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Islamabad high court orders murder charges be brought against Jonathan Banks and former CIA lawyer John A Rizzo for 2009 strike that killed at least three



Protesters rally in Islamabad in 2011 to condemn US drone attacks in Pakistani tribal areas on al-Qaida and Taliban hideouts. Photograph: BK Bangash/AP

The former head of the CIA in [Pakistan](#) should be tried for murder and waging war against the country, a high court judge ruled on Tuesday.

Criminal charges against Jonathan Banks, the former [CIA](#) station chief in Islamabad, were ordered in relation to a December 2009 attack by a US drone which reportedly killed at least three people.

Justice Shaukat Aziz Siddiqui of the Islamabad high court also ruled charges should be brought against John A Rizzo, formerly the top CIA lawyer who gave the legal green light for drone strikes.

Banks's name was first dragged into the public domain in 2010 when [a tribesman called Karim Khan began legal action against the supposedly undercover spy chief](#) over an attack by an unmanned aircraft on his home in North Waziristan which he said killed his brother and son.

The extraordinary unmasking of a sitting station chief [forced Banks to quit his post and leave the country](#).

Banks went on to become the head of the Iran operations divisions at the CIA's headquarters and currently works in the US military's intelligence wing.

At the time, the outing of Banks sparked much speculation about how Khan and his lawyer Shahzad Akbar could possibly have known the identity of the CIA station chief. Many assumed Pakistan's own spies leaked the name to punish the CIA at a time of fraught ties with the US.

There are few hard facts about the 2009 drone strike. The CIA never comments on an officially secret programme, and independent investigators face hurdles trying to work in North Waziristan, an area that for years was under the control of militant groups.

Press reports at the time suggested the target of the strike was the then-Taliban commander for North Waziristan, a militant called Haji Omar. Khan has always denied the claim.

With no chance of either of the two Americans travelling to Pakistan to face their day in court, the case is unlikely to go anywhere.

The issue of drone strikes has faded from public concern in Pakistan in recent years and is nothing like as prominent as it was in 2009, when the CIA campaign was running at a high tempo.

While US drone strikes have become far rarer in recent years, the relationship between Washington and Islamabad has also improved dramatically, with Pakistan lodging only pro forma protests when drone strikes do take place.