



Written by [Thomas R. Eddlem](#) on November 6, 2009

23 CIA Officers Convicted in Italy, in Absentia

An Italian court convicted 23 CIA agents for kidnapping an Egyptian dissident on the streets of Milan November 3, sparking a global outcry against CIA “extraordinary rendition” tactics for terrorist suspects. None of the Americans was actually present at the trial, as all of the suspects had fled the country in advance of the investigation.

The U.S. State Department, which had pressured the Italian government to abandon the trial, expressed disappointment with the verdict. U.S. officials under both the Bush and Obama administrations refused to rendition the suspects to Italy for the trial.



The case arose after CIA officials kidnapped Egyptian expatriate Hassan Mustafa Osama Nasr, also known as [Abu Omar](#), on the streets of Milan in 2003 and transported him back to Egypt for interrogation and torture by Egyptian officials. Abu Omar had been a legal immigrant to Italy after fleeing religious persecution in Egypt. The 40-year-old was tortured so badly – torture he alleges included electrical shock tortures and genital torture – that he emerged from Egyptian custody several years later unable to walk without a cane and suffering from permanent incontinence.

There’s never been any publicly available evidence that Abu Omar was himself a terrorist or had assisted in terrorism, and he denies any illegal activity. The CIA may have wanted to interrogate him because he attended a mosque reputed to include al-Qaeda supporters. No one has ever charged Abu Omar with any crimes.

Author Bob Baer, a former Beirut CIA field officer, [described](#) the Abu Omar case as one of the United States ruining its reputation in order to keep from justice amateurish kidnappers who had snatched the wrong man. “They were using e-mail, they were calling home, the Italians were able to connect their credit cards with true names and true addresses,” former CIA officer Bob Baer [told](#) ABCNews.com. Baer also said he had performed renditions under the Reagan administration. “When we did a rendition, we did it in international waters. The Bush administration threw all caution to the wind.”

“This decision sends a clear message to all governments that even in the fight against terrorism you can’t forsake the basic rights of our democracies,” [said](#) Armando Spataro, the deputy Milan public prosecutor who led the five-year investigation and prosecution. “It’s clear that the kidnapping of Abu Omar was a great mistake,” he [added](#). “It did serious damage in fighting terrorists because we don’t need torture, we don’t need renditions, we don’t need secret prisons.” Outrage over rendition flights cuts across ideological lines abroad, even in U.S.-friendly Britain, where even the conservative *London Telegraph* [published](#) an opinion piece by an Amnesty International official on behalf of limiting the practice.

The verdict underscored calls for trials domestically against those who facilitated felony torture under the guise of the “war on terror,” particularly from the leftist American Civil Liberties Union. “The



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decision in Italy underscores the need for the United States to hold its own officials accountable for crimes committed under the 'extraordinary rendition' program," Steven Watt, staff attorney for the ACLU Human Rights Program, [said](#) after the verdict was announced. "The U.S. judicial system must provide similar measures of accountability to hold those who committed crimes in the names of the American people."

Meanwhile, the CIA kidnappers are shouting the Nuremberg defense: I was only following orders. "I'm not guilty. I'm only responsible for carrying out orders that I received from my superiors," Milan CIA station chief, Robert Seldon Lady [told](#) *Il Giornale* newspaper. Lady had received an eight-year sentence from the Italian court, while the other 22 Americans were given five year sentences. Former CIA operative Sabrina deSousa [admitted](#) to *Good Morning America* that "we broke the law," but added, "everything I did was approved back in Washington." DeSousa claims to have been on a ski trip the actual day of the kidnapping.

Photo of Italian Judge Osca Magi reading verdict: AP Images



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