

AI Index: PRE 01/465/2013
13 September 2013

Italy must not pardon former CIA agent involved in rendition

The Italian President Giorgio Napolitano must reject a former CIA agent's plea to be pardoned for a crime he committed in the country as part of the US-led rendition programme, Amnesty International said.

Robert Seldon Lady – who is now believed to be back in the USA – wrote to the Italian leader on Wednesday to request a pardon. An Italian court previously convicted him in absentia, sentencing him to nine years in prison for his role in the abduction of Abu Omar from Milan in 2003.

“This is someone who admits to taking part in a kidnapping operation that resulted in a man being sent to prison in Egypt, where he was tortured. Robert Seldon Lady has evaded justice for a decade, and letting him off the hook now would send a very dangerous message that there is no accountability for crimes that led to enforced disappearance and torture,” said Jezerca Tigani, Europe and Central Asia Programme Deputy Director at Amnesty International.

In February 2003 US and Italian operatives abducted Abu Omar, an Egyptian cleric, in Milan, where Robert Seldon Lady was a CIA station chief at the time. The cleric was illegally transferred via Germany to Cairo, where he was held incommunicado and reported that he was tortured in Egyptian custody.

Robert Seldon Lady was one of more than 20 US and Italian officials convicted over the abduction, and received the longest prison sentence.

According to Italian media reports, his letter to President Napolitano included an admission that he took part in Abu Omar's abduction upon orders of his superiors, and he added: "I don't wear a uniform, but I was a soldier in the war against terrorism and I had immunity." He also said his actions had been "vetted by very high officials", who advised him they were in accordance with US, Italian and international law.

The former CIA operative was detained in Panama in July this year. Amnesty International called for his extradition to Italy to face justice. Instead, he was returned to the USA.

“The US authorities have repeatedly and deliberately obstructed every effort to hold anyone accountable for the human rights violations committed in the CIA's rendition and secret detention operations. Those who were implicated in Abu Omar's rendition, including Robert Seldon Lady, must be extradited to Italy to face justice,” said Tigani.

Earlier this year President Napolitano pardoned Joseph Romano, a US Air Force officer, for his role in the Abu Omar kidnapping. Amnesty International slammed the move as political pandering to the US government that would set the stage for impunity.

Torture and enforced disappearance are crimes under international law and all states are obliged to investigate and, if there is sufficient admissible evidence, prosecute those suspected of responsibility for such crimes.