

Italy: Trial of CIA agents deferred until October

Marianne Arens
30 June 2007

On June 18, a Milan court decided to defer to October the trial of those charged with abducting the Egyptian expatriate Imam Osama Hassan Nasr, also known as Abu Omar. Judge Oscar Magi agreed to the motion of the defence lawyer representing the main Italian defendant, the former chief of Italian Military Intelligence (SISMI), Nicolò Pollari.

There are a total of 33 defendants, including 26 operatives of the CIA and a lieutenant in the US Air Force. They stand accused of abducting Nasr from the streets of Milan and secretly transporting him to an Egyptian prison, where he was held for four years and brutally tortured.

It is the first trial of secret service and military personnel anywhere in the world for the US government's practice of "extraordinary rendition"—the kidnapping and transport of alleged terrorist suspects to secret prisons, where they can be subject to torture. The American defendants are being tried in absentia.

The deferment of the trial will enable the Italian Supreme Court to make a ruling on the case. The government of Prime Minister Romano Prodi has petitioned the court to either halt the case altogether, or only admit part of the available evidence. The government has accused the Milan prosecutor of jeopardising Italian state secrets, since the prosecution case relies on transcripts of phone calls by SISMI agents.

The prosecution has rejected the government's petition, arguing that "it is impermissible to use the argument of state secrecy to conceal facts that might threaten the constitutional order."

Having petitioned for a postponement when the case opened on June 8, the defence has welcomed the deferment as an initial success, hoping that a trial may be prevented.

Pollari's attorney has based his defence strategy on the argument that a high-ranking representative of the Italian government agreed to the abduction at the time. He wants to call as defence witnesses Prodi and former Prime Minister Silvio Berlusconi, both of whom refused to enter an official request to the US government for the extradition of the 26 accused Americans.

Nasr's attorney Carmelo Scambia also welcomed the deferment. Calling Judge Magi's decision "balanced," he said it was better to begin the trial when all obstacles had been removed.

Nasr intends to appear as a prosecution witness. He has told reporters that he was turned into a "human wreck" while in his Egyptian gaol. His kidneys were been damaged by constant beatings, and his ears injured. He finds it painful and difficult to walk.

Nasr has also accused the German government in connection with his abduction. "Germany shares responsibility for my fate," he told *Spiegel Online*. He claims he was searched and photographed by CIA agents at the American Air Force base at Ramstein, Germany.



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