



## Political Punch

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### Italian Court Levies Judgment on U.S. Rendition Program

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ABC News' [Rachel Martin](#) reports: The US intelligence gathering program known as “extraordinary rendition” was essentially put on trial for the first time - in Italy - and this week the court rendered a guilty verdict.

Italian Judge Oscar Magi convicted 23 Americans of the 2003 kidnapping of an Egyptian cleric on a street in Milan, Italy. The cleric, known as Abu Omar, alleged that he was abducted by CIA operatives who then shuttled him between US bases in Europe and then moved him to Egypt where Omar says he was tortured. The Italian judge tried the Americans, all but one identified by prosecutors as CIA agents, in absentia. Former CIA Milan station chief Robert Seldon Lady got the toughest sentence – eight years in prison. The others each received a five year sentence. Two Italians were also convicted as accomplices to kidnapping.

This, in itself is a big deal. It's the first time any court anywhere has tried a case centered on the US rendition program, put into place under the Bush administration after 9/11. But this is the second major decision to come down this week regarding the controversial rendition program. On Monday, a US federal court of appeals dismissed the rendition case of Maher Arar – a Canadian citizen who alleges that he was abducted by US officials and flown to Syria where he was held prisoner for a year and tortured. The US appeals court dismissed the case, citing the oft-invoked [states secret privilege](#). (This was also the basis US courts used to dismiss the case of Khaled al Masri – a German citizen who alleged he was abducted in Macedonia by CIA operatives in 2003 and flown to Afghanistan, held for months and tortured.)

Georgetown law professor David Cole argued the Arar case and earlier this week told the Center for Constitutional Rights, “This decision says that U.S. officials can intentionally send a man to be tortured abroad, bar him from any access to the courts while doing so, and then avoid any legal accountability thereafter. It effectively places executive officials above the law, even when accused of a conscious conspiracy to torture.”

The ACLU says today's decision by the Italian court demonstrates that these rendition/torture cases are capable of being tried without violating state security secrets and “underscores the need for the US to hold its own officials accountable.” In a statement, ACLU attorney Steven Watt went on to say, “It is shameful that the first convictions of this kind came from a foreign justice system, where those convicted are not likely to serve their time.”

The CIA has said virtually nothing about the Italian case and today CIA Spokesman George Little

told reporters not to expect anything to change. "The CIA has not commented on any of the allegations surrounding Abu Omar."

State Department Spokesman Ian Kelly did respond to today's decision by the Italian court saying, "We are disappointed by the verdicts against the Americans and Italians charged in Milan for their alleged involvement in the case involving Egyptian cleric Abu Omar. The judge has not yet issued a written opinion, so we're not in a position to comment further on the decision."