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# REVIEW & OUTLOOK

## The 'Mafia Verdict'

When Antonio Marini, the prosecutor in the pope plot trial in Rome, told the court Thursday that he didn't have enough evidence to convict three Bulgarian defendants, Radio Moscow was ecstatic. This proved, chortled a Soviet broadcaster, that the charges against the Bulgarians were hatched by the CIA.

It, of course, proved no such thing. Mr. Marini made it clear that he thinks the Bulgarians are guilty. He told the judge and jury that while the law requires him to ask for a dismissal, they do not have to agree. He urged them to "pass down the path of complete truth."

Mr. Marini's call for dismissal for want of sufficient evidence is known in Italy as the "Mafia verdict," an admission by the prosecutor that he was unable to overcome such obstacles as secrecy and witness intimidation. It does not preclude retrials if further evidence is found. Sergei I. Antonov, the only one of the three Bulgarians actually in Italian custody, is not quite off the hook. The court now will hear his defense and could even follow the prosecutor's suggestion to find a larger "truth," given the seriousness of the charges. If Mr. Antonov is allowed to return to Bulgaria, he could be tried in absentia should further evidence be found.

Mr. Marini clearly was a frustrated man by the end of his summary last week. "The court debate was not sufficient, it was not exhaustive," he told the jury of two judges and six lay jurors. He criticized Judge Severino Santiapichi for not allowing more time to pursue recently uncovered evidence linking the Bulgarians to Mehmet Ali Agca.

Like the Mafia, the Bulgarians proved capable of making Mr. Marini's prosecution difficult. For example, the lads in Sofia put heavy-handed pressure on Mr. Marini's star witness, Agca, who actually fired the shots in St. Peter's Square. Agca had claimed that the Soviets and Bulgarians were behind the plot, but during the trial he took great pains to undermine his own credibility. Now why would he do that? It might be, Mr. Marini said in his summary, because Agca had received at his Rome prison address a communication from the Bulgarian prosecutor general informing him that he was being investigated on charges of "crimes against the security of the state." Agca would know that such a crime carries the death penalty. He would also know the Bulgarians applied that penalty in 1978 extraterritorially when a defector named Georgi Markov was pricked by the poisoned tip of an umbrella on a London street. The Bulgarian communication pointedly told Agca that the verdict would be announced *after* the Rome trial.

Agca may also still hope the Bulgarians will get him out of prison. Ransom notes indicate that the kidnapped daughter of a Vatican employee is still being held pending Agca's release.

The Bulgarians were in an even better position than the Mafia to stymie the prosecution. Two of the three Bulgarian defendants are in Sofia, claiming diplomatic immunity. They refused to testify and Sofia did not allow any questions about their alibis, which Mr. Marini told the jury were "groundless." Mr. Antonov was let out of jail after he complained of illness, and kept under Bulgarian control in Rome for much of the trial.

Lawyers for the Bulgarians will claim in their summary what Radio Moscow has alleged, that Agca was somehow coached to implicate the Soviet bloc. But efforts to pin the plot on Western intelligence agencies already have backfired with the bizarre allegation of incriminating files belonging to former Italian secret agent Francesco Pazienza. A propagandist for Bulgaria was forced to tell the court that these files never actually existed (see editorial "Telling Embarrassment," Jan. 13).

The recent evidence that Mr. Marini wanted to pursue will no doubt be passed on to the newest investigation into the shooting. Italy's three leading anti-terrorist magistrates are concentrating on Soviet links to the crime. They will get evidence from a Turkish trial that Agca may have been working for the Bulgarians as early as 1979, when he killed a Turkish newspaper editor. Other evidence includes testimony from two Turkish witnesses who saw a receipt in Sofia for cash given to Agca by a Bulgarian agent.

Mr. Marini has made a good effort against tough odds. If Mr. Antonov goes home, Radio Moscow will chortle even louder. But at this point that is beside the point. We can't imagine there are very many people in the West who still harbor doubts about who tried to kill the pope.

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