

Breakthroughs in probe of Diana's murder

by Jeffrey Steinberg

In a dramatic development sure to drive Britain's Prince Philip into a blind rage, a U.S. Federal District Court Judge has ordered the Central Intelligence Agency (CIA) and Defense Intelligence Agency (DIA) to produce documents and appear for questioning by attorneys for Mohamed Al Fayed.

The order, signed by U.S. District Court Judge Henry Kennedy on Feb. 5, came in response to a motion, filed on behalf of Al Fayed, by the Washington, D.C. law firm Williams & Connolly, demanding that the two intelligence agencies release file material that could shed light on the circumstances surrounding the Aug. 31, 1997 death of Princess Diana and Dodi Fayed, Al Fayed's son, in a Paris car crash.

In November 1998, an Internet on-line news service, APB News, learned that the U.S. National Security Agency had over 1,000 pages of documents on Princess Diana. APB had filed a Freedom of Information Act (FOIA) request with the NSA in June. So far, the NSA has refused to release any documents, claiming that their declassification would reveal U.S. intelligence methods and procedures and would jeopardize national security. The NSA letter to APB noted that the majority of the documents in their files had originated with the CIA and the DIA.

Nevertheless, the fact that the NSA has admitted that they had been monitoring Princess Diana's activities, along with the CIA and the DIA, means that the U.S. government may be in possession of information, shedding light on the circumstances of her death.

British intelligence surveillance

Well-placed U.S. government sources had told *EIR* that, in the months leading up to the fatal Paris crash, U.S. intelligence operators had stumbled upon heavy British intelligence surveillance of the Princess and Dodi Fayed. Warnings about British intelligence's intense interest in the couple was, according to the sources, passed on to Egyptian government officials, apparently in anticipation that warnings would be passed along to Mohamed Al Fayed, who was born in Egypt and maintains close ties to Egyptian President Hosni Mubarak. According to sources in Britain, the warning was never delivered to Al Fayed.

The CIA encounter with MI6 teams stalking Diana and Dodi during the spring of 1997 was not the only clue, suggest-

ing a British secret intelligence hand in the deaths in Paris. Indeed, on the day of the fatal crash, the *Sunday Mirror* reported that Prince Philip had personally ordered the assembling of a full MI6 dossier on Dodi Fayed, because he was livid at the idea of the future Queen Mother taking up with a Muslim.

Furthermore, under the "UKUSA Agreement" of 1947, one of the seminal documents establishing postwar U.S.-British intelligence cooperation, virtually all technical intelligence data gathered by the NSA is automatically made available to the British signal intelligence agency, Government Communications Headquarters (GCHQ). So, the hundreds of NSA-originated documents on Princess Diana would have wound up, as standard procedure, in the hands of British intelligence.

Mohamed Al Fayed filed Federal court actions to obtain the CIA, DIA, and NSA files under 28 U.S.C. 1782, which allows foreign nationals engaged in court actions abroad to gain access to relevant U.S. government documents. Al Fayed is a civil party to the ongoing French investigation into the cause of the crash. That probe, headed by Judge Hervé Stephan, has lasted for more than 18 months, and is expected to continue for several months more.

Now, with Judge Kennedy's order, Mohammed Al Fayed may get a chance to look at the CIA and DIA files on the Princess. In early February, a Federal District Court Judge in Maryland, Frederic Smalkin, refused to sign a subpoena ordering the NSA to release its Diana file to Al Fayed. That decision is expected to be appealed by Al Fayed's lawyers.

Judge Kennedy's ruling gave the CIA and the DIA a deadline of Feb. 12 to turn over their files to Williams & Connolly, but it was anticipated that the two intelligence agencies would attempt to overturn the judge's decision, and would, at minimum, obtain a delay. However, Judge Kennedy's ruling vastly improves the prospects that some of the U.S. government's file on the late Princess Diana will be released.

A surprise eyewitness surfaces

In another dramatic twist in the probe by Judge Stephan, attorneys for Al Fayed in Paris announced on Feb. 20 that a person has come forward, claiming to have been the passenger in the missing "white Fiat Uno" that collided with the Mercedes carrying Princess Diana and Dodi Fayed, causing the fatal crash. The Fiat has been missing since moments after the crash.

Al Fayed attorney Bernard Darteville told the Associated Press that, while the person appeared to be "more trustworthy" than the virtual army of self-professed eyewitnesses who have approached Al Fayed, particularly since Al Fayed offered a £1 million reward for information leading to the location of the missing Fiat and driver, it was still unclear whether the person was telling the truth. The passenger claimed that the car was actually not a Fiat Uno, but a Citroen AX.