

Annex 1 to

Gucati Response to Prosecution Notice of Additional Item 206 and Challenge to Disclosure

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Threatened with death, Dick Marty has been living under high protection for sixteen months





Dick Marty threatened with death / Focus / 14 min. / April 10, 2022



14 min.

Dick Marty threatened with death

Focus
April 10, 2022 at 8:21 PM



5 min



An exclusive investigation by Mise au Point reveals that, since December 2020, Dick Marty has been placed under very high police protection. The former prosecutor, State Councillor, Councillor of States (PLR/Ticino) and Council of Europe rapporteur, is reportedly threatened with death by radical elements of the Serbian intelligence services. The Public Prosecutor's Office has not issued a letter rogatory and the FDFA has not taken diplomatic action with Belgrade.

It all started sixteen months ago, reports Mise au Point, who was able to speak with Dick Marty at his home in Ticino. "On December 18, 2020, I received a call from the police who informed me that I was threatened with death and announced that I was going to be immediately put under high police protection," reports the one who, in 2007, denounced the extrajudicial abductions and torture practiced by the CIA with the complicity of European countries in the aftermath of September 11. FedPol believes that he is in danger of degree 5, the maximum, and offers to change his identity and address. "Degree 5 is disappearing, but for me it was totally excluded," says Dick Marty. "So we stayed until today at a very high degree: degree 4. It has never existed in Switzerland for someone to remain so long at such a degree of danger."

Exceptional protection measures

Placed under degree 4 protection, Dick Marty and his wife welcomed police officers "armed to the teeth" into their homes for four and a half months. Knowing that he is under surveillance, the Ticino restricts his contacts and communications as much as possible. "At the end of 2020, he sent me an encrypted message asking me not to get in touch with him anymore," confirms Franco Cavalli, a former National Socialist councillor who is also his friend. "It's shocking to think that such a thing could happen in Switzerland."

Today, plainclothes police officers are no longer permanent. But protective measures are still as important as ever. The house is full of cameras and equipped with alarms and a secure room, a "safe room", where Dick Marty must take refuge in case of attack. Plainclothes police officers are stationed nearby.

During his rare travels, Dick Marty wears a bulletproof vest, his car is armored and escorted by plainclothes police vehicles.



« There are veterans who have specialized in warrant killings, so it doesn't take a lot of money to liquidate someone. »

Dick Marty

According to Dick Marty, "the threat apparently comes from some Serbian intelligence circles who have asked the underworld, professional killers, to liquidate me simply to shift the blame onto the Kosovars. As for the killers, they would be part of "the underworld". "There are veterans who have specialized in murders on warrant, commission, and so it doesn't take a lot of money to liquidate someone."

According to the Mise au Point investigation, Fedpol sounded the alarm in December 2020 based on information obtained by the Swiss intelligence services. A confidential source informed them of the following, according to a document from the Office of the Attorney General of Switzerland (OAG) that Mise au Point was able to obtain: "Dick Marty must be murdered on the orders of the Serbian secret services. The assassination of Dick Marty was reported entrusted to Serbian men who have long carried out such missions for the Serbian secret services and who were trained

by the latter. They would be 'absolute professionals' who would master the assassination 'without a trace'. For the planned attack, a Serb allegedly brought weapons into Switzerland during the month of December 2020. In order to take advantage of the press attention related to the indictment of Hashim Thaci, the murder should be presented as being attributable to the Kosovar/Albanian government (ex-KLA) in order to discredit it internationally."

Discrediting Kosovo

In his country, Hashim Thaci, 54, is seen as a hero of the war of independence against Serbia. Political leader of the Kosovo Liberation Army (KLA), then President of Kosovo, he resigned from his post in November 2020 after being indicted for war crimes and crimes against humanity by a Special Court (KSC) in The Hague. He is currently being held pending trial.



Dick Marty, Council of Europe rapporteur, on 16 December 2010 at a press conference on alleged organ trafficking in Kosovo. [Philippe Wojazer - Keystone]

In 2010, for the Council of Europe, Dick Marty wrote a report denouncing alleged crimes committed by the KLA, including organ trafficking, on the basis of which the investigation against Hashim Thaci was opened.

Serbian nationalists never accepted Kosovo's independence, which was achieved following NATO intervention in 1999.

"Apparently, a state service wants to eliminate me to discredit its opponent, this is absolutely unacceptable," Dick Marty told *Mise au Point*. "Our judicial authorities should react harshly and quickly."

Reactions of the authorities

Since 2020, the OAG and Fedpol have made every effort to physically protect Dick Marty. "I'm very grateful to all these people, men and women, who are protecting me, but it's clear that it can't go on this way

indefinitely," he said.

As this is a political crime, the OAG had to seek the Federal Council's permission to open a criminal investigation, which was opened in August 2021.



« It's not just about me. All those who engage in the search for the truth deserve not only protection but also justice. »

Dick Marty

But the OAG has not yet issued a letter rogatory and the Federal Department of Foreign Affairs (FDFA) has reportedly not acted through diplomatic channels to reduce the threat. In early February, Dick Marty wrote to FedPol with a copy to the MPC: "I tell them that we cannot continue to limit ourselves to the protection of the target alone, without having a strategy of neutralizing the threat. It's not just about me. All those who engage in the search for the truth deserve not only protection but also justice. They deserve to be prosecuted for those who try to attack their lives. We can't tolerate that and it seems to me that we're doing it."

Following his letter, the judicial authorities reportedly decided "to send police officers to Belgrade at the end of April to talk to their Serbian colleagues", a measure that the former Ticino prosecutor considers insufficient.

"Cela signifie que le Procureur de la Confédération ne se rendra pas en Serbie et qu'il ne déposera pas une demande d'assistance judiciaire et que Berne renonce à une action diplomatique. Tout cela malgré l'existence d'indices concrets d'un projet d'assassinat d'un ancien rapporteur du Conseil de l'Europe et sénateur suisse par les services de renseignement d'un pays étranger et des tueurs professionnels!", s'insurge-t-il.



« Une personne comme Dick Marty ne peut pas être laissée en plan. On est dans un système suisse d'Etat de droit, où l'État protège ses citoyens contre des menaces injustifiées. »

Dominique de Buman

Dominique de Buman, ancien conseiller national et ex-vice-président du PDC, estime qu'il y a un risque que la situation s'enlise. "Une personne comme Dick Marty ne peut pas être laissée en plan. On est dans un système suisse d'Etat de droit, où l'État protège ses citoyens contre des menaces injustifiées. Je pense et j'espère que la Confédération n'oubliera pas un de ses serviteurs quand même les plus éminents."

Crainte d'une crise internationale ?

La Suisse craint-t-elle d'envenimer ses relations avec la Serbie alors que Berne est candidate à un siège au Conseil de sécurité de l'ONU? Le DFAE craint-il de provoquer une crise entre Pristina et Belgrade? Mise au Point a demandé au DFAE si des considérations politiques expliquaient l'absence d'action diplomatique. Sans répondre clairement à cette question, Pierre-Alain Eltschinger, le porte-parole du DFAE, a répondu: "Le DFAE est en contact avec les autorités partenaires, en premier lieu le Ministère public de la Confédération et Fedpol. En ce qui concerne les procédures pénales en cours, vous devez vous adresser au MPC, et en ce qui concerne les mesures de sécurité, à Fedpol."

Mise au Point a demandé au MPC pourquoi une commission rogatoire n'avait pas encore été lancée. La réponse du MPC est la suivante: "Outre les aspects pénaux, le cas implique notamment la garantie de la sécurité des personnes et présente également des composantes politiques en raison du contexte transnational présumé. C'est pourquoi divers services fédéraux et cantonaux sont impliqués dans le cadre de leurs compétences respectives. Dans ce contexte, le Ministère public de la Confédération, Fedpol et les autres autorités partenaires ont mis en place un vaste dispositif de mesures."

>> Les explications d'Anne-Frédérique Widmann dans Mise au Point:

 Anne-Frédérique Widmann, journaliste sur l'enquête concernant Dick Marty [RTS]



Foreign affairs

Former Swiss prosecutor 'targeted by Serbian assassins'



▲ Marty accuses the Swiss authorities of failing to take adequate action against Serbia. Keystone / Lukas Lehmann

Ex-Swiss prosecutor Dick Marty has been under armed guard for nearly a year-and-a-half following death threats he believes originate from Serbia.

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swissinfo.ch/mga

In an interview with Swiss public broadcaster RTS on Sunday, Marty said he had armed protection officers in his house for four-and-a-half months from the end of 2020.

His house is now equipped with surveillance cameras and a safe room with plain clothes police keeping an eye out nearby. Marty must wear a bullet-proof vest when he goes out in public.

During his career, Marty was a politician and prosecutor in the southern Swiss canton of Ticino.

From 1999-2011 he was a member of the Parliamentary Assembly of the Council of Europe. In this capacity he conducted various inquiries such as allegations of secret CIA prisons in Europe and alleged organ trafficking in Kosovo.

The latter investigation was apparently the catalyst for the alleged assassination order from Serbia, which has never accepted the formation of an independent Kosovo.

“The threat apparently comes from certain circles of the Serbian intelligence services, who asked the underworld, professional killers, to liquidate me simply to put the blame on the Kosovars,” Marty told RTS.

Official reaction

Marty is also aggrieved that the Swiss authorities have not taken up the matter with Serbia. He says he had to write to the federal police office to force them into action.

“Anyone who engages in the search for the truth deserves not only protection, but also justice. They deserve to see that those who attempt to take their lives face prosecution. This cannot be tolerated,” he wrote in February.

On Monday, Serbian authorities denied Marty’s claims. “In these difficult times, such allegations cause inexorable damage to the reputation of the Republic of Serbia, its intelligence services, and those who carry out their duties in full conformity with the law,” read a statement signed by the Serbian ambassador to Bern.

Swiss federal police officers are now due to travel to Serbia at the end of this month in connection with the affair. But Marty is scathing about the apparent inaction of the attorney general's office and the foreign ministry.

Both the foreign ministry and the Office of the Attorney General told RTS that they are in contact with each other and the federal police but declined to say what action they were taking beyond providing protection for Marty in Switzerland.



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