible that an American comes into Italy and kidnaps someone. It seems really unlikely."

In the last few weeks, a confusing - and combustible - array of allegations has been hardening into fact in the European mind, all pointing to a worry that people here, largely skeptical of America's effort to prevent terrorism, may be more involved in that project than thought, and in several ways.

The immediate furor was set off by a report that since the Sept. 11 terror attacks, the Central Intelligence Agency has created a covert prison system in eight countries, including several in Eastern Europe. There have been subsequent reports that C.I.A. planes have made stops in various European countries.

The flights have raised questions of whether they carried suspects bound for secret American prisons, though the flights do not prove that such transfers took place.

The concern is not limited to covert prisons, though. The biggest question is about so-called extraordinary renditions, or transfers, in which terror suspects captured abroad are sent by the United States to their home countries or to third countries, some of which have records of torturing prisoners.

The operations are by nature secret, so it has been hard to separate facts from the speculative murk around them. But the questions are fueled by some concrete evidence: hundreds of recorded flights by C.I.A. planes and at least one kidnapping, the one in Italy, documented in detail by prosecutors.

The questions seem likely to dominate the visit to Europe next week of Secretary of State Condoleezza Rice. They will focus on just how active America has been in the capture and transfer of terror suspects on European soil.

Adding to the chorus of such requests from other European nations, the British foreign minister, Jack Straw, sent

a letter to Ms. Rice on Monday asking for clarification. Mr. Straw, writing on behalf of the European Union, asked specifically about accusations about covert prisons in Eastern Europe and news media reports of C.I.A. airplanes stopping in European bases.

The State Department said Monday that it would cooperate with such requests, adding that it had acted within international law.

The issue is steeped with emotion, given the high level of anger in Europe at reports that American interrogators have tortured prisoners in Iraq; Guantánamo Bay, Cuba, and other places. The stakes are high for many European governments, facing impassioned questions from opposition politicians and human rights groups about just how much they knew about American actions.

"We need full disclosure by our government," Sir Menzies Campbell, foreign affairs spokesman for the Liberal Democrats in Britain, told BBC radio on Wednesday. "If, in fact, people are being moved from a jurisdiction where torture is illegal to a jurisdiction where torture is permissible, that seems to me to be wholly contrary to international law."

"If we are allowing facilities for aircraft carrying out these actions," he added, "we are at the very least facilitating, and we may even be complicit in it."

A report on Nov. 2 in The Washington Post about a covert prison system did not identify the European countries, but Human Rights Watch has said such facilities were in Poland and Romania.

Poland and Romania have strongly denied the accusations, and American officials have declined comment.

On the issue of extraordinary renditions, more than 100 prisoners are suspected of being transferred in this way since September 2001. The case with the highest profile occurred here in Italy. On Feb. 17, 2003, an Islamic militant, Hassan Mustafa Osama Nasr, disappeared in Milan and appeared later in Egypt, where he said he had been tortured.

In the only case to have gone up the legal system, Italian prosecutors have charged 22 American operatives with the kidnapping. While the Italian government has denied any knowledge of the operation, it has also declined so far to ask the United States to extradite the suspects - raising much suspicion here that the government either knew about the operation or approved it.

"I don't see why they shouldn't have agreed with our secret services on an action like that," said Giuseppe Cucchi, a former three-star general, military representative to NATO and adviser to the center-left opposition here. "The condition often put on an action like that is that, 'If something comes out, we will declare that we didn't know anything.' "

Around Europe there have been varying media reports of C.I.A. planes making European stops.

A recent analysis done for The New York Times of 26 planes known to be operated by C.I.A. companies shows 307 flights in Europe since September 2001. The information was culled from Federal Aviation Administration data, aviation industry sources and, to a lesser extent, a network of plane spotters who often report to human

rights groups.

It finds that there were 94 flights in Germany, the most in Europe. (An investigation has opened there on whether Mr. Nasr, the suspect seized in Italy, was flown out of an American air base in Germany.) Second is Britain, 76 flights, followed by Ireland (33), Portugal (16), then Spain and the Czech Republic (15 each).

In Britain, where opposition to the war in Iraq has been high despite Prime Minister Tony Blair's support for it, a human rights group, Liberty, said Wednesday that it was concerned that some of the flights might have carried secret prisoners - an allegation joined by Sir Menzies, but quickly denied by the government.

"We are not aware of the use of U.K. territory or airspace for the purpose of extraordinary renditions, nor have we received any requests, nor granted any permission for the use of U.K. territory or airspace for such purposes," said a Foreign Office spokeswoman, speaking anonymously because of the office's policy of not allowing the use of such officials' names.

There are more than half a dozen investigations into flights in various countries, as well as an inquiry by the Council of Europe that also covers the question of secret prisons in Eastern Europe. A council official said Wednesday that they were looking into flights of nearly 40 planes believed to be operated by the C.I.A., but he said he believed that the number of prisoners aboard them was probably small.

"There are not these huge numbers flying around, as if the C.I.A. does nothing but disappear people and transfer them back and forth," said the official, speaking anonymously because the council has imposed a temporary halt to speaking publicly about its inquiry.

But he said it was important for American officials to cooperate with the inquiry, to clear the cloud of suspicion about the flights "that are illicit and the ones that are not."

The issue has careered around Europe. In Munich, prosecutors have opened an investigation into the abduction of a German citizen who says the C.I.A. flew him from Macedonia to Afghanistan early in 2004. There he was interrogated for five months before being released, he said.

A Macedonian official said the German, Khaled Masri, had left Macedonia of his own accord. But others are skeptical.

"What choice do you have when you are the size of Macedonia?" said Saso Ordanoski, a leading political commentator and editor of the weekly political magazine Forum. "Can you say no?"

The issue of flights has been particularly potent in Spain, where Prime Minister José Luis Rodríguez Zapatero abruptly withdrew its troops from Iraq after he was elected last year.

Since March, there has been a police investigation into 10 flights by suspected C.I.A. planes to the island of Majorca between January 2004 and January 2005. The government has also confirmed 46 stopovers in the Canary Islands by two planes apparently connected to the United States government.

Spanish officials have acknowledged that one flight in April 2004 originated in Guantánamo Bay, where the United States operates a large prison for terror suspects. It stopped over in Tenerife before flying on to Romania.

The government denies that the flights violated any Spanish or international law.

Reporting for this article was contributed by Stephen Grey in Johannesburg; Alan Cowell in London; Richard Bernstein in Berlin; Renwick McLean in Barcelona, Spain; Nicholas Wood in Ljubljana, Slovenia; and Brian Wingfield in Rome.