

# Evidence lacking in defendants' claims

THE ASSOCIATED PRESS

KABUL, Afghanistan — There is no evidence to support claims by three Americans that they were severely beaten in jail since their arrest on charges stating that they kidnapped Afghans as part of a freelance counterterrorism operation, a U.S. official said Tuesday.

"They are being treated well," said the official, who spoke on condition he not be further identified. U.S. consular officials have met with the defendants, Jonathan "Jack" Idema, Edward Caraballo and Brent Bennett, and the American official said there was no evidence that the men were

beaten. The three face up to 20 years in jail if convicted on charges of torture and kidnapping. They were arrested July 5 when authorities freed about a dozen Afghan men being held at a private jail. The men were allegedly tortured using boiling water, and much of the abuse was apparently videotaped. Idema, a former U.S. soldier

from Fayetteville, N.C., with a checkered past that includes a stint in federal prison for fraud, denies he tortured anyone and claims he was working with the approval of the Pentagon and senior Afghan authorities.

Videos of the alleged torture have not been played in court. The American official said there is nothing to Idema's claim that he was working for the government.

"I can find no evidence whatsoever that Jack worked for us or was doing anything with the U.S. government," he said.

On Monday, Caraballo, a New York City native, came to court walking with a limp and on crutches, and displayed large bruises on the bottom of one of his feet.

Idema charged in court that his co-defendant had been beaten. Caraballo's lawyer, Michael Skibbie, said only that he was "not in a position to comment" on how his client got the injuries. Idema also claims that he was severely beaten in his initial days in custody.

The American official said the embassy wants to make sure the trial is conducted fairly, but also recognizes the right of Afghanistan to pursue a case.

"Our embassy is watching closely and we should let the trial pro-

ceed and not try to influence it," he said. "The charges leveled are very serious charges about serious crimes," he said.

The U.S. military has described Idema as a freelancer with no connections to it whatsoever. However, it has acknowledged receiving a prisoner from his crew and holding the man for about two months. The suspect subsequently has been released.

NATO peacekeepers also acknowledge being duped into taking part in several raids with Idema and his men, who wore military-style uniforms with American flags on them.

On Monday, a defense lawyer played a videotape showing Afghanistan's former education minister, Yunus Qanooni, thanking Idema for arresting two people and offering his full cooperation in future raids.

Qanooni, who is running for president and is considered one of the chief rivals to President Hamid Karzai, said Tuesday he was tricked.

"Two months ago I received information that an American special forces operative had urgent information and wanted to see me. They came to my room, all wearing uniforms," Qanooni told a press conference. "They told me

they arrested high-level al-Qaida operatives and that there was a big conspiracy ... to kill me" and other politicians.

"Because he said he belonged to the special forces and had an American uniform and told me he had uncovered a plot to kill me, I said yes, you should arrest them. Sure, I told them congratulations on their success."

The prosecution says Qanooni and other Afghan officials only cooperated with Idema because they, too, were tricked into thinking he was a legitimate American agent.

Idema was in the Army from 1975 to 1984 and received some special forces training.

In the 1990s, he was convicted of fraud for bilking investors in a fake company out of hundreds of thousands of dollars.

He spent three years in federal prison.

At one point, he sued Steven Spielberg over the 1997 movie "The Peacemaker."

He claimed the special forces operative played by George Clooney was modeled on him. A judge dismissed Idema's claim and ordered him to pay \$267,079 in attorney fees.

The trial is set to resume next week.

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