

March 3, 2013



## CIA Secret Prison: Polish Leaders Break Silence About Black Site

By VANESSA GERA 03/31/12 01:45 PM ET **AP**

WARSAW, Poland — For years, the notion that Poland could allow the CIA to operate a secret prison in a remote lake region was treated as a crackpot idea by the country's politicians, journalists and the public.

A heated political debate this week reveals how dramatically the narrative has changed.

In a string of revelations and political statements, Polish leaders have come closer than ever to acknowledging that the United States ran a secret interrogation facility for terror suspects in 2002 and 2003 in the Eastern European country.

Some officials recall the fear that prevailed after the Sept. 11, 2001, attacks, and defend the tough stance that former U.S. President George W. Bush took against terrorists.

But the debate is sometimes tinged with a hint of disappointment with Washington, as if Poland's young democracy had been led astray — ethically and legally — by the superpower that it counts as a key ally, and then left alone to deal with the fallout.

Prime Minister Donald Tusk said Thursday that Poland has become the "political victim" of leaks from U.S. officials that brought to light aspects of the secret rendition program.

In his most forthcoming comments on the matter to date, Tusk said an ongoing investigation into the case is proof of Poland's democratic credentials and that Poland cannot be counted on in the future in such clandestine enterprises.

"Poland will no longer be a country where politicians — even if they are working arm-in-arm with the world's greatest superpower — could make some deal somewhere under the table and then it would never see daylight," said Tusk, who took office four years after the site was shuttered.

"Poland is a democracy where national and international law must be observed," Tusk said. "This issue must be explained. Let there be no doubt about it either in Poland or on the other side of the ocean."

To some, it sounded like a long-delayed admission that Poland allowed the U.S. to run the secret site, where terror suspects were subjected to harsh interrogation tactics that human rights advocates consider torture.

"This statement is quite different from any others," said Adam Bodnar, a human rights lawyer with the Helsinki Foundation in Warsaw. "From the general context, he's kind of admitting that something is in the air. You can feel that this is an indirect confirmation."

For years Polish officials and the public treated the idea that the CIA ran a prison in Poland as absurd and highly unlikely — even after the United Nations and the Council of Europe said they had evidence of its existence. Polish officials repeatedly rebuffed international calls for serious investigations. The idea slowly only began to get serious consideration after Polish prosecutors opened an investigation into the matter in 2008.

A new breakthrough came Tuesday when a leading newspaper, *Gazeta Wyborcza*, reported that prosecutors have charged a former spy chief, Zbigniew Siemiatkowski, for his role in allowing the site. Siemiatkowski was reportedly charged with depriving prisoners of war of their freedom and allowing corporal punishment.

Siemiatkowski has refused to comment, telling *The Associated Press* he was bound by secrecy laws on the matter. But he did not deny the report.

The issue is hugely sensitive because any Polish leaders who would have cooperated with the U.S. program would have been violating Poland's constitution, both by giving a foreign power control over part of Polish territory and allowing crimes to take place there.

Any officials who were involved could — in theory — be charged with serious crimes, including crimes against humanity.

Former U.S. President George W. Bush writes in his memoir "Decision Points" that he ordered the CIA to subject about 100 terror detainees to harsh interrogation techniques, arguing the methods did not constitute unlawful torture and that they produced intelligence that prevented further attacks. Neither he nor the CIA have officially said where the "black sites" were based, but intelligence officials, aviation reports and human rights groups say they included Afghanistan and Thailand as well as Poland, Lithuania and Romania.

Former CIA officials have told the AP that a prison in Poland operated from December 2002 until the fall of 2003, and that prisoners were subjected to harsh questioning and waterboarding in Stare Kiejkuty, a village set in a lush area of woods and lakes. Human rights groups believe about eight terror suspects were held in Poland, including Khalid Sheikh Mohammed, the self-proclaimed mastermind of the Sept. 11 attacks; Abd al-Rahim al-Nashiri, a Saudi national charged with orchestrating the attack in 2000 on the USS Cole that killed 17 sailors; and Abu Zubaydah, a Palestinian terror suspect.

Poland is the only country that has opened a serious investigation into the matter, something which Bodnar says is a sign of maturing in this 23-year-old democracy, with prosecutors, journalists and human rights lawyers all trying to seek truth and accountability.

"Poland deserves credit for this step, as the first European state to begin to deal with CIA torture on its own soil," said Cori Crider, legal

director for Reprieve, a British human rights group.

The Polish leaders in office at the time – former President Aleksander Kwasniewski and former Prime Minister Leszek Miller – have vehemently denied the prison's existence.

But they nonetheless have voiced support for the rendition program in principle, arguing that the U.S. and its allies were at war with terrorists after the Sept. 11 attacks and that tough measures were needed.

"I will always stand on the side of hurt women, children and the victims of attacks," Miller said in a radio interview this week. "I won't shed tears for murderers. A good terrorist is a dead terrorist."

Even former President Lech Walesa, the iconic democracy fighter, said he is "against torture ... but this is war and war has its particular rules."

Miller, the head of the Democratic Left Alliance, an opposition party, has been the main target of criticism by political opponents this week. Some even say he should face the State Tribunal, a special court charged with trying state figures.

Włodzimierz Cimoszewicz, a senator who was the foreign minister when the site operated, said Miller should take responsibility for what happened 10 years ago.

"About a CIA prison in Poland, if it existed, I didn't know," Cimoszewicz said on Radio RMF FM. "But everything indicates that the CIA used a villa in Stare Kiejkuty."

Human rights lawyers and activists welcome the new openness.

"There is some satisfaction here," said Bodnar. "The most important thing is accountability. Intelligence agencies cooperate with each other, but after this they will remember that they need to obey the constitution and that some things they cover up could become public at some point."

---

Vanessa Gera can be reached at <http://twitter.com/VanessaGera>

(This version corrects typographical error.)