

AS EXPECTED, DOD CHARGES AL-NASHIRI; WILL THE US ALSO CHARGE HIS TORTURER?

DOD has filed charges against Abd al Rahim al-Nashiri, the alleged mastermind of the USS Cole bombing. (h/t jl)

The Department of Defense announced today that military commissions prosecutors have sworn charges against Abd al Rahim Hussayn Muhammad al Nashiri of Saudi Arabia.

The chief prosecutor has recommended that the charges against Nashiri be referred as capital. Capital charges may only be pursued with the convening authority's approval.

The charges allege that Nashiri was in charge of the planning and preparation for the attack on USS Cole (DDG 67) in the Port of Aden, Yemen, on Oct. 12, 2000. The attack killed 17 sailors, wounded 40 sailors, and severely damaged the ship by blowing a 30-foot by 30-foot hole in her side. The charges also allege that Nashiri was in charge of planning and preparation for an attempted attack on USS The Sullivans (DDG 68) as that ship refueled in the Port of Aden on Jan. 3, 2000.

Now, aside from the question of whether it is illegal to target a series of military targets, I have no problem with the government finally charging al-Nashiri.

But I wonder whether the government is also, finally, going to charge the people who staged a mock execution using a power drill against al-Nashiri—basically doing the one thing even John

Yoo said would be illegal? Last we heard, after all, Albert, who staged the mock execution, was training CIA officers. And Albert's supervisor, Ron, now heads CIA's European Division. And while the US told Spain back in March that they were still investigating, the 8 year statute of limitations on torture that occurred before January 28, 2003 would have already expired.

As with all their other torture cases, they're just letting the statutes expire.

So congratulations, DOD, for finally charging one of the alleged worst of the worst. Now when will the government charge those who tortured al-Nashiri?