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## **CIA Knew in Advance That Posada Carriles Planned Bombing of Cuban Airliner, Say New Documents**

*by LADB Staff*

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As Cubans gathered in Havana's Karl Marx theater to commemorate the 30th anniversary of the bombing of a Cubana de Aviacion airliner that killed all 73 people aboard, new evidence was released in the US showing that the government had information linking Luis Posada Carriles to the crime, and had that information even before it was committed.

Posada is being held at an Immigration and Customs Enforcement (ICE) detention center in El Paso, Texas (see NotiCen, 2006-01-26 and NotiSur, 2005-06-10). An immigration judge ordered his release, but the US quickly appealed the decision and the accused terrorist remains locked up while an embarrassed Justice Department decides what to do with him.

Venezuela, where the flight originated, has demanded his extradition, but in a highly political decision, extradition has been denied on the premise that Posada would be tortured if returned to the scene of his alleged crime.

What the documents reveal On Oct. 5, the National Security Archive (NSA) posted on the Web new documentation implicating Posada in the bombing. Among the documents is an annotated list of four volumes of still-secret records of Posada's career with the CIA, his acts of violence, and his suspected involvement in the downing of Cubana flight 455 on Oct. 6, 1976. The NSA, which is not a government agency, and has long sought declassification of the Posada files through the Freedom of Information Act, renewed its call for the complete record.

"Now is the time for the government to come clean on Posada's covert past and his involvement in international terrorism. His victims, the public, and the courts have a right to know," said Peter Kornbluh, director of the NSA's Cuba Documentation Project. What the NSA does have, and has just posted, are four sworn affidavits by the first officials to interrogate two Venezuelans arrested for placing the bomb.

According to the testimony of the Trinidad and Tobago police, the first call the bombers placed after the downing was to the office of Posada's security company, ICI, the employer of one of the suspects, Ricardo Lozano. Lozano said he had been paid US\$16,000 for the attack and his partner, Freddy Lugo, US\$8,000.

Of interest in the current national security environment in the US, the documents revealed that the explosives used in the 1976 bombing were concealed in a tube of toothpaste, a tactic similar to the one just discovered to be a threat to commercial aviation, and resulting in a ban on such items being brought aboard airliners.

The detonating device was in the form of a pencil, with a timer set to go off after Lugo and Lozano got off the plane in Barbados. NSA also released three FBI intelligence reports to then Secretary of State Henry Kissinger after the bombing. Classified secret, the reports focused on the relations between FBI legal attache in Caracas Joseph Leo, Posada, and one of the Venezuelans who had placed the bomb. Leo had provided Posada with a visa to the US.

One of the reports, all of which were signed by then FBI director Clarence Kelley, described meetings Posada attended at which the bombing was planned. The document quoted one informant placing a call to Orlando Bosch saying, "a bus with 73 dogs went off a cliff and all got killed." Bosch was a convicted terrorist who served four years in prison for firing a bazooka at a freighter in Miami. After being charged in Venezuela as the major conspirator with Posada in the airliner bombing, he entered the US illegally and was pardoned by President George H.W. Bush in 1990.

Bush was CIA director in 1976. Bosch lives freely in Florida to this day.

Another report to Kissinger, this from the State Department Bureau of Intelligence and Research noted that the CIA had a source in Venezuela who heard Posada say, "We are going to hit a Cuban airplane," and, "Orlando has the details." These new revelations intensify the already fierce criticism the US administration faces for hypocrisy in its war against terrorism. The government continues to refuse to extradite Posada to Venezuela, or to Cuba, on the pretext that he would be tortured in those countries.

Jose Pertierra, Venezuela's Washington lawyer in the extradition effort told the media, "The fight against terrorism cannot be fought a la carte. A terrorist is a terrorist." The administration declines to call Posada a terrorist, although it came close this week in an El Paso court filing that described him as "an unrepentant criminal and admitted mastermind of terrorist plots and attacks on tourist sites." This reference is to Posada's admitted bombing of Havana hotels and assassination plots against Fidel Castro, for which he has never been charged in the US. Posada made these admissions to the New York Times in 1997 in an article where he recalled a time when Cubans working for the CIA were "patriots," and acts of sabotage were not called terrorism.

But he is being held on immigration charges, not terrorism, and the government has been seeking, without success, to find a country to deport him to. Canada, Costa Rica, El Salvador, Guatemala, Honduras, and Panama, are so far the countries known to turn down the opportunity. It was an immigration judge who ruled he might be tortured in the only two countries that want him, and a federal judge who ruled on Sept. 11 that he should be released.

## *Defining a terrorist*

The Bush administration is now in the very awkward position of invoking a law that bars the release of a terrorist, without charging Posada as one. The situation is playing to Posada's strong suit as his lawyer poses the question, "How can you call someone a terrorist who allegedly committed acts on your behalf?" His attorneys have been arguing that US Supreme Court precedents do not allow authorities to hold people on immigration charges when they cannot be deported. Posada had been working for the CIA since before the Bay of Pigs invasion in 1961.

Commented the NSA's Kornbluh, "Luis Posada Carriles is a terrorist, but he's our terrorist. The historical baggage that he brought with him when he sneaked into the US has created this dilemma for the Bush administration."

In Cuba, at the ceremony commemorating the deaths of the 73 aboard Flight 455, which included the entire Cuban national fencing team, President of Parliament Ricardo Alarcon railed against the US protection of terrorists, and vowed the island would continue "battling tirelessly" for justice for the victims. The memorial event was also dedicated to the Cuban Five, a group of Cuban citizens serving long sentences in the US for what Alarcon called anti-terrorist missions on US soil (see NotiCen, 2006-09-14).

Also speaking at the event was Cuba's interim leader Raul Castro, who told his audience that, "In reality, it is the government of the United States that best knows of the acts in question, and fears that, if there were a trial, not only the crimes of Posada would come to light, but also the culpability of the North American authorities, in particular the Bush clan." Included in the activities marking the bombing was the repeated airing on radio and TV of the recording of the last words of the Cubana pilot; "We have an explosion. We are descending immediately. We have fire on board." The plane crashed into the Caribbean Sea just before noon, marking the first act of midair airline terrorism in the Western Hemisphere.

Concomitant with the ceremonies in Havana, the Cuban UN delegation went before the General Assembly to denounce the US acting as judge and jury on terrorism in view of its own behavior. Cuban diplomat Jorge Cumberbatch told the General Assembly Third Commission for Crime Prevention and International Drug Control that the fight against these crimes does not allow for double standards, or for the US unilateral certification of UN nations as "good or diabolical." Cumberbatch then went on to attack the US for its certification of countries in its drug-war and for its stance on illegal migration while at the same time promoting illegal and unsafe migration through its Cuba policy.

Venezuela, too, has taken the 30th anniversary of the bombing to step up its calls for extradition. Foreign Minister Nicolas Maduro made the demand, calling Posada "the Bin Laden of the Americas, backed by the Bush family." Washington has never responded directly to any of Venezuela's requests, the first of which was a formal filing in July 2005.

## *Notables denounce the case*

The main adversaries of US policy in the Americas, Cuba and Venezuela, are not the only severe critics of the government's handling of the Posada case. Wayne Smith, former head of the US interests section in Havana, and a critic of Bush's Cuba policies, said, "They're just dancing around. They have all kinds of evidence against him."

On Oct. 6, a renowned group of rights activists signed a statement demanding justice. Nadine Gordimer, Salim Lamrani, Noam Chomsky, Jose Saramago, Rigoberta Menchu, and Adolfo Esquivel, demanded "from the United States government that Luis Posada Carriles be put on trial

for the 73 assassinations committed on October 6, 1976, or that he be extradited to Venezuela. We cannot accept double standards in the fight against terrorism. All those guilty have to pay for their crimes and the United States has the opportunity of demonstrating in front of the world's eyes that it is consistent in its struggle against terrorism."

The major concern at this point in the case is that Posada could be released from custody. There have been denials. "ICE's determination not to release Posada at this time is based on considerations such as flight risk, danger to the community, and his failure to demonstrate that there is no significant likelihood of removal in the reasonably foreseeable future," said a statement from the agency delivered to Posada. But the State Department continues to hedge.

Asked why the administration has not recognized Posada as a terrorist and asked the courts to treat him as such, Deputy Spokesman Tom Casey replied, "Well, first of all, this is a matter before a US Immigration judge still. For those reasons, I'd leave it for the courts to talk about the case. It's also a matter, since it does involve issues related to immigration that's being handled by the Department of Homeland Security. And for any kind of definitions about that case, I'd just refer you to them."

In the meantime, perhaps the only discernable progress in the quest for justice in the case is that the Bin Laden epithet seems to have stuck. It has been used widely in the reporting of these latest turns in the case. Alarcon used it again in putting the issue in perspective for US consumption. "It's as if you were to say to the American people that country X has found Osama bin Laden, who arrived without a passport or a visa, and that he is being held as an illegal immigrant but will not be sent back to the US."

-- End --