

Press Release

Parliamentary Assembly Communication Unit

Ref: 786a08

Tel: +33 3 88 41 31 93

Fax :+33 3 90 21 41 34

pace.com@coe.int

internet: www.coe.int/press



47 members

Albania
Andorra
Armenia
Austria
Azerbaijan
Belgium
Bosnia and Herzegovina
Bulgaria
Croatia
Cyprus
Czech Republic
Denmark
Estonia
Finland
France
Georgia
Germany
Greece
Hungary
Iceland
Ireland
Italy
Latvia
Liechtenstein
Lithuania
Luxembourg
Malta
Moldova
Monaco
Montenegro
Netherlands
Norway
Poland
Portugal
Romania
Russia
San Marino
Serbia
Slovakia
Slovenia
Spain
Sweden
Switzerland
"the former Yugoslav Republic of Macedonia"
Turkey
Ukraine
United Kingdom

Dick Marty testifying at the Abu Omar trial in Milan: 'Let justice take its course!'

Strasbourg, 06.11.2007 – On 5 November Dick Marty, Rapporteur of the Parliamentary Assembly of the Council of Europe (PACE) on the "illegal transfer of detainees and secret detentions in Europe", testified as a witness at the Milan court hearing the trial of CIA agents and Italian secret service agents involved in the kidnapping of Abu Omar. He was questioned closely on the result of his inquiry. In particular, he showed how the Abu Omar affair was part of a global CIA strategy involving several European states, a strategy "beyond any legal framework and in grave violation of the European Convention on Human Rights".

"As in the US and Germany, the doctrine of 'state secrecy' has been invoked by the Italian government to try and block the judicial procedures aiming to establish the truth about serious human rights violations committed under its responsibility. This is unacceptable and unworthy of a state governed by law. Let justice take its course!" said Mr Marty.

"State secrecy is not being invoked to protect secrets – because the facts in question are largely known – but rather to protect the civil servants and politicians responsible for these abuses," he said.

Mr Marty continued: "The Abu Omar affair is one of the rare cases where the alleged perpetrators of kidnapping carried out as part of the CIA's 'extraordinary rendition' programme are facing justice. The trials in the US and Germany, involving the El-Masri affair, have run into the sand after the 'state secrets' doctrine was invoked. Parliamentary enquiries, such as the one carried out by the German Bundestag's committee of enquiry, have also come up against the executive's refusal to provide certain information requested by the parliamentarians."

"Yet human rights defenders will keep trying: other cases, both civil and criminal, have been brought or are in preparation, particularly in the US," concluded Mr Marty.

[Second Marty report, June 2007](#)

[First Marty report, June 2006](#)

[Dick Marty's 'amicus curiae' brief to the US Supreme Court](#)

The Parliamentary Assembly brings together 318 members from the national parliaments of the 47 member states.

President: Lluís Maria de Puig (Spain, SOC) ; Secretary General of the Assembly: Mateo Sorinas.

Political Groups: EPP/CD (Group of the European People's Party); SOC (Socialist Group); EDG (European Democratic Group); ALDE (Alliance of Liberals and Democrats for Europe); UEL (Group of the Unified European Left).