STATEMENT OF WITNESS

(Criminal Procedure Rules, r.27.2 Criminal Justice Act 1967, s.9, Magistrates' Courts Act 1980, S.5B)

STATEMENT OF:	Stefania Maurizi
Age of Witness:	Over 18
Occupation:	Investigative Journalist
Address:	Notified to Birnberg Peirce

This statement consisting of 19 pages is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.

Dated the 17th of July 2020 Signed Signature witnessed by Signed

- I am providing this statement at the request of the law firm Birnberg Peirce who represent Julian Assange. I have been asked to provide information or commentary that might assist the Court in its examination of the request by the United States for his extradition on charges relating to a number of publications in 2010 and 2011.
- 2. I am an investigative journalist, currently working for the major Italian daily II Fatto Quotidiano. I previously worked for 14 years for the Italian leading newsmagazine l'Espresso and for the major Italian newspaper La Repubblica. L'Espresso and La Repubblica belong to the same Italian newsgroup.

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- 3. As a journalist working for l'Espresso and for la Repubblica, I was involved at the time in the joint publication of some of the materials on which Mr. Assange's extradition is sought.
- 4. I have been provided with the indictment and supporting prosecution statements including four declarations by US Attorney Gordon Kromberg. I have also been provided with the documents to which Mr Kromberg's declarations are responding on the issue of publication. I have further over the past decade widely researched aspects of relevant background beyond that within the indictment itself.
- 5. I am an investigative journalist working for a major Italian newspaper, II Fatto Quotidiano. Throughout the period with which this statement is concerned, I was working for another major Italian newsmagazine and newspaper, I'Espresso and La Repubblica, respectively.
- 6. My own background is somewhat unusual for a journalist; I am a mathematician. When I took my degree in maths, I submitted a thesis and two dissertations, one of which was devoted to cryptography, though at that time my knowledge of that discipline was purely theoretical.
- 7. It was as a result of my interest in the area of cryptography that my attention as a journalist initially came to be directed, in 2008, towards a small organisation, WikiLeaks, founded just two years before. One of my journalistic sources suggested that I take a look at their work; at the time they and their approach were known to very few people and journalists. By degrees I came to look at what they were doing more systematically and made contact with Julian Assange. Julian Assange and WikiLeaks were pioneering the use of encryption to protect journalistic sources and this was of great interest to me, both as an investigative journalist and as a mathematician. In 2008, when I started looking at WikiLeaks, no major newsroom was offering that sort of systematic protection to sources, using cryptography. As a matter of fact, it would take years before international media such as the New York Times, the

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Washington Post or the Guardian would systematically introduce encryption to protect sources, doing so only after WikiLeaks had pioneered such a strategy.

- 8. My first specific journalistic partnership with WikiLeaks took place in July 2009, when I was invited to download an audio file WikiLeaks had posted on the internet and made accessible only to those who knew the specific internet address where the file had been uploaded prior to publication. The publication was basically doing some journalistic checks to determine whether or not that audio file was genuine, and was also trying to understand the context and facts mentioned in that file. Since the document was in Italian, they asked me whether as an Italian investigative journalist I could help and might be interested in publishing the revelations in partnership with them. The audio file had to do with a garbage collection crisis that was overwhelming the city of Naples and the alleged role of the Italian intelligence services in that crisis. I was able to verify the authenticity and public interest of that documentation, so I partnered with WikiLeaks for the first time: on the 6th of August 2009, they made the file and related information public on their website, while I published my article based on those revelations in L'Espresso, the Italian newsmagazine where I had worked since 2006, focussing on investigative journalism.
- 9. I took note of WikiLeaks' chosen modus operandi that of making the original data available on its website so that other media and readers could access the original documentation, assess its value, check whether the media reports based on it had been fair and balanced or whether the reports had instead manipulated or somehow distorted the raw information. Mr Assange called this method scientific journalism, which he had based on the evidence standards required by scientific journals. At that time, there was a general problem in the media of journalists filtering pieces of the information they obtained through their own analysis or interpretation, inevitably putting their own spin on it in the process. At the same time, I noted that WikiLeaks was focussing on the importance of a number of protections, including protection for the integrity of the documents, so they could not be misrepresented or distorted, and protections on the encryption, protecting both the documents

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and sources. This publication strategy of making original documents available to the public empowers entire communities: journalists, scholars, the police, human rights activists, victims of human rights abuses. My collaboration with them on this project and my contact with them thereafter constituted an opportunity for me to learn myself. The combination of methods used by WikiLeaks was extremely innovative. I found it enormously educational from my own perspective.

- 10. In 2010, WikiLeaks published the "Collateral Murder" Rules of Engagement and video, dramatically showing criminal acts carried out by the US military (from army helicopters in Iraq in 2007). The publication was of immense importance and concern, as Italy along with many other countries had found itself and its recent social and political history bound up in the consequences of the US invasions of Afghanistan and Iraq (and later, the conflict in Libya). My country, Italy, has been in Afghanistan and in Iraq from the very beginning, with thousands of troops. The US bases in Italy have been crucial for the Iraq war, and my country has been at the forefront of the refugee crises unleashed by those wars. We have always been intensely aware of the catastrophes those wars have caused.
- 11. After the publication of "Collateral Murder", I again made contact with WikiLeaks and flew to Brussels, where Mr. Assange was to give a talk to the European Parliament in relation to "Collateral Murder" materials, and we agreed to meet again soon.
- 12. We met on the evening of September 27th, 2010, in Berlin, to discuss the question of publication on the part of l'Espresso, with which I was then working, of what are described as the Afghan war logs. Julian Assange arrived at my hotel in Berlin late in the evening, and later that night WikiLeaks journalist Kristinn Hrafnsson joined us. Julian Assange had flown from Stockholm on a direct flight. He arrived at my hotel around 11 pm with no luggage, apart from his laptop and a small plastic bag containing a t-shirt, a toothbrush and a few small bottles of liquid soap. He immediately told me that

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the plastic bag was all he was given at the Berlin airport when it was clear that his luggage had disappeared under suspicious circumstances. That night we immediately started discussing encryption and passwords, and it was interesting to learn from Julian Assange. He also explained to me that it is important to always keep any passwords he shared private, to never ever make them public, because if you make them public you provide insights on their possible weaknesses to actors who want to attack you. In fact, once passwords are public, a malicious actor can analyse them and devise attacks based on how strong your passwords are, on whether the so-called 'dictionary attack' works, and so on. The next morning, the 28th of September 2010. Julian Assange, Kristinn Hrafnsson and I went to a cafe' in Alexanderplatz, and reached what was essentially a "gentleman's agreement" between themselves and the publisher I worked for. As a regular contributor to the newsmagazine l'Espresso, I had already published important investigations for the newsmagazine, and my editors trusted me to make such a decision: a partnership with WikiLeaks was a possibility I had already mentioned to my editors for weeks before travelling to Berlin, and they had found it interesting.

- 13. On more than one occasion, Mr Assange expressed to me his view that if WikiLeaks had existed before the US invaded Iraq and had published what it later published earlier (the "Collateral Murder" video with respect to Iraq, for example), the war might have been avoided or would have come to an end sooner. The fact is that what had been and was being disseminated by the governments involved, in particular the USA, was largely false, and the true picture was not being allowed to be known.
- 14. Having the opportunity to investigate and to expose manifest lies which had caused wars to be waged and based on which wars were being sustained, and thereby the chance to change the direction of future history, was of immense significance not only for my own country, but for the world at large. It was very clear to me from the outset that this was the motivation driving both WikiLeaks and Julian Assange, and over a significant period of

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time I had various opportunities to discuss the objective of exposing lies with him in depth. These were, it was clear, lies which had caused war to start and to continue. And unfortunately, on many occasions the traditional media had failed to hold the governments involved accountable and had even contributed to disseminating these lies.

- 15. After meeting in September 2010, WikiLeaks gave me access to what are known as the "Afghan War Logs". These documents were encrypted and password protected. I was also able to publish additional material based on my own further research and investigation. WikiLeaks had already, and with other media partners, published a considerable amount of data.
- 16. After that initial project, I made a new joint agreement on behalf of l'Espresso and la Repubblica to move forward on the larger project involving the diplomatic cables (larger in terms of amount of data and complexity of the content). It was on January 10th 2011 that I travelled to the UK to explore the joint publication of those areas in which I and the organisation for which I worked might have the most interest from within a far larger body of cables. I understood that there had originally been five initial media partners who had not wanted to extend that partnership beyond their number, but that WikiLeaks and Mr Assange wanted a far more significant analysis of the contents of the files beyond a mere series of journalistic "stories". None of the initial five media partners were Italian and local expertise was deemed important. For that reason, I was made to understand, the project involved entering into partnerships with responsible and trusted journalists and publishers with particular knowledge of the countries to which the diplomatic cables related.
- 17. I myself was given access to 4,189 cables which could be better assessed and understood with the assistance of a knowledgeable Italian partnership. I sat down with Mr Assange and went through the cables as systematically as possible. I was given an encrypted USB stick, and once I returned to Italy I was given the password that would then allow opening the

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file. Everything was done with the utmost responsibility and attention. I am aware of the password that David Leigh and Luke Harding of the Guardian subsequently published in their book: it was not the same password I myself was given at the time.

- 18. That was the first time I had ever worked in any publishing enterprise involving strict procedures of that kind. Even experienced international colleagues found the procedures burdensome, involving protections considerably beyond those which any of them were accustomed to exercising. There were aspects of the agreements entered into with WikiLeaks by media partners in which I had perhaps a greater interest than others, since most journalists are neither knowledgeable nor interested in anything to do with encryption processes.
- 19. In consequence, I perhaps have a greater understanding of what was being required by WikiLeaks and why, and what the implications of each security measure were. One basic aspect concerned the use of "passwords" as security measures, but even the concept of how an organisation might create and utilise passwords would have its own security relevance, and discussing outside agreements concerning these issues could provide outsiders with potential insight into an organisation's security procedures. I myself would not at any point think it appropriate to make such essential security aspects public. Indeed Julian Assange had discussed these security aspects with me during the very first meeting in September 2010 in Berlin. He wanted to make me aware of these security procedures and to explain the rationale behind them.
- 20. In retrospect I myself am grateful for the procedures and that I was required to adhere to them; otherwise, I can see, there was potential for enormous errors in the decisions made by others if they did not comprehend the purpose behind WikiLeaks' insistence on precise procedures.

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- 21. Much of this was time-consuming and stressful, but achieving an understanding of the background and rationale for these procedures was a valuable exercise.
- 22. It is with this background history and knowledge that I comment upon particular allegations in the prosecution of Mr Assange, i.e. that he dumped unredacted material onto the internet deliberately or carelessly for all to see and in knowledge of the harm that might in consequence have been caused. I note the observations in Mr Kromberg's third supplemental declaration. The security procedures I adopted to work on the secret files included always keeping the files encrypted in an air-gapped computer, which was never left unattended, along with many other important security arrangements. Always keeping the computer protected, so that it is never left unattended, has been a problematic security procedure that has imposed a very burdensome and complex routine on my daily life. I completely understand why my colleagues in the newsroom have never adopted such strict security procedures, not even when working on complex mafia investigations. As a matter of fact, they looked upon me as a rather paranoid professional for insisting on such unprecedented security measures. I am aware that one media partner at the time, John Goetz, a well-respected German investigative journalist, has described it as the most careful handling he has ever experienced; I concur with that description; even the work done by close colleagues on stories regarding the Italian Mafia requiring extreme caution and security never reached these levels. Nevertheless, the procedures those colleagues continue to use are insecure compared to this careful work which was upheld throughout publication with media partners throughout the world on a slow rolling basis for at least a year: systematic use of encryption to protect documents and communication between media partners and WikiLeaks, air gapped computers etc.
- **23.** The objective was to get access to the cables in a protected arrangement, not to the website as seems to be suggested. Although

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reference is made to material being on a WikiLeaks website, it could never have been accessed without the password allowing access being published. It required knowing both the website where the information was available and the password to access it. To the best of my knowledge, all of the media partners save one kept the passwords private – although each of us from the different countries were focussed on a smaller amount of information than that to which the Guardian had originally been given access. When I learned that David Leigh and Luke Harding had published the password in their book, even that part of the password that Mr Assange had insisting on not writing down, I wondered whether they had understood the procedure at all. I express my surprise that Mr. Kromberg relied on the David Leigh remarks that "it is entirely wrong to say the Guardian's 2011 WikiLeaks book led to the publication of unredacted US government files". Keeping passwords private is a very basic security measure.

24. My own work started in January 2011; nine months later, in October, I was still analysing the cables. I and a close colleague worked on the analysis for months. At the same time, I worked with WikiLeaks on appropriate redactions to ensure the safety of any names that arose. In my collaboration with WikiLeaks, it was never about "publishing" for the sake of publishing, but rather about publishing with a view to achieving the wider objective of bringing state crimes and abuses that otherwise would never have been known to light in order to educate the public and influence government policy.

25. The cables I was handling were primarily of Italian or Vatican interest, but I also had an interest in and overview of broader areas which were inevitably issues of enormous interest to the world at large, both long before and specifically at the time that what is described as the "Manning" material was made available in 2010 - first to WikiLeaks and then by WikiLeaks with other media partners. Guantanamo was one such issue. I am aware that WikiLeaks had a long-standing interest in exposing the abuses in the US rendition system and in Guantanamo Bay, and had been doing so since 2007 long before Chelsea Manning had ever been heard of.

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- 26. This and other issues in these new publications regarded key areas of major international discussion, and all journalists working in those fields, as well as of course the nations themselves, parliamentarians and NGOs were focussed on the issue of abuses. But despite their importance and level of interest, there were enormous barriers to adequate or reliable information. Very rarely, sometimes accidentally, sometimes entirely as a result of dedicated and brave journalists cultivating and encouraging sources, clearly authentic information and revelations so shocking they could not be ignored enabled debate and policies to be effected. One such revelation, although limited to only a few files, came in the publication by CBS News and Seymour Hersh of information and photographs from within the US military prison in Abu Ghraib in Irag showing the torture of Iragi prisoners. Public of awareness was nevertheless minimised by using the narrative that these were simply a few rogue officers, and the involvement of their superiors, including the US High Command and the drivers of US policy, was not pursued.
- 27. Those vivid pictures were published in 2004 and related to the actions of soldiers in 2003 in the conflict in Iraq; it was now 2010 when the "Collateral Murder" video, the Afghan and Iraq war logs and the cables were made available. The depth and meaning of the content, once carefully analysed and understood, and the breadth and range of the data has been, I believe rightly, regarded as of unparalleled importance. All those who were publishing it were aware of the international implications of the release of this information, how it could change state policy and change the course of the war. The implications and impact were far broader than the reverberations in 2004 from one detention facility in Iraq and could affect the same ongoing war in an even more desperately needed and more significant manner.
- 28. A further example of a case in which it had been very difficult for investigators and journalists to obtain information about very serious violations of human rights was the case of US extraordinary renditions. As an Italian investigative journalist, I am familiar with this matter, because Italy is the only

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country in the world which convicted 26 US citizens, almost all of them CIA agents, for the extraordinary rendition of Nasr Osama Mostafa Hassan, also known as Abu Omar.

- 29. Abu Omar, a Muslim cleric, was kidnapped by the CIA from the street in Milan, on Italian soil, the 17th of February 2003. Abu Omar has described his torture in a 2008 interview (Exhibit 1). He was abducted in the middle of the day: his extraordinary rendition happened in plain sight in the streets of Milan, at noon-time and an Egyptian woman witnessed it. Immediately after his wife went to the police to denounce his disappearance, the Milan prosecutors opened a criminal investigation. Two prominent prosecutors, Armando Spataro and Fernando Pomarici, investigated this case. A formidable prosecutor who had nailed very dangerous mafia criminals and terrorists, Armando Spataro was tremendously assisted by the analysis of phone metadata collected in the area where Abu Omar had been kidnapped.
- 30. This investigation was so effective that it bore fruit in the incrimination of 26 US citizens, almost all of them CIA agents, and several top officials of the Italian military intelligence: SISMI. Since the extradition procedure had been thwarted, and the Italian judicial system allows trial in absentia, the 26 US nationals were tried in absentia and finally convicted by the Italian Supreme Court between 2012 and 2014.
- **31.** Though all of them were sentenced to heavy penalties between 6 and 9 years none of them served a single day in prison for kidnapping a human being in plain sight and in the middle of a European city, like in Pinochet's Chile. In fact, while the Italian judicial system was highly efficient, Italian politicians (who had been pressured by the US) completely neutralised the highly independent Italian prosecutors, to an extent that six Justice ministers for six different governments, both progressive and conservative ones, refused to assist the Italian prosecutors in forwarding the extradition requests for the 26 US citizens who had been convicted. At least three of those 26 US nationals enjoyed the presidential pardon by two different Italian presidents:

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in 2013, the president Giorgio Napolitano pardoned Col. Joseph Romano, who was the head of security at the US base of Aviano, where Abu Omar was transferred immediately after his kidnapping, in order to be transferred to Ramstein, a major US base in Germany.

- **32.** In 2015, the current Italian president, Sergio Mattarella, pardoned the CIA agents Robert Seldon Lady and Betnie Medero. Two years later, the very same Italian president, Mattarella, pardoned another CIA agent: Sabrina De Sousa. As for the top officials of the Italian military intelligence, while the former head of the Italian military intelligence, Nicolò Pollari, and his deputy Marco Mancini, had been sentenced to 10 and 9 years respectively by the Milan Court of Appeal, the Italian Supreme Court ruled this sentence was invalid due to state secrecy.
- 33. In February 2016, the European Court of Human Rights (ECHR) condemned the Italian government for violating Articles 3, 5, 8, 13 of the European Convention on Human Rights: prohibition of torture and inhuman and degrading treatment; right to freedom and security; right to respect for private and family life; right to effective judicial protection. The ECHR's judgment contains harsh criticism of the Italian Government, the Presidents of Italy (for the three presidential pardons) and the Italian Constitutional Court. The European Court of Human Right's ruling effectively reconstructs how the criminal investigation was completely subverted by the Italian government and "the investigation and trial had not led to the punishment of those responsible, who had ultimately been granted impunity". Italy, the only country in the world whose judiciary had been able to identify 26 US nationals, almost all of them CIA agents, and to convict them, ended up condemned by the European Court of Human Rights for granting them impunity.
- **34.** While the handling of the Abu Omar case by the Italian government was widely reported by the Italian and the international press, there was a behind-the-scene handling of the case which was completely shielded by thick layers of secrecy: it involved secret and relentless pressures exerted by US

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diplomacy, which pressured the highest echelons of the Italian governments for years. I was able to expose those pressures in my book "Dossier WikiLeaks. Segreti Italiani" (Rizzoli, Milan, 2011) only thanks to the US diplomacy cables published by WikiLeaks.

- 35. The cables provide indisputable evidence that the US diplomacy exerted pressure on the Italian authorities. Since the US diplomacy was unable to pressure the Italian judiciary, which the US diplomacy see as "fiercely independent", US diplomats put pressure on Italian politicians both progressive and conservative ones.
- 36. In one such cable dated 24 May 2006, the then US Ambassador to Rome, Ronald Spogli, describes his meeting with the then Undersecretary to the Italian Prime Minister, Enrico Letta. Spogli writes:

"In the context of keeping our excellent bilateral relationship on sound footing, the Ambassador explained to Letta that nothing would damage relations faster or more seriously than a decision by the GOI [Government of Italy] to forward warrants for arrests of the alleged CIA agents named in connection with the Abu Omar case. This was absolutely critical. Letta took note of this and suggested the Ambassador discuss the matter personally with Justice Minister Mastella, who Letta suggested should be invited to Washington for an early meeting with the Attorney General." (Exhibit 2¹)

37. A few months later, in August 2006, the US Ambassador to Rome, Spogli, reports again on the case:

"Justice Minister Mastella has so far kept the lid on recurring judicial demands to extradite presumed CIA officers allegedly involved in a rendition of Muslim cleric Abu Omar, and Prodi declined to release any details about potential Italian knowledge or involvement in the case citing the imperative to protect classified national security information". (Exhibit 3²)

¹ https://wikileaks.org/plusd/cables/06ROME1590_a.html

² https://wikileaks.org/plusd/cables/06ROME2436_a.html

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38. One year later, US diplomats is still discussing with the Italian politicians how to stop the extradition of the US nationals involved in the extraordinary rendition of Abu Omar. In April 2007, the US Ambassador to Rome, Ronald Spogli, meets the then Italian Foreign Minister, Massimo D'Alema and reports:

"D'Alema closed the hour-long meeting by noting that he had asked the Secretary if the Department could send something in writing to him explaining that the U.S. would not act on extradition requests in the Abu Omar case if tendered. This, he explained, could be used pre-emptively by the GOI to fend off action by Italian magistrates to seek the extradition of the implicated Americans" (Exhibit 4)³.

39. One year later, Italy has a new government, a conservative one, headed by Silvio Berlusconi, the then US Ambassador to Rome, Ronald Spogli reports again:

> "Berlusconi has continued to stand with us as best he can in the trial of twenty-six Americans and seven Italians, including the former chief of Italian military intelligence, charged with kidnapping suspected terrorist Mustafa Osama Nasr, a/k/a Abu Omar in February 2003" (Exhibit 5⁴)

40. Pressures were exerted on the Italian government's highest hechelons, included the Ministry of Defense, Ignazio La Russa. In February 2010, the US wrote:

> "SecDef [Robert Gates] thanked La Russa for his efforts to have the Italian Minister of Justice send letters to relevant judicial authorities affirming U.S. jurisdiction over Colonel Romano under the NATO SOFA in the Abu Omar case. Recalling his meeting with Prime Minister Berlusconi, SecDef hoped that the appeals process would offer additional opportunities for GOI advocacy" (Exhibit 6)⁵.

⁵ https://wikileaks.org/plusd/cables/10ROME172_a.html

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³ https://wikileaks.org/plusd/cables/07ROME710_a.html

⁴ https://wikileaks.org/plusd/cables/08ROME1226_a.html

41. The US diplomacy cables document such pressures until February 2010, when the then Secretary of Defense Robert Gates met with Italian Prime Minister Silvio Berlusconi during an official visit to Rome:

"In relation to the Abu Omar case, SecDef [Robert Gates] requested GOI's advocacy on recognizing U.S. jurisdiction over Colonel Joseph Romano under the NATO SOFA. Berlusconi expressed optimism that the matter will be resolved favorably during the appeals process". (Exhibit 7⁶)

- **42.** Had it not been for the US diplomatic cables revealed by WikiLeaks, it would have been impossible to acquire factual and solid evidence about the US pressures on the Italian politicians to prevent the extradition of the 26 US nationals convicted for the extraordinary rendition of Abu Omar. There is no doubt whatsoever that by exposing such pressures, WikiLeaks provided a valuable service in contributing to shed light on extremely serious human rights violations like extraordinary renditions.
- **43.** I believe there are a number of further aspects of the WikiLeaks joint project that are important to underline.
- **44.** Firstly, the continuing value of the cables in providing the relevant communities as well as the world community with the capacity to understand in a far more significant way than through filtered and often state-censored news. The revelations regarding Italian politicians and their discussions are still reverberating. I spent a year reading all of the cables and writing a book on them; they have been of enormous assistance in understanding Italian politics. Ten years later, these cables still help me and my readers 'decipher' Italian and international affairs.
- **45.** The protection arrangements involved, whereby when names that should be redacted are identified, the local partner, in this case myself, was to mark them with 12 x's (so that the number of letters did not provide further clues). I can remember redacting one particular name myself in this way. It was only then that WikiLeaks would publish the redacted version, having been

⁶ https://wikileaks.org/plusd/cables/10ROME174 a.html

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guided by what it regarded as local media partners with a greater understanding of local sensitivities. It was a cautious process; even before the cables I was able to see in the Afghan war logs, when the WikiLeaks methodology was still evolving and lessons being learned, I was informed that there was a limitation on those made publicly available since redactions of a substantial number of them were still the subject of concern. As a matter of fact, when I met Julian Assange and Kristinn Hrafnsson in Berlin on the 27th and 28th of September 2010, I was told that 15,000 of the Afghan War Logs were still being examined.

- 46. It was later in 2011 that I became aware that the password had been compromised by the publication of the password in David Leigh's book. I was, in the course of my work, due to visit Ellingham Hall, in Norfolk, where Julian Assange was then living at the end of August 2011. I travelled there Friday the 26th of August 2011, spent Friday and Saturday at Ellingham Hall with Julian Assange and his WikiLeaks staff and then flew back to Rome the 28th of August 2011. Upon my arrival at Ellingham Hall, I encountered enormous concern: there was an ever-widening circle of awareness that the files, until then considered to be safely encrypted might nonetheless be public very soon because of the book which had been published. The day before my arrival, the German weekly Der Freitag had published a story. Though it had not explicitly revealed where the password was available, it was not impossible to connect the dots. WikiLeaks was in the position of its own data having been irreversibly and repeatedly embedded in the internet and they could not undo what had happened.
- 47. I am aware that those who have not understood the situation have suggested that WikiLeaks could have done something about the situation. This constitutes a misunderstanding; WikiLeaks could not. I understood WikiLeaks had hoped it would never happen. It did happen as a result of other unforeseen actions on the part of several different individuals outside of WikiLeaks. I remember that when I arrived there were fierce discussions as to what to do. Julian was clearly acutely troubled by the situation with which WikiLeaks was faced.

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- 48. On the 1st September 2011 in New York, Cryptome published the cables on its website: that release of those unredacted documents in full was never wished for by WikiLeaks or Assange, to the extent that every possible step had been taken for over a year to avoid it.
- 49. While I was at Ellingham Hall, Assange was himself making urgent attempts to inform the State Department the information was circulating out of WikiLeaks control.
- **50.** When WikiLeaks did eventually put the already published material on its own website, I consulted a prominent US expert for his opinion, since The Guardian appeared to be condemning and encouraging further condemnation of Julian Assange in order to shift blame. That expert was Bruce Schneier, whom the Economist dubbed the internet "security guru". The view expressed by Bruce Schneier in email to me was: "Both parties made dumb mistakes [...] If I were to assess the blame, the Guardian made the worse mistake [...] without the key, no one would have been able to brute force the file. No one, probably not even aliens with a planet-sized computer".
- **51.** When we published the cables in Italy, we adopted the same procedure as WikiLeaks; putting the original data on our own websites for the most important revelations and with our own translations into Italian. When the full documents in fact came to be published later in 2011, I noticed that our news competitors immediately rushed to see if we had published everything, or if rather we had suppressed certain inconvenient revelations and whether we had done our work accurately. It is only if the documents are published in full that the reader can know if something is hidden or changed or purposefully distorted. As a journalist or publisher, any wrong or misleading articulation of the facts would be exposed.

52. This publication strategy introduced by WikiLeaks has proved to be very important in empowering activists, journalists and entire communities: the

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exiled islanders from the Chagos Archipelago, for example, have been using the U.S. diplomacy cables in court to support their struggle to return to the Chagos Islands. A German citizen, Khaled el-Masri, used the cables to support his case at the European Court of Human Rights against his extraordinary rendition. Activists, victims, journalists, scholars have been able to access these documents and use them to obtain justice or to report stories, without the need for privileged channels with a few privileged journalists in control of those files.

53. When WikiLeaks published another dataset five years later containing the full Hacking Team emails, those emails proved so important that in 2019 they allowed me to reveal important information on two of the main characters involved in the assassination of Jamal Khashoggi. Had that information not been published in full, as Julian Assange and WikiLeaks did, I would have never been able to discover that important information. The WikiLeaks' publication strategy has changed journalism profoundly.

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POLITICS MARCH/APRIL 2008 ISSUE

Exclusive: I Was Kidnapped by the CIA

Inside the CIA's extraordinary rendition program and the bungled abduction of would-be terrorists

PETER BERGEN



Illustration (Map of CIA Rendition Flights): Trevor Paglen and John Emerson

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FOR HOURS, the words come pouring out of Abu Omar as he describes his years of torture at the hands of Egypt's security services. Spreading his arms in a crucifixion position, he demonstrates how he was tied to a metal door as shocks were administered to his nipples and genitals. His legs tremble as he describes how he was twice raped. He mentions, almost casually, the hearing loss in his left ear from the beatings, and how he still wakes up at night screaming, takes tranquilizers, finds it hard to concentrate, and has unspecified "problems with my wife at home." He is, in short, a broken man.

There is nothing particularly unusual about Abu Omar's story. Torture is a standard investigative technique of Egypt's intelligence services and police, as the State Department and human rights organizations have documented myriad times over the years. What is

7/6/2020

Exclusive: I Was Kidnapped by the CIA - Mother Jones

somewhat unusual is that Abu Omar ended up inside Egypt's torture chambers courtesy of the United States, via an "extraordinary rendition"—in this case, a spectacular daylight kidnapping by the Central Intelligence Agency on the streets of Milan, Italy.

First introduced during the Clinton administration, extraordinary renditions—in which suspected terrorists are turned over to countries known to use torture, usually for the purpose of extracting information from them—have been one of the cia's most controversial tools in the war on terror. According to legal experts, the practice has no justification in United States law and flagrantly violates the Convention Against Torture, an international treaty that Congress ratified in 1994. Nonetheless, Congress and the American courts have essentially ignored the practice, and the Bush administration has insisted that it has never knowingly sent anyone to a place where he will be tortured.

But Abu Omar's case is unique: Unlike any other rendition case, it has prompted a massive criminal investigation—though not in the United States. An Italian prosecutor has launched a probe of the kidnapping, resulting in the indictment of 26 American officials, almost all of them suspected cia agents. It has also generated a treasure trove of documents on the secretive rendition program, including thousands of pages of court filings that detail how it actually works. Late last year, I traveled to Milan to review those documents and to Egypt, where Abu Omar now lives. What I found was a remarkable tale of cia overreach and its consequences—a tale that could represent the beginning of a global legal backlash against the war on terror.

An avuncular, portly man in his mid-40s clad in a turban and a floor-length blue robe, Abu Omar met me at a corner store near his home, the first time he had agreed to talk to an American magazine reporter. He took me to his tidy, cramped apartment near Alexandria's run-down Victorian rail station. The walls were bare other than some religious calligraphy. The screen saver on his computer was a picture of Mecca.

Abu Omar, whose full name is Hassan Mustafa Osama Nasr, served me pungent coffee and sugary biscuits prepared by his unseen wife. Then, leaning forward in a massive gilded chair, he told me how in the weeks before the March 2003 invasion of Iraq, he'd felt he was being watched and followed as he walked the streets of Milan, where he'd been granted political asylum in 2001 following an earlier spell of imprisonment and torture in Egypt. A member of Egypt's militant Islamic Group and a part-time cleric, he had been waging a public campaign against the impending war; Italian authorities had been investigating his circle of acquaintances since mid-2002 and believed he might have been recruiting fighters to go to Iraq, a charge he denies.

A little before noon on February 17, 2003, Abu Omar was headed to his mosque, incongruously located inside a garage. He strolled down Via Guerzoni, a quiet street mostly empty of businesses and lined with high, view-blocking walls. A red Fiat pulled up beside him and a man jumped out, shouting "*Polizia! Polizia!*" Abu Omar produced his ID. "Suddenly I was lifted in the air," he recalled. He was dragged into a white van and beaten, he said, by wordless men wearing balaclavas. After trussing him with restraints and blindfolding him, they sped away.

Hours later, when the van stopped, Abu Omar heard airplane noise. His clothes were cut off and something was stuffed in his anus, likely a tranquilizing suppository. His head was entirely covered in tape with only small holes for his mouth and nose, and he was placed on a plane. Hours later he was hustled off the jet. He heard someone speaking Arabic in a familiar cadence; in the distance, a muezzin was calling the dawn prayer. After more than a decade in exile, he was back in Egypt.

Abu Omar was taken into a building, put in a blue prison suit, freshly blindfolded, and presented to someone described as an important pasha, or government official. The pasha said he'd be released if he'd go back to Italy to spy on the militants at his mosque. He said no.

And so began Abu Omar's descent into one of the 21st century's nastier circles of hell. His cell had no lights or windows, and the temperature alternated between freezing and baking. He was kept blindfolded and handcuffed for seven months. Interrogations could come at any time of the day or night. He was beaten with fists, electric cables, and chairs, stripped naked, and given electric shocks.

His tormentors' questions largely revolved around his circle of Islamists in Italy, though every now and again they'd indicate that they knew he wasn't a big-time terrorist. They were detaining him only because "the Americans imposed you on us." When he asked, "Why, then, do you abuse me so much?" they replied, "This is our family tradition."

In the fall of 2003, Abu Omar was taken to another prison; it was here that he was crucified and raped by the guards. After seven more months of torture, a Cairo court found there was no evidence that Abu Omar was involved in terrorism and ordered him freed. He was told not to contact anyone in Italy—including his wife—and not to speak to the press or human rights groups. Above all, he was not to tell anyone what had happened.

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After agreeing to the conditions, he was deposited at his mother's home in Alexandria. He promptly called his wife in Italy. It was the first time she'd heard from him in 14 months. Italian investigators, who'd been monitoring Abu Omar's phone in Milan for years,

recorded the call. His wife asked him how he had been treated. He told her sarcastically, "They brought me food from the fanciest restaurant," though nearly three weeks later, he admitted to her, "I was very close to dying." He also spoke with a friend in Milan, Mohamed Reda El Badry, whose phone was also being tapped by Italian investigators. "I was freed on health grounds," he told El Badry in one of the recorded calls. "I was almost paralyzed; still today I cannot walk more than 200 yards.... I was incontinent, suffered from kidney trouble."

And then, just as suddenly as Abu Omar had reappeared, he vanished again. Egyptian authorities had gotten wind of his calls to Italy. This time he was imprisoned for three years. He smuggled out a letter describing his ordeal, which found its way to the Arab and Italian press and international human rights organizations. Inevitably, that led to more torture.

Was it illegal for American officials to send Abu Omar to Egypt? Yes, according to the United Nations Convention Against Torture, which prohibits delivering someone to a country where there are "substantial grounds" to assume that he might be tortured. Were there substantial grounds to believe that transferring Abu Omar to Egypt would result in his being tortured? Plenty, according to a State Department report that detailed the methods used by Egypt's security services during the year that Abu Omar was abducted and confined, including stripping and blindfolding prisoners; dousing them with cold water; beatings with fists, whips, metal rods, and other objects; administering electric shocks; suspending prisoners by their arms; and sexual assault and threats of rape.

The White House has routinely claimed that when the United States renders individuals to other countries it receives assurances that, as President Bush stated at a press conference in March 2005, "they won't be tortured...This country does not believe in torture." Several months later, Secretary of State Condoleezza Rice reiterated, "The United States has not transported anyone, and will not transport anyone, to a country when we believe he will be tortured."

But in the case of Abu Omar, Rice's assertions are demonstrably false. According to a previously unpublished study conducted by Katherine Tiedemann of The New America Foundation and myself, the same is true of many of the extraordinary renditions going back to the program's beginnings in 1995. (See "Rendition by the Numbers," above.) Fourteen documented extraordinary renditions took place under the Clinton administration. Almost all of those prisoners were rendered to Egypt, where at least three were executed. After 9/11 the pace of renditions sped up and the program expanded dramatically. Prisoners were now also transferred to Jordan, Yemen, Morocco, Algeria, and even Libya, Sudan, and Syria. In all, we found 53 documented cases of extraordinary rendition since September 2001; only one prisoner specifically said he had not been tortured. Of the sixteen men who have been released, eight claimed they were tortured and/or mistreated while in foreign custody; one died within weeks of being released. Nineteen of the rendered men have not been heard from since they disappeared.

Brad Garrett is a former fbi special agent who obtained uncoerced confessions from two of the most high-profile terrorists in recent American history: Ramzi Yousef, who bombed the World Trade Center in 1993, and Mir Aimal Kasi, who shot and killed two cia employees outside the Agency's headquarters the same year. "The whole idea that you would send anyone to some other country to obtain the intel you want is ludicrous," he told me in an email. "If we want the intel, there are approaches that will render the information without torture. The problem is that someone in the U.S. government is convinced that torture is the way to go, and so if we are not allowed to do it, then send them to someplace where torture is sanctioned."

The extraordinary rendition program was not primarily intended to yield information, according to Michael Scheuer, the cia official whom the Clinton White House tasked with implementing it. "It came from an improvisation to dismantle these terrorist cells overseas. We wanted to get suspects off the streets and grab their papers," Scheuer explains. "The interrogation part wasn't important." He also claims that the program was overseen by congressional committees and "was lawyered to death." After 9/II, "The White House was desperate," Scheuer says. The rendition program quickly expanded because holding any but the most important Al Qaeda prisoners was a "burdensome proposition" for the Agency.

"Before 9/11 we never asked for some guarantee that prisoners would not be tortured or coerced," says Scheuer. The Bush administration says it has since sought such assurances, but Garrett, the interrogator, thinks those promises are worthless in any case. "In my view it is a shell game and a legal cya to say that the other country (Egypt—give me a break) will not use torture," he wrote. "We are unfortunately promoting terrorism by using these abhorrent approaches. Shame on us."

Milan's slate-grey skies glower over the city in both summer and winter, and charmless skyscrapers dominate the skyline of the financial, media, and fashion capital of Italy. It's an unlikely setting for the operatic tale of Abu Omar's cia kidnappers and their

https://www.motherjones.com/politics/2008/03/exclusive-i-was-kidnapped-cia/

nemesis, Deputy Chief Prosecutor Armando Spataro.

Spataro may have launched the first-ever criminal case against American officials over an extraordinary rendition, but he's hardly a bleeding-heart Euro-liberal. A prosecutor for more than three decades, the affable 59-year-old has put droves of drug traffickers, mafia dons, and terrorists behind bars. When I asked him if he was anti-American, he laughed and asked, "What do you think?" gesturing around his massive office inside the gloomy, Mussolini-era Palace of Justice. The walls were festooned with photographs of marathons he has run in the United States, certificates of appreciation from the Drug Enforcement Administration, and reproductions of paintings by Warhol, Rockwell, and Hopper.

Spataro had been building a potential terrorism case against Abu Omar for months before his kidnapping; as a result of his investigation, a number of Abu Omar's acquaintances were convicted of terrorism offenses and in 2005 Abu Omar himself was indicted in absentia on charges that he had been recruiting fighters to go to Iraq. But his sudden disappearance into the bowels of Egypt's prisons had set back Spataro's probe dramatically.

I asked Spataro why he'd pushed so hard to investigate the snatching of a militant he himself was about to indict. In measured tones, he explained, "Kidnapping is a serious crime. It is important for European democracy that all people are submitted to the law. It is possible to combat terrorism without extraordinary means."

The prosecutor also didn't appreciate being lied to—American officials had let it be known around Milan that Abu Omar had likely fled to the Balkans. It didn't take Spataro long to get past the smoke screen and even track down an eyewitness to the abduction. But the bulk of his case would revolve around a rookie mistake made by the kidnappers: using cell phones, and unencrypted ones at that. Spataro's investigators reviewed the records from three Italian cell phone companies with relay towers in the vicinity of where the Egyptian militant disappeared and ran them through a commercial data-crunching program. Of the more than 10,000 cell phones in use during a three-hour window around the kidnapping, 17 were in constant communication with each other. The investigators also determined that soon after the abduction, some of the cell phones' users traveled to Aviano Air Base, a major American installation several hours east of Milan. And virtually all of the phone numbers stopped working two or three days after the abduction.

The suspicious cell phones had made calls to the American consulate in Milan and to numbers in Virginia (where the cia is headquartered). The phones, most registered under bogus names, also made many calls to prominent hotels in Milan—hotels where, the Italian investigators found, a dozen Americans had stayed in the weeks before the kidnapping. They registered under addresses in the Washington, D.C., area, and Spataro believes they used their real passports. Their movements matched those of the suspicious cell phones. Over the course of several weeks the Americans had blown more than \$100,000 on easily traceable credit cards at hotels such as the Principe di Savoia, where rates start at \$345 a night and which offers a special room-service menu for dogs. Others took side trips to Venice, where they stayed at the five-star Danieli and Sofitel hotels.

If the Americans had only used encrypted satellite phones and paid in cash—standard tradecraft, according to cia veteran Robert Baer, the former operative who was the model for George Clooney's character in *Syriana*—Spataro would have had fewer leads to follow. Why the sloppiness? Very probably, say law enforcement sources in Milan, because the Americans had clued in senior Italian intelligence officials about their plans and thus felt safe.

Next, Spataro's investigators began reviewing records from Italian air-traffic control, nato, and the main European air-traffic facility in Brussels. They discovered that a 10-seat jet departed from Aviano a few hours after Abu Omar was abducted and flew to Ramstein Air Base in Germany. An hour after it landed, an Executive Gulfstream with the tail number N85VM departed Ramstein for Cairo. In March 2005, the *Chicago Tribune* reported that this jet was owned by Phillip Morse, a partner in the Boston Red Sox and one of a number of individuals whose planes are occasionally rented by the cia.

One of the suspicious cell phones had made hundreds of calls in the vicinity of both the Milan residence and the country house of the cia's station chief in Milan, Robert Lady. Armed with a warrant, Spataro's investigators searched Lady's country house in June 2005 and found that he'd gone on a 10-day trip to Cairo a week after Abu Omar's abduction. The investigators also found surveillance photos of Abu Omar taken on the street where he was picked up, as well as printed directions to Aviano Air Base. And they discovered a telling email sent to Lady from a former colleague in the Milan consulate: On Christmas Eve, 2004, as Spataro's inquiry was gathering momentum, she told Lady she'd received an email "through work" titled "Italy, don't go there"—an apparent reference to the investigation. She'd also heard that Lady, who has since retired, had relocated to Geneva "until this all blew over."

Even Arianna Barbazza, the court-appointed public defender for 13 of the 26 American officials indicted in the Abu Omar case, https://www.motherjones.com/politics/2008/03/exclusive-i-was-kidnapped-cia/

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conceded that the case against Lady and his colleagues is substantial. Lady could receive a sentence of up to 15 years. (The trial is scheduled to start in March, although none of the indicted Americans is expected to show up. The cia has refused to comment on the case or its rendition program.)

Another important break came when Luciano Pironi, the mysterious Italian police officer who had first "arrested" Abu Omar on the street, began to cooperate with Spataro. Prior to Abu Omar's arrest, Pironi was found to have been "frequently and intensely" in contact with Lady. Pironi said that Lady had told him that the operation was approved by the Italian military-intelligence agency, sismi, and that Lady had received a tip that Abu Omar was planning to hijack a school bus operated by the American school in Milan —a claim Italian law enforcement officials say is false.

Lady, who speaks fluent Italian and had good relations with his local counterparts, emerges from this tale as something of a tragic figure. He had opposed the snatch of Abu Omar on the grounds that it was counterproductive; he knew that Italy's counterterrorism police had been trying to build a case against the Egyptian militant and had even warned a top Italian counterterrorism official, Stefano D'Ambrosio, that the cia was planning the Abu Omar operation. D'Ambrosio told Italian investigators that Lady considered the whole scheme "stupid." But Lady was forced to lead the operation by his bosses in Rome and Langley, who were under intense pressure from the White House to produce results in the war on terrorism. Lady told Pironi that he'd never have spent all his savings to buy a retirement house in the Italian countryside "unless he had been sure that no inquiry against him was under way."

Today, that house has been seized by Italian authorities and Lady, who fled to the States, is the subject of a Europe-wide arrest warrant. In a final twist of irony, Lady told a friend in the Italian police that in his retirement he'd hoped to work for a firm made up of former cia officers who specialize in negotiating releases for people abducted in South America.

In february 2007, Abu Omar was finally released—this time, it seems, for good. "Without the human rights and media campaign, I would still be in prison," he told me. The conditions of his release were that he stay in Egypt and keep quiet about his treatment. But realizing that notoriety might be his best protection, Abu Omar attended the trial of a 22-year-old blogger whom the Egyptian government accused of insulting President Hosni Mubarak. (He was sentenced to four years.) In the Alexandria courtroom, he paraded his scars before the cameras and talked about his years of torture. "Now I am a public figure," he told me. "It protects me."

Jobless and still monitored by Egypt's security services, Abu Omar now spends most of his time cruising the Internet and posting occasional comments on Arabic-language newspaper sites. Toward the end of our interview he pulled out a plastic bag stuffed full of Christmas cards with pictures of windmills and little red robins sent by people in the United Kingdom who'd learned about his case through a letter-writing campaign organized by Amnesty International. He told me he is happy that these kind people write, sending the message that someone out there knows he hasn't disappeared.

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Summary

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1. (C) Ambassador paid an introductory call May 23 on the new Undersecretary to the Prime Minister Enrico Letta (nephew of Berlusconi U/S Gianni Letta). Letta, a 1988 IV grantee and VP of Aspen Italy, has a very positive view of the U.S. and said he considers Italy's relationship with the U.S. essential. Letta told the Ambassador he thought Italy would be supportive of U.S. positions on Israel and the Palestinians, that on Iran Italy would adhere to the EU position, and that he believed U.S. basing in Italy was a positive factor. On the economic side, he was interested in the Ambassador's ideas on a partnership for growth. End Summary.

2. (C) On May 23, Ambassador paid an introductory call on Undersecretary to the Prime Minister Enrico Letta. Letta

told the Ambassador that he and Prime Minister Prodi both considered former Defense Minister Andreatta their mentor, and this common bond was a basis for their extremely good relationship. Letta visited 10 U.S. states in 1988 during the presidential election campaign on a USIS International Visitor program, and serves as Vice President of the Aspen Institute's Italy chapter. He has attended the Institute's August program in Aspen each of the past few years. He described himself as very pro-U.S. and said he considered the U.S.-Italy relationship essential. He and the Ambassador agreed to remain in close contact.

Warrants

3. (S) In the context of keeping our excellent bilateral relationship on sound footing, the Ambassador explained to Letta that nothing would damage relations faster or more seriously than a decision by the GOI to forward warrants for arrests of the alleged CIA agents named in connection with the Abu Omar case. This was absolutely critical. Letta took note of this and suggested the Ambassador discuss the matter personally with Justice Minister Mastella, who Letta suggested should be invited to Washington for an early meeting with the Attorney General.

Iraq, Iran, Israel

4. (C) Turning to Iraq, the Ambassador told Letta, as he had told FM D'Alema, that PM Prodi's statements on Iraq before the senate last week had become a serious point of contention in Washington. The U.S. was moving forward, not looking back at what happened three years ago. To harken back to 2003 as a grave error, as Prodi did last week, damaged the good will that had been built up by the Amato visit to Washington and the Volker visit to Rome. The Ambassador urged that senior Italian leaders think carefully about their words and avoid such confrontational language if possible. Letta agreed that they should make an effort to do so.

5. (C) The Ambassador asked Letta, given Italy's significant economic interests with Tehran, where he thought Italy would stand regarding sanctions if the international discussion of the Iran situation headed in that direction. The Ambassador added that the U.S. would count on Italy to take a firm position against Iranian intransigence. Letta replied that Italy would stick with the EU position on Iran. The Ambassador also noted that we would look to Italy to stand with us on the Israel-Palestinian conflict. Letta replied he thought Italy would be supportive.

_____ Labor and Economics _____

6. (C) Letta said that the PM's office had been "getting heat" from the far left about labor disputes at Camp Darby (a

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military base near Pisa where the U.S. Army is currently conducting a RIF of local employees). Letta said that he and many others believe the U.S. basing presence in Italy is a force for good, and suggested that anything the Ambassador could do to soften the blow of the RIFs at Camp Darby would be welcome.

7. (C) Letta, an economist by profession, described himself as one of the few in the new government trying to preserve what labor flexibility there was in the Italian system. He expressed interest in the Ambassador's ideas on a partnership for growth and welcomed future contact with the Embassy on this matter. SPOGLI

References to this document in other cables 04ROME1593 (/plusd/cables/04ROME1593.html) 09STATE1313 (/plusd/cables/09STATE1313.html) References in this document to other cables

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ITALY: THE DOGS BARK, AND THE PRODI CARAVAN MOVES ON

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SUMMARY					
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center-left government pays. The Italian reversal of position and decision to quietly maintain a civilian presence in Iraq despite military withdrawal reflected a deliberate

calculation to respond positively to a specific USG request. The decision to play a major role in Lebanon reflected Italian willingness to lead EU colleagues under a UN umbrella in an area seen as Italy's backyard. But, crucially, it also reflected a policy decision carefully predicated on, and calibrated to, US support. On both Afghanistan and economic liberalization, the PM and FM Massimo D'Alema -- the government's political strong man -- worked in tandem to ensure policy outcomes that were more center than left.

2. (S/NF) Looking ahead, casualties in Lebanon could yet jeopardize the government, and Prodi has sought our help in keeping the center-right on board. Significant internal differences have forced him to use confidence votes seven times to maintain coalition discipline, and he faces a bruising budget battle in the fall. But the center-right opposition remains frayed, and needs time to rebuild. So Prodi's government may have longer legs than many initially predicted. We will doubtless continue to hear barking from the far left on defense cooperation and other issues, but so far, the Prodi caravan moves on, united by the desire to stay in power. Meanwhile, high-level contacts, and especially the growing relationship between the Secretary and FM D'Alema, have been the engine for a sound, and improving, bilateral relationship. We should look for opportunities to continue that engagement as Italy prepares to take up a UNSC seat in January. End Summary.

PASSING THE 100-DAY MARK

3. (C/NF) PM Romano Prodi's center-left government completed its first 100 days during Italy's August holidays. Though continually challenged by its nine-party coalition covering the far corners of both the "center" and the "left," the Prodi government has shown durability. The first 30-days were chaotic (REF A), as ministers from each of the coalition's nine partners struggled for press space with contradictory statements. Later, the radical left dissented strongly over funding Italy's mission to Afghanistan (REF B) and a myriad of other domestic issues. The government, nevertheless, proposed bold immigration reforms (REF C) and already pushed through significant economic (REF D) reforms.

4. (C/NF) The Prodi government has been able to pass needed legislation by resorting to "confidence votes" that enforce discipline on controversial issues within the coalition. After criticism from all sides, Prodi is seeking ways to expand the coalition's two-seat margin in the Senate and avoid resorting to confidence votes as a routine measure. Whether HE can pull this off remains unclear.

5. (C/NF) Prodi's biggest challenge this fall will be enacting the 2007 budget by the end of December. The supplemental 2006 budget passed in late July failed to tackle the really difficult issues (REF E). The EU Commission is insisting that, this time, Italy must bring its 2007 budget deficit as a percentage of GDP to below the agreed-upon three-percent ceiling. In the absence of substantially increased economic growth (not likely), the deficit will yawn much wider than that. Since Italy has all but ignored this continuing EU requirement until now, the most controversial spending cuts and revenue enhancement decisions loom large over the fall 2007 budget battle.

6. (C/NF) After three election defeats (national, regional

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and the constitutional referendum), the center-right opposition has emerged disunited. Berlusconi's Forza Italia (FI) and Umberto Bossi's Northern League (Lega) seem as close as ever, but Gianfranco Fini's National Alliance (AN) and, especially, Pier Ferdinando Casini's centrist Union of Christian Democrats of the Center (UDC) appear to be considering alternative paths forward. While Berlusconi remains focused on bringing down the Prodi government, many analysts surmise that Casini has decided it is not in his interest to see Prodi fail just yet. This dynamic argues for continued engagement on our side (both at the Embassy and in Washington) with the center-right, as well. Given weaknesses in Prodi's coalition, he eventually might need help from the center-right on issues important to our national interest.

RAISING THE PROFILE ON FOREIGN POLICY

7. (C/NF) Early assertions that Italy would take its "rightful place" as a second-tier power behind its EU colleagues on foreign policy have given way to a surprising initiative by Prodi and D'Alema to lead during the Lebanon crisis (REF F). D,Alema is now touting the Lebanon/multilateralism/EU engagement as a preferred alternative to unilateralism (read: Iraq). Before Lebanon, policy initiatives -- e.g. on Afghanistan and economic liberalization -- were floated, then watered down following attacks by the radical left. While a noisy and disorderly process, key government leaders managed to maintained basic policy coherence on both Iraq and Afghanistan. This was partly a function of early and strong engagement by Washington, and it was partly a strong sense, by PM Prodi and FM D'Alema about the importance of keeping international commitments, e.g. to NATO in Afghanistan. Buoyed by the example of Lebanon, we can also expect Italy to look for a higher profile on Iran, Syria and next steps on the Middle East peace process.

8. (C/NF) Lebanon/Syria. At our request, D'Alema hosted the International Conference for Lebanon in Rome and has offered as many as 3,000 troops and possible leadership of UNIFIL II. Italy is providing 500 tons of emergency humanitarian aid, has pledged to rebuild the high-elevation Italian-built bridge on the Beirut-Damascus highway, and is sending a six-man team to support cleanup of the oil spill off the coast. Believing it is critical to the success of the Lebanon mission, D'Alema has sought our support in engaging both Damascus and Teheran on the way forward. Domestically, Prodi will come under strong political pressure if Italian troops suffer significant casualties or the mission stagnates. Pacifist/communist elements within Prodi's coalition will bristle if Italian troops are forced to take aggressive action or are seen to be too pro-Israel, and the Center-Right will pounce on outreach to Iran/Syria if they believe it will increase terrorism or threaten Italian forces on missions abroad.

9. (S/NF) Iraq. The government will fulfill its campaign pledge to withdraw completely all of Italy's troops in Iraq before the end of the year (essentially keeping to the Berlusconi timetable). But, as requested by the Secretary, it will quietly continue to lead a civilian "Unit for Reconstruction Support" in Dhi Qar province (essentially a PRT) and has doubled its aid to Iraq for the second half of 2006. The government has continued to denounce the original decision to go to war in Iraq and has all but hidden its PRT decision from the public--and from its radical left coalition partners. Bottom line: Italy remains politically committed and engaged in Iraq, in support of the Iraqi government, democratization, and reconstruction; it also remains the leading contributor to the NATO Training Mission in Iraq (NTM-I).

10. (C/NF) Afghanistan. Despite stubborn opposition from a small group of radical left coalition members, the government confirmed Afghanistan as a long-term Italian foreign policy priority and an important NATO commitment. While keeping its military forces at current levels, Italy privately pledged to beef up border control/customs training in Herat, undertake more police training, increase efforts in justice sector reform, and contribute to one of the Trust Funds. The Afghanistan mission remains under pressure as some members of Prodi's coalition have asserted that Italy's participation should be canceled for financial reasons given the new and expensive responsibilities taken on in Lebanon.

11. (C/NF) Iran. Prodi and D'Alema remain firm in their opposition to Iran's nuclear enrichment program (REF G). But

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Italy is Iran's second-largest trading partner in Europe, and sanctions will hurt an already weak Italian economy. D'Alema continues to press hard for inclusion in deliberations on managing the Iranian nuclear issue.

LAW ENFORCEMENT/COUNTER-TERRORISM

12. (S/NF) At the political level, the Prodi government is fully committed to maintaining our strong anti-terrorism cooperation. Justice Minister Mastella has so far kept the lid on recurring judicial demands to extradite presumed CIA officers allegedly involved in a rendition of Muslim cleric Abu Omar, and Prodi declined to release any details about potential Italian knowledge or involvement in the case citing the imperative to protect classified national security information. However, media fallout from the Abu Omar case is having a chilling effect on our traditionally close and fruitful working relationships with both the external (SISMI) and internal (SISDE) intelligence services, a trend begun during the Berlusconi administration when the story first broke. Italian intelligence agencies now are much more cautious about working with us. The case also has fueled a domestic debate about reforming the Italian intelligence community and defining the role of Italian intelligence services in the fight against terrorism.

MILITARY COOPERATION

13. (C/NF) With regard to U.S. military presence on Italian bases, Prodi's government has sought to continue Italy's tradition of cooperation while dealing cautiously with actual and possible objections from the radical left. Prodi, for example, has said his government would reconsider some projects, focusing in particular on questions of environmental impact. MOD sources explained that Prodi's remarks were part of a government initiative to build center-left consensus on basing issues. Despite Prodi's efforts, the radical left could complicate GOI ability to accommodate some of our requests in this area.

COMMENT

14. (C/NF) Though plaqued by the inconsistencies inherent in a broad coalition, at the 100-day mark, the Prodi government seems to have found its legs, however wobbly. On foreign policy, Prodi and D'Alema have cobbled together positive results on Iraq, Afghanistan and now Lebanon, where they displayed competent and even determined leadership. The internal process has often been chaotic, and not without gratuitous anti-U.S. rhetoric from some parties in the coalition, but Prodi and D'Alema themselves have both responded positively to pre- and post-election engagement by the U.S. That contact should continue. But even with that engagement, we should recognize that Prodi and D'Alema lead a coalition bound together by a common desire to stay in power, not a common vision. And that means that the dogs will continue to bark even as the caravan moves on. END COMMENT. SPOGLI

 References to this document in other cables
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 04ROME4186 (/plusd/cables/04ROME4186.html)
 06ROME1879 (/plusd/cables/06ROME1879.html)

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an international organisation that supports those who risk life or liberty to make significant contributions to the historical record.

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ITALY: FM D'ALEMA ON KOSOVO, AFGHAN NGO DETAINEE, MEPP, LEBANON, IRAN SANCTIONS, GUANTANAMO AND ABU OMAR

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SUMMARY

1. (C/NF) Amb. Spogli got FM D'Alema's agreement to make a clear statement in support of the Athisaari plan for Kosovo and was told that the FM did not think he could or should control an Italian NGO threatening to close its hospitals in Afghanistan unless one of its employees was released by the Afghan Government. During an April 5 tour d'horizon, the Ambassador and FM also discussed Iran sanctions (D'Alema said Italy was applying the rules thoroughly), the Middle East peace process (D'Alema worried the Israelis and Palestinians would miss an opportunity for progress), Lebanon (where everything but UNIFIL is at an impasse, according to the FM), and the Abu Omar case. The Ambassador briefed D'Alema on the request that Italy consider taking some Guantanamo detainees to help speed the closure of the facility. D'Alema said trying to close Guantanamo was a noble step and that if Italy could help, it would try to do so (see also septel on Guantanamo). End Summary.

Afghanistan and Emergency Now

2. (C/NF) On April 5, Ambassador Spogli and Foreign Minister D'Alema discussed key issues on the foreign policy agenda. The Ambassador raised concerns about the statements of Gino Strada, head of the Italian NGO Emergency Now, who was threatening to close his hospitals in Afghanistan unless the Afghan Government released one of his staff being held for possible terrorist affiliations. The Amb. said such an unwelcome step would be punishing the Afghan people and asked if D'Alema could help get Strada to stop making threats. D'Alema replied that he had spoken with Strada, who told him that if his employees are going to be arrested in Afghanistan, he would move his operations to a country that doesn't arrest his staff. D'Alema told the Amb. that all sides needed to show flexibility and that if the Afghan Government had evidence against the individual being held, it should be shared. D'Alema noted that Italy was grateful to the U.S. Embassy in Kabul for helping secure Red Cross access to the detained individual. Then, somewhat exasperated, he said, "Strada is who he is. He runs an NGO. He is not part of the Italian Government. He says they cannot work in Helmand without having contact with the Taliban. He thinks the Taliban have the legitimate support of the people there. We have urged him to be prudent. But we do not control him and he feels threatened." D'Alema then said that during the Mastrogiacomo kidnapping the Taliban cell phones that were traced all had Pakistani numbers, and that if terror bosses

could live carefree in a Pakistan that could not be reproached because of its alliance with the U.S., we would not win this war.

Kosovo - Firm Support for Status

3. (C/NF) The Ambassador noted that the Italian position on

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the Athisaari plan for Kosovo had generated some confusion and that a clear statement of support would be very helpful. D'Alema emphatically insisted that Italy supported the Athisaari plan's core status provisions ("they should not be touched"). Italy continued to believe that some non-status issues, like protection of religious sites and minority rights, however, could still be improved. He said there were two unacceptable outcomes: continuing the status quo and a unilateral declaration of independence by Kosovo. The latter would tear Europe apart and pull the legal legs out from under the European mission to Kosovo. He argued that a UNSCR was needed that would help soften the Russian position, and a proposal needed to be crafted for Serbia - something conditional with flexible rewards - that could be offered to Belgrade when Serbia inevitably rejects Kosovar independence. Without these elements, the region could be destabilized, he said. He added that Italy had been clear in its talks with Russia and everywhere else that it would absolutely support Athisaari's core status proposal without prolonging talks and without new negotiations. The Ambassador asked if D'Alema could make a public statement to that effect. D'Alema agreed to do so.

Iran Sanctions - Italy in Compliance

4. (C/NF) The Ambassador asked how Iran sanctions were proceeding for Italy, and noted our disappointment that when action was taken against Bank Sepah in Italy all funds had already been moved. D'Alema said the Iranians knew it was coming and were a step ahead, as they had been elsewhere. He added that when he had spoken with Larijani early in the week to urge the release of the UK sailors, Larijani had protested vigorously about the action against Bank Sepah. D'Alema asserted "we are applying the sanctions rules. We are in compliance. But Italy is also the victim of the sanctions and is excluded from negotiations with Iran and from the group with primary responsibility for decisions on Iran, despite being a UNSC member." Israel-Palestine: About to Miss an Opportunity?

5. (C/NF) The Ambassador thanked D'Alema for his recent helpful comments insisting that Palestinian leaders accept the three Quartet conditions before Italian officials would meet with them. The FM said he feared a moment of opportunity was being lost. Abu Mazen was stronger than before but needed to find a way to get results out of his dialogue with Olmert. Both sides, he said, need to be pushed and encouraged. Without progress the risk of violence would increase. He suggested what was needed now was a confidence building phase with limited ambition focusing on releasing prisoners, improving Palestinian quality of life, granting more freedom of access/movement and getting credible security assurances for Israel. The Palestinians, he said, would never accept an independent state within provisional borders, because they believe this means they will never get final status issues resolved. He envisions an eventual regional final status conference, but not until the open final status questions have been resolved by the two sides. He said with both sides weak and lacking strategies to reach solutions, the international community needed to step in and offer hope for positive movement. Europe should press the Palestinians and the U.S. should press the Israelis in a coordinated division of labor, he suggested, adding that the Palestinians needed to hear the message that when the time comes, the U.S.

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would be willing to push Israel to resolve the final status issues. He informed the Amb. that Abu Mazen would be in Rome in the coming weeks.

Lebanon - D'Alema Concerned

6. (C/NF) Turning to Lebanon, D'Alema said he was very concerned because the only thing working there was UNIFIL. Everything else was totally blocked. Parliament was not meeting. Reconstruction was at a standstill. The economy was in danger. There was no progress on the arms embargo or Sheba Farms. He said the Lebanon Contact Group meeting in London had been a good step and hoped that the group would meet at the political level to help bolster UN action. He also said some way had to be found to get Syrian buy-in or the embargo would never work.

Guantanamo Detainees - Closure a Noble Idea

7. (C/NF) The Ambassador briefed D'Alema on the request for Italy to consider taking some of the 25 releasable Guantanamo detainees who could not be returned to their countries of origin. D'Alema said it was a delicate issue, but the idea of trying to close Guantanamo was noble, and if Italy could find a way to help, it would. The devil would be in practicalities of whether Italy could take any of the detainees. (See septel for PM and Min. of Interior views on taking Guantanamo detainees.)

Abu Omar - Pre-emptive Letters

8. (S/NF) D'Alema closed the hour-long meeting by noting that he had asked the Secretary if the Department could send something in writing to him explaining that the U.S. would not act on extradition requests in the Abu Omar case if tendered. This, he explained, could be used pre-emptively by the GOI to fend off action by Italian magistrates to seek the extradition of the implicated Americans. D'Alema said he understood that L had discussed this with the Italian Ambassador in Washington. Amb. Spogli explained that we were waiting for the constitutional court to decide on the merits of the case before deciding on our next steps, because Min. of Justice Mastella had suspended action until that court rendered a decision. The FM noted that there was still the risk of action by the magistrates at any time. The Ambassador agreed that we should work to avoid having extradition requests forwarded. SPOGLI

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SCENESETTER FOR PM BERLUSCONI'S OCTOBER 13 TRIP TO WASHINGTON

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1. (C/NF) Summary. Mr. President, Silvio Berlusconi's October 13 visit to Washington provides an opportunity to strengthen our close ties with a valuable ally in Europe. Since your June 11-13 visit, Berlusconi has consolidated the standing of his government in Italian public opinion through a series of domestic reforms designed to stave off economic crisis and political malaise. His preoccupation with domestic challenges has limited his ability to contribute as fully to our shared international goals as he has in the past, but under his guidance the Italian government has become more

vocal in its support of the ISAF mission in Afghanistan and mustered the courage to push for a tougher public line on Iran. However, fear of casualties in Afghanistan may be preventing Berlusconi from making good on his commitment to you to assume a stronger military role in ISAF. In addition, Berlusconi's friendship with Putin and Italy's growing dependence on Russian energy supplies has led him too often to stray into apologetics for Russian behavior in Georgia. His visit provides us an opportunity to shape Berlusconi's thinking as Italy prepares for Italy's G8 presidency next year. End Summary.

Domestic Politics: Berlusconi Firmly in Control

2. (C) Prime Minister Silvio Berlusconi is in an enviable position domestically, enjoying so comfortable a majority in parliament he can pass virtually any legislation without the support of the opposition. You will find him upbeat and self-confident, having successfully mediated a high-stakes deal to bring Alitalia back from the brink of bankruptcy. Berlusconi used his first five months back in government to deliver results on election promises, though long-term solutions to most problems are still needed. The trash problem in Naples is not yet permanently solved, but the streets are cleared and troops are keeping dumps and incinerators open. Public worries about street crime have been addressed by a sweeping new security law. A public finance law has overhauled the annual budget process, which traditionally has eaten up months of Parliament's time, but Italy's faltering economy casts doubt on whether budget targets will be met. Berlusconi's government drafted and passed these laws mostly without consulting the center-left opposition, which has grown more fragmented and less effective.

3. (C) This fall's almost entirely domestic agenda leads with fiscal federalism (a priority for Berlusconi's allies in the Northern League) and justice reform, which is a combination of personal safeguards for Berlusconi and long-needed reform for a justice sector that is overly politicized and ineffective. Planned budget cuts in Defense may weaken Italy's contribution to NATO and UN operations over the long term, but funding for key areas such as ISAF should remain untouched. Most foreign policy initiatives will be directed by Berlusconi personally without the need of any legislation. Given Berlusconi's personal popularity, his coalition's strength, and the center-left's state of disarray, most of our interlocutors agree that Berlusconi has a largely clear path ahead.

4. (SBU) Although Italy ranks as the world's seventh largest market economy, its influence and stature as a G8 member is threatened by perennially sluggish economic growth. Its economy has grown a full percentage point slower than the EU

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average this decade. A burdensome bureaucracy, corruption, organized crime, a low birth rate, severe labor market rigidity, a weak educational system, and a business culture that rewards connections instead of merit are all factors contributing to stagnation. Italy's slow economic growth rate limits its ability to be the kind of "boots on the ground" ally that we want it to be. For example, Italy will this year cut its foreign assistance budget by 60 percent. Italy is also becoming increasingly concerned about the impact of the U.S. financial crisis on its economy. Berlusconi will join other EU leaders this weekend in a Paris summit called by President Sarkozy to discuss the financial crisis. Ironically, however, because of its relatively low level of integration into world financial markets, Italy may actually be spared some of the economic challenges confronting some of its EU colleagues.

5. (SBU) To address this economic threat to our alliance, in 2006 the Embassy launched the Partnership for Growth, an ambitious, multi-faceted effort to spur economic dynamism by helping move research to market, grow risk capital markets, support innovation by strengthening intellectual property rights, and create Italian entrepreneurial role models.

6. (SBU) We have made tremendous progress. As you saw first hand when you participated in the Partnership for Growth event at the American Academy of Rome in June, we have strengthened the hands of those Italians who want to move their country forward, and in doing so we have greatly improved Italian perceptions of the United States. I am happy to report that because of our Partnership for Growth, in Italy, the words "innovation" "growth" and "entrepreneurship" are now usually associated with the United States of America. We want to move this program to the next level to ensure that it is rooted and has strong Italian ownership. We call this our "Partnership for the Future." We are seeking to identify USG funding of USD 400,000 in FY 2009 to support this effort.

Not Seeing Eye-To-Eye on Russia - At All

7. (S/NF) Italy's stance vis-a-vis Russia has become a point of friction in what is otherwise an almost friction-free relationship. Berlusconi directly manages Italy's relationship with Moscow and since the August Russia-Georgia crisis he has criticized Georgia, apologized for Russia and gone so far as to claim credit for dissuading Putin from occupying Tbilisi. His desire to see Russian actions in Georgia as "an isolated incident," as he told Vice President Cheney recently, has been unswayed by facts. Berlusconi's self-styled role as "mediator" between Moscow and Washington has been supported here by the full political spectrum; even the center left has had little critical to say of Italy's Russia policy. Italian officials continue to insist that Russia's demands on Kosovo, Georgia, Ukraine and Missile Defense get a fair hearing in transatlantic and international fora.

8. (S/NF) GOI officials were already cautious on the prospect of a NATO Membership Action Plan (MAP) for Georgia and Ukraine before the Russia-Georgia crisis this summer: now, it is clear from official commentary and body language that there is a high degree of anxiety in GOI circles over the MAP question. While the GOI has criticized Russia's recognition of South Ossetian and Abkhaz independence, it continues to insist that Russia not be isolated because it is an "essential player." We have advised the Italians that taking a soft line on Russian actions against Georgia could damage their credibility, as well as substantively impact our collective prospects for gaining cooperation from Moscow. We

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are also concerned by a growing sympathy for Medvedev's calls for a new security framework to supersede NATO, OSCE, and CFE. It would be useful for Berlusconi to hear from you directly and candidly that public endorsement of Russia's activities threaten to sow discord in transatlantic relations.

9. (S/NF) The presence of a strong communist party and a history of leftist governments in Italy gave Russia a degree of influence not seen in any other Western European country. More recently, a commercial dependence on Russia, particularly in the energy sector, and a close personal relationship between Putin and Berlusconi based on mutual commercial interests and Berlusconi's preference for dealing with assertive world leaders appear to be greater motivating factors in Italy's relations with Russia.

Russia and Energy Security

10. (C/NF) Italy's dependence on energy from Russia also remains a cause for concern, although Italy is less dependent on Russia for energy than many of its EU partners. Its location gives Italy easier access to a more diverse range of energy resources than other EU countries. There are already natural gas pipelines from Libya and Algeria to Italy. An Algeria-Sardinia-Italy pipeline is being planned. Italy hopes to make increased use of Liquid Natural Gas (LNG); a recently completed LNG terminal will bring new gas from Qatar starting in early 2009. Italy also supports the Turkey-Greece-Italy (TGI) pipeline projects intended to bring Caspian basin natural gas to Western Europe. Connections to other sources of energy notwithstanding, Italy's overall dependence on Russia for 30 percent of its energy needs will likely continue for the foreseeable future.

11. (C/NF) Italy's energy company ENI (30 percent owned by the Italian government) is now a major partner of Russia's GAZPROM and is building pipelines under the Baltic and Black Seas that many fear will increase Europe's dependence on Russian energy. ENI has also given Gazprom access to North African energy resources (in exchange for increased access to Siberian gas fields). The GOI claims to share our concerns about overdependence on Russian energy supplies, but in fact it seems to take comfort in what it perceives to be its special relationship with Russia.

Encouraging Nuclear Energy, Opportunities for U.S. Firms

12. (C/NF) The Berlusconi Government tells us it is serious about following through on its election promise to re-launch the Italian nuclear energy sector within five years, with a goal of eventually obtaining up to 25 percent of its energy from nuclear power. Italy plans to begin construction of new nuclear plants by 2013; actual construction would take at least an additional 5-7 years. If the GOI follows through on this plan, it will result in tens of billions of dollars in commercial contracts. We have already seen high-level lobbying by British, French and Russian government leaders, all of whom are apparently seeking to ensure that their firms participate in this enormous project. There is still time for the U.S. to weigh in on Italy's choice of nuclear technology partners. We should engage at the highest levels if we want to ensure favorable consideration of U.S. companies and protection of U.S. energy security interests. Your meeting provides an opportunity to urge Berlusconi to 1) give U.S. firms fair consideration and 2) take strategic energy security concerns (i.e. Italy's worrisome dependence on Russian energy) into consideration when selecting sources of nuclear power technology.

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Addressing Italian Behavior in Afghanistan

13. (S//NF) The Italians dropped from fourth to sixth largest contributor to ISAF in August when they relinquished Regional Command -- Capital (RC(C)) to the French. Italy is now consolidating its 2,200 troops in RC-West, which it commands and where it has a PRT (Herat), and has sent 34 Carabinieri police trainers to Afghanistan at our request. Unfortunately, the significance of this contribution has been undermined by Italy's growing reputation for avoiding combat and paying ransom and protection money. This reputation is based in part on rumors, in part on intelligence which we have not been fully able to corroborate. True or not, the fact remains that Italy has lost twelve soldiers in Afghanistan -- fewer than most allies with comparable responsibilities. Most of the major combat engagements in the Italian command area (RC-West) have been conducted by U.S. and Afghan forces. Indications that we have received from COMISAF suggest that Italy's alleged behavior may be contributing to strains within ISAF.

14. (S//NF) I have raised this issue with PM Berlusconi in the past. He assured me that he was unaware of any such activity and would put a stop to it if he found evidence of it. Although less casualty-averse than his predecessor Romano Prodi, Berlusconi is sensitive to the public opinion fallout that might result were Italy to incur serious losses in Afghanistan. You should make it clear to him that, while we appreciate his willingness to lift geographic caveats and to send Carabinieri police trainers, Italy's shaky reputation, even if unearned, is undermining its credibility within ISAF. More troublingly, if there is any basis to the allegations, Italian actions are endangering allied troops.

Iran

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15. (C) Berlusconi has brought a new level of rhetorical support from Rome for P5 1 efforts. You will want to thank him for Italy's support on recently adopted UNSC Resolution 1835 and encourage Rome's active engagement within the EU for more robust EU sanctions. Beyond implementation of 1803, the EU needs to reach consensus on the broadest possible package of additional measures. Italy claims that its trade relationship with Iran makes sanctions costly domestically, but nevertheless the government now supports a firmer line on Iran. In spite of differences at the policy level, Italian

cooperation in efforts to prevent Iranian exploitation of the banking system has been good. Italy continues to express interest in more frequent and high-level consultations regarding the P5 1 and Quint.

16. (C) FM Frattini's recently announced proposal of the "coalition of the willing" -- in which EU member states would impose selective sanctions based on their trading patterns with Iran -- presents additional opportunities for Italy to press the EU for more aggressive action. Examples Frattini discussed: the Netherlands could apply sanctions in the insurance sector, Austria in the engineering sector, Germany and Italy in the natural gas sector.

Lebanon/Syria

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17. (C) You will want to thank Italy for its leadership in UNIFIL as the single largest troop contributor with 2,300 troops. We have been pleased with Italy's leadership in UNIFIL and the performance of General Graziano as commander. We would like to see more assertive work to address provisions of UNSCR 1701, including interdicting arms

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smuggling from Syria and enforcement of the weapons-free zone in south Lebanon. Both the U.S. and Italians are concerned by the findings of the recent Lebanon International Border Assessment Team, which makes it clear that no progress has been made in interdicting arms smuggling from Syria over the past two years. We must continue to encourage Italy to explore ways to strengthen UNIFIL, without an expanded mandate.

18. (C) Italy recently offered Syria a high-level platform when FMs Frattini and al-Moallem met in Rome on September 11 and Frattini agreed to travel to Damascus in the near future. Italy has not deployed conditions in engaging Damascus (the GOI continued to meet at high levels with the SARG even as other EU members reduced contacts in the aftermath of the Hariri assassination), and has not achieved tangible achievements in return. Berlusconi's visit offers an opportunity to stress that Italian engagement needs to be conditioned by expectations that Syria meet the benchmarks already laid out by Italy and other EU members, namely: clearly delineating the Syria-Lebanon border, interdicting weapons smugglers entering Lebanon via Syria, and instituting full diplomatic relations with Lebanon. - - - - - -

19. (C/NF) Italy remains our most important European ally for projecting military power into the Mediterranean, Middle East and North Africa. We have 15,000 U.S. military and DOD civilian personnel and 17,000 of their family members on five Italian bases. The GOI has approved the expansion of the base at Vicenza to consolidate the 173rd Airborne Brigade, the deployment of the USAF Global Hawk UAV in Sicily, and we are working with the Italians to stand up the AFRICOM Army and Navy Component Commands in Italy. COESPU (Center of Excellence for Stability Police Units), the Carabinieri-led peacekeeping training center that you initiated with Berlusconi at the G8 Sea Island Summit, has graduated over 1,600 officers from 14 countries, including police peacekeeping units headed to Darfur. In addition to its 2,200 troops in Afghanistan, Italy currently has 2,400 in the Balkans, 2,300 in Lebanon, and is the leading contributor to the NATO Training Mission in Iraq. Italy has provided USD 360 million in aid to Iraq since 2003, and has agreed to reduce \$3 billion in Iraqi Paris Club debt by eighty percent.

Abu Omar Trial Resumes

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20. (S) Berlusconi has continued to stand with us as best he can in the trial of twenty-six Americans and seven Italians, including the former chief of Italian military intelligence, charged with kidnapping suspected terrorist Mustafa Osama Nasr, a/k/a Abu Omar in February 2003. The Italian Government asked the Constitutional Court to annul the indictment as it was based on evidence covered by state secrecy. A hearing before the Constitutional Court has been postponed until late 2008 or early 2009, but the criminal trial is proceeding in Milan. The 26 Americans are being tried in absentia and are being defended by Italian court appointed attorneys, with one exception: the Air Force retained an Italian attorney to represent the lone U.S. serviceman charged in the case, Colonel Romano.

Looking Ahead toward the Italian G8 Presidency

21. (C/NF) The Berlusconi government is still in the early stages of planning for the G8 summit, with site selection still something of an issue. We are working with our Italian

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contacts to determine GOI priorities. We expect Berlusconi to try to use the summit to ease tensions with Russia. Italy

is also considering using the G8 to focus attention on Afghanistan and Pakistan, which have risen recently on the GOI's radar as priority issues, and to emphasize achievements and goals in the area of peacekeeper training, particularly given the success of COESPU. The Italians have also indicated that Non-Proliferation may also be a priority. With recently announced cuts in Italian foreign assistance, we suspect that the Berlusconi government may seek to de-emphasize assistance to Africa.

Climate Change

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22. (SBU) Although constrained by EU policy and by its Kyoto commitments, Italy usually sees more eye-to-eye with the U.S. on climate change than other EU countries. For example, on October 15 Berlusconi will make his case to other EU heads of state for changes in the EU's post-Kyoto climate package that would ease the burden on Italian industry. Italy will be hosting the second Major Economies (ME) leaders' meeting on the margins of the 2009 G8 summit. You could ask Berlusconi to use the Italian G8 Presidency and ME summit to move us toward a global climate agreement that the U.S. could sign, one that includes commitments for countries like India and China.

Conclusion

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23. (C) This will likely be Berlusconi's last official visit to Washington during your administration. It presents an opportunity to strengthen the roots of the many projects that you have worked on or launched together -- Iraq, Afghanistan, COESPU -- and to obtain his commitment to behave more responsibly toward Russia. It also presents an opportunity to stress our continued commitment to Italian prosperity through the Partnership for Growth and through possible U.S. investment in Italian nuclear power. Berlusconi sees this government, his fourth, as the one that will define his place in Italian history. His partnership with the U.S., and with you personally, will be a cornerstone of that legacy. SPOGLI

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SECDEF MEETING WITH ITALIAN MINISTER OF DEFESNE IGNACIO LA RUSSA ON FEBRUARY 6, 2010 Date: 2010 February 12, 13:17 (Friday) Canonical ID: 10ROME172 a

Date:	2010 February 12, 13:17 (Friday)	Canonical ID:	10ROME172_a
Original Classification:	SECRET,NOFORN	Current Classification:	SECRET, NOFORN
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1. (S/NF) SUMMARY: Secretary of Defense Robert Gates (SecDef) met with Italian Minister of Defense Ignacio La Russa during an official visit to Rome on February 6-7, 2010. La Russa expressed deep appreciation for SecDef's visit and for the chance to focus on bilateral defense relations rather than only NATO matters. SecDef thanked La Russa for his personal efforts to secure 1000 more Italian troops for operations in Afghanistan. Discussions on Afghanistan also touched on training for Afghan Security Forces, caveats on Italian troops, and intelligence sharing. SecDef asked La Russa for

Italian government advocacy in recognizing NATO SOFA jurisdiction in the case of Colonel Joseph Romano. La Russa stated that direct U.S. intervention during the appeals process would be the best way to successfully resolve the matter. SecDef asked La Russa to assist in the resolution of thorny force posture issues at Naval Support Station (NSS) Gricignano and Mobile User Objective System (MUOS) Niscemi. SecDef and La Russa agreed that further force reductions in Kosovo must be dictated by conditions on the ground. La Russa concurred that further pressure on Iran was needed and committed that Italy would do what was asked to apply that pressure. SecDef and La Russa also discussed the Joint Strike Fighter program. END SUMMARY.

Afghanistan

2. (S/NF) La Russa started the meeting by confirming that Italy is satisfied with General McChrystal's approach to Afghanistan. He expressed contentment with the prospective bifurcation of RC-South into a two commands. La Russa noted that of the 1000 new troops Italy has committed, some will be used for training the Afghan National Army and others will be used for police training. La Russa also thanked SecDef for his initiative to get Allies better counter-improvised explosive device (C-IED) equipment in Afghanistan and to improve intelligence sharing.

3. (S/NF) SecDef commended Italy's leading role in RC-West and La Russa's personal efforts to increase Italian contributions, noting that training Afghans to take responsibility for their own security is the best means to a successful transition. SecDef commented that Afghan security forces needed to be trained at the same level and with the same skills, noting the importance of removing caveats that restrict ISAF forces' ability to partner with Afghan forces. SecDef assured La Russa that the creation of RC-SW will have no operational impact on Italian forces and explained that the stand-up of an intelligence fusion cell in RC-W will improve intelligence sharing immensely. SecDef assured La Russa that the U.S. is providing all available intelligence to Italy, but that if Italy has unmet needs, General McChrystal will try to help. Finally, SecDef stressed that providing Allies with better C-IED equipment would be his top priority upon returning to Washington.

4. (S/NF) La Russa detailed an Italian caveat requiring a six-hour waiting period for deploying Italian troops in RC-W, explaining that it is meaningless in practical terms given that operational planning takes at least that long to conduct. While believing it was unnecessary and largely a

"psychological" issue, La Russa committed to asking the Council of Ministers to remove the caveat if the United States requested.

-----Haiti

5. (C) SecDef commended the rapid deployment of the Italian Aircraft Carrier CAVOUR to Haiti after the recent earthquake. La Russa stated that the ship had arrived and was beginning

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to unload goods and that the embarked engineering task force had begun debris clearing work. La Russa also said that Italy is likely to send 100-120 Carabinieri to Haiti to assist in relief efforts. SecDef replied that the Carabinieri would be a welcome addition. The United Nations Mission to Haiti (MINUSTAH) -- which suffered major losses -would need to sustain relief efforts for a long period of time.

Abu Omar/Romano Case

6. (S/NF) SecDef thanked La Russa for his efforts to have the Italian Minister of Justice send letters to relevant judicial authorities affirming U.S. jurisdiction over Colonel Romano under the NATO SOFA in the Abu Omar case. Recalling his meeting with Prime Minister Berlusconi, SecDef hoped that the appeals process would offer additional opportunities for GOI advocacy. Drawing on his own legal background, La Russa advised the U.S. to be more present in the appeals process and not leave it solely to the Italian government to make the case for recognition of U.S. jurisdiction. He noted that the assertion of jurisdiction late in the trial had given prosecutors a chance to politicize the issue. SecDef reminded La Russa that the U.S decision not to immediately assert jurisdiction was made at the advice of GOI and has not served U.S. interests well.

U.S. Force Posture in Italy

7. (S/NF) SecDef requested that La Russa take a personal interest in resolving problems with NSS Gricignano and MUOS Niscemi. He stated that lack of recognition of NSS Gricignano as a military facility was a major problem and

that the security of U.S. forces was non-negotiable. On MUOS Niscemi, SecDef requested that La Russa assist in securing final approval for the site, noting that if construction of the antenna did not begin by March, the U.S. might have to look elsewhere in the Mediterranean.

8. (S/NF) La Russa told SecDef that he believed there was a solution for NSS Gricignano, although current law does not permit handing over security fully. La Russa proposed the area be given a special status, after which a bilateral agreement between the U.S. and Italy would allow the U.S to assume security responsibilities. La Russa did not comment on the status of MUOS Niscemi.

----Iran

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9. (S/NF) La Russa began discussion on Iran by noting the significant value of NATO's nuclear deterrent for the credibility of Articles 4 and 5 of the Washington Treaty. La Russa characterized the attitude of the government in Tehran as provocative and believed its actions have serious implications for global peace and security. La Russa cautioned that sanctions can backfire, making the targeted government stronger and hurting the population. He cited 1936 sanctions against Italy as an example. La Russa confided that Italian defense contractor Finmechanica had quietly decided against renewing a lucrative contract in Iran, noting that industry was becoming more sensitized to the consequences of doing business with Tehran.

10. (S/NF) SecDef referred to a past CIA study that had concluded that sanctions bring the desired results if there is broad-based application among nations for required measures. He cited South Africa as a successful case study. SecDef stated his belief that if Iran is allowed to continue its nuclear program, the result will be greater nuclear proliferation in the Middle East, a war, or both. Businesses

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need to see past their short-term profit margin and grasp this reality. La Russa agreed completely and stated that Italy is ready to support the sanctions track.

-----Kosovo

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11. (S/NF) SecDef and La Russa agreed that the Alliance must https://wikileaks.org/plusd/cables/10ROME172_a.html

follow its "in together, out together" policy for Kosovo and that conditions on the ground should dictate when to draw down force levels. SecDef noted that he had broached this topic with other Defense Ministers whose governments had contemplated unilateral reductions of forces. La Russa added that Italy was prepared to shift to a deterrence posture at the appropriate time, but that Italy understood the value of leaving enough forces to protect troubled areas.

Joint Strike Fighter

12. (C) La Russa stated that Italy was ready to be both a partner and a customer in the Joint Strike Fighter (JSF) program. He explained the importance of modernizing the Italian Air Force through JSF. SecDef responded that the U.S. retained confidence in the program after the recent restructuring and that the U.S. was committed to purchasing 360 aircraft between FY11 and FY15. He added that the U.S. fully understands Italy's desire for greater industrial participation and voiced his support for the establishment of a final assembly facility in Italy. SecDef noted some \$350M in contracts so far for Italian industry, with the potential for substantially more in the future.

13. (U) SecDef has cleared this cable. Drafted by OSD staff. DTBBI F

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SECDEF MEETING WITH ITALIAN PRIME MINISTER SILVIO BERLUSCONI, FEBRUARY 6, 2010

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Date:	2010 February 12, 13:27 (Friday)	Canonical ID:	10ROME174_a
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Handling Restrictions	Not Assigned	Character Count:	9863
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1. (S/NF) SUMMARY: Secretary of Defense Robert Gates (SecDef) met with Italian Prime Minister Silvio Berlusconi during an official visit to Rome on February 6, 2010. SecDef thanked Berlusconi for Italy's pledge of more Italian troops for operations in Afghanistan and assured him that the creation of RC-SW will not intrude on Italian operations in RC-W. Berlusconi pledged Italy's full support for sanctions efforts against Iran, sharing SecDef's assessment of the dire implications should Tehran successfully develop nuclear weapons. Berlusconi provided Italian insights on the Israeli-Palestinian conflict, encouraging strong American leadership. SecDef said the issue remains a high priority for the Obama Administration. In relation to the Abu Omar case, SecDef requested GOI's advocacy on recognizing U.S. jurisdiction over Colonel Joseph Romano under the NATO SOFA. Berlusconi expressed optimism that the matter will be resolved favorably during the appeals process. END SUMMARY.

Afghanistan

2. (S/NF) Prime Minister Berlusconi opened the discussion with a lengthy discourse on the state of Italian national politics, assessing that his government is on solid ground. He asserted that "Italy wants to be the best friend of the United States." SecDef explained that both Presidents Bush and Obama believed this to be true. After briefly thanking Berlusconi for Italy's efforts in Haiti, SecDef applauded Italy's contributions to Afghanistan, noting that ISAF nations must loosen caveats to allow effective partnering with Afghan forces. SecDef explained that once the U.S. completes its force increases, there will be nearly 60,000 troops in RC-South -- too great a number for one commander. This was the reason for the proposal to split the command and create an RC-SW in Helmand and Nimroz provinces. SecDef promised that it would not intrude on Italian forces in RC-West. Berlusconi said he was satisfied that it will not be a problem.

Iran

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3. (C) As a prelude to a detailed discussion on Iran, SecDef briefly outlined the phased adaptive approach to European Missile Defense, explaining that a revised threat assessment and better technology had led to the new approach. SecDef enlisted Italian support for a NATO commitment to missile defense at November's Lisbon Summit. SecDef recognized there were legitimate questions about cost and C2, and promised that the U.S. would provide detailed answers soon.

4. (S/NF) SecDef recalled his long involvement in U.S.-Iran relations, including his participation in the first U.S. meeting with the new revolutionary government in 1979. Noting that every American president since then has tried to reach out to Iran, SecDef asserted that President Obama's approach has been the most sincere, energetic and principled. He outlined the multiple opportunities -- including the Tehran Research Reactor proposal, the IAEA's inspection of the Qom facility, and multiple private offers for dialogue -- that Iran has been given to reassure the international

community of its intentions. All of these approaches, however, have been rejected by Iran.

5. (S/NF) SecDef expressed deep disappointment in Tehran's lack of responsiveness, reminding Berlusconi that Italy's role is vital and pointing out the opportunity for leadership. SecDef explained that it was clearly time for a new UNSC resolution, which would give nations and the EU a legal basis for even harsher action. He recounted the dire consequences of a nuclear Iran, including proliferation by other countries in the Middle East, a military response by Israel at some point, or both. Sanctions must be applied to

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get Tehran to change course and agree to a negotiated solution.

6. (S/NF) Berlusconi agreed and recounted recent consultations with Israeli leaders, including military commanders, during his recent visit to Tel Aviv. Recalling the tragedy of the Holocaust, Berlusconi said he believes the Israelis will not follow the path of some German Jews in the 1930s, who discounted Hitler's threats as political demagoguery. Given Ahmadinejad's promises to eliminate the Israeli state, Berlusconi speculated that Tel Aviv would strike, possibly with nuclear weapons, against Iran if Tehran were close to acquiring nuclear weapons itself. He added that no one, including President Obama, could stop Israel if it sensed an existential threat -- noting his belief that Israel has operational plans on the shelf.

7. (S/NF) SecDef cited an Israeli military exercise that flew 842 kilometers to Greece, pointing out the distance between Israeli air bases and Iran's nuclear reactor is 840 kilometers. Berlusconi took the point, and asked the U.S. to exert strong leadership in pressuring Iran. He added that Iranian actions against protesters were morally unacceptable and he cautioned that sanctions should not target the general population but instead aim to weaken the government. SecDef explained the manifold business interests of the IRGC --Ahmadinejad's "storm troopers" -- and his confidence that sanctions could be targeted against them without significantly harming the people.

8. (S/NF) Berlusconi noted that Italian businesses have had interests in Iran for 50 years. He referred to a particularly lucrative contract between the Italian energy company ENI and Iran that must be fulfilled in light of significant penalties for non-compliance. He asserted, however, that ENI has chosen not to renew the contract because of concerns about Tehran's actions. Berlusconi recounted conversations with Russia, saying he had lobbied them against missile production that can aid the Iranian military. Berlusconi said he would soon attend an EU Summit to address Iran, believing that a preemptive strike by Israeli on Iran would be disastrous. SecDef appreciated Berlusconi's sense of urgency, reminding him that history has consistently shown that tyrants are clear about their intentions and noting Ahmadinejad's promise to wipe Israel from the map.

Israel-Palestine

9. (S/NF) Berlusconi explained his efforts to get Palestinians back to the negotiating table by offering to host the negotiations and pay for all the costs. He detailed an idea he had introduced in 1994 about a "Marshall Plan" for the region, whereby he would entice the world's biggest companies and hotels to invest in the West Bank and build an airport there. He doubted Israel would allow investment to happen given the current circumstances, but said the offer is still on the table. SecDef agreed that we must work together and stated that the Middle East Peace Process would be one of President Obama's highest priorities in 2010. Berlusconi argued that the issue has global implications. SecDef concurred, noting that the global security environment is as complex as ever. He noted that we keep adding new problems like piracy to the list of challenges without solving the old ones.

Africa

10. (C) In a brief exchange, Berlusconi noted his concern about the Horn of Africa. Because of Italy's colonial experience in Somalia, Ethiopia and Eritrea, it had an acute understanding of the depravity of the region that allows problems like piracy to take root. SecDef commented that

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much of Africa had looked to the Soviet model in the post-colonial period -- an unfortunate choice that guaranteed poverty, and an error from which most of Africa has not yet recovered.

China

11. (S/NF) Berlusconi recounted a recent trip to China by his daughter, a recent U.S. college graduate, which left her distraught. He explained that between urban migration and university graduates, China is adding 24M workers to its workforce each year. Italy has 23M workers in its entire economy -- in other words, China annually increases it workforce by the total size of Italy's. Berlusconi noted that many Italian companies will withdraw tenders if competing against a Chinese company, especially in Africa. SecDef noted that China has two major challenges. First, in Africa, natural resource extraction using imported Chinese labor is causing significant resentment among African hosts. Second, in order to add 20-30M jobs to its workforce yearly, China must grow its GDP by 8-10 percent each year. SecDef added that the source of internal stability in China is an improving quality of life for its citizens, and that Chinese leaders are "scared to death" that this is not sustainable.

Romano Case

Your role is important:

12. (S/NF) In closing, SecDef asked Berlusconi for his assistance in affirming U.S. jurisdiction over Colonel Romano, one of the defendants in the Abu Omar case, under the NATO SOFA. Berlusconi and Cabinet Advisor Letta assured SecDef the GOI was working hard to resolve the situation. Berlusconi gave an extended rant about the Italian judicial system -- which frequently targets him since it is "dominated by leftists" as the public prosecutor level. Berlusconi predicted that the "courts will come down in our favor" upon appeal, noting that higher-level appellate courts are significantly less politicized than local courts.

13. (U) SecDef has cleared this cable. Drafted by OSD Staff. $\ensuremath{\mathsf{DIBBLE}}$

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Tor is an encrypted anonymising network that makes it harder to intercept internet communications, or see where communications are coming from or going to. (https://www.torproject.org/)



Tails is a live operating system, that you can start on almost any computer from a DVD, USB stick, or SD card. It aims at preserving your privacy and anonymity.

(https://tails.boum.org/)

The Courage Foundation is an international organisation that supports those who risk life or liberty to make significant contributions to the historical record.

COURAGE> (2) bitcoin

Bitcoin uses peer-to-peer technology to operate with no central authority or banks; managing transactions and the issuing of bitcoins is carried out (https://www.couragefound.org/)Collectively by the network.

(https://www.bitcoin.org/)

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