

Statement of Ambassador Alvarez on Posada Carriles' Case

EMBASSY OF THE BOLIVARIAN REPUBLIC OF VENEZUELA

September 28, 2005

STATEMENT OF AMBASSADOR BERNARDO ALVAREZ

1. Luis Posada Carriles is the Osama Bin Laden of Latin America. A terrorist. A man who is responsible for the blowing up of a civilian airplane with 73 passengers aboard. Recruited by the CIA in 1962, his is a curriculum of terror that includes murder, attempted murder, torture and sabotage over four decades.
2. Posada reportedly entered the United States in March of 2005. Rather than immediately detain him, the Department of Homeland Security allowed him to freely walk the streets of Miami and paint canvases in a luxury apartment in Miami for weeks.
3. While Posada was still free in Miami (on May 13, 2005), Venezuela formally requested that the United States detain him for the purpose of extraditing him to Venezuela to stand trial for 73 counts of murder involving the downing of a passenger airplane in 1976. The United States has yet to place an extradition detainer on him.
4. Four days later, Posada called a bizarre press conference in Miami and bragged that the DHS was not looking for him. Having no other option in the face of the embarrassing declarations made by Posada, DHS detained him after the press conference and gingerly escorted him in a golf cart as if he were a retiree who needed help to get around the golf course. Television images show that he was not even handcuffed by DHS agents. Ask anyone who has been arrested with DHS agents if Posada's treatment at all resembles their own.
5. In a statement issued a few hours after his detention in South Florida on May 17, the Immigration, Customs and Enforcement Agency (ICE) of the Department of Homeland Security said that ICE would not deport Posada to Cuba or (in a veiled reference to Venezuela) to "a country acting on behalf of Cuba."
6. Incredibly, ICE announced the United States government's intentions concerning this terrorist before the extradition or the immigration cases had even begun.
7. On June 10, 2005 Venezuela renewed its request for the preventive detention of Posada for the purpose of extradition. Rather than placing an extradition detainer on him, the DOJ tabled the request and has yet to act on it.
8. On June 15, 2005 Venezuela formally requested the extradition of Posada Carriles, with voluminous documentary evidence in support of the request. Although the Department of State referred the case to lawyers at the Department of Justice to prosecute the extradition request more than three months ago, DOJ lawyers have yet to file it with

the federal district court.

9. Rather than to respect the extradition treaties it has signed over the years, the United States chose to treat Posada Carriles' case as a mere immigration matter and charged him only with illegal entry into the country.

10. Throughout the life of the immigration case before Judge Abbott, DHS was more concerned with the appearance of prosecution rather than with prosecution itself. DHS failed to cross-examine Posada's only witness, Joaquín Chaffardet, or to point out to the Judge that Chaffardet is a biased witness who has been Posada's close associate for almost forty years. Instead Chaffardet was allowed to testify as if he were an objective expert on human rights condition in Venezuela.

11. DHS called no witnesses submitted no evidence and virtually winked at defense counsel and at the Judge about the U.S. government's preference that Posada be granted Convention Against Torture relief.

12. There isn't a shred of evidence that Posada would be tortured in Venezuela. On the contrary, as our Foreign Minister Ali Rodríguez stated last week, Venezuela is prepared to offer him a house made of gold and feed him caviar every day if he is extradited to stand trial in Venezuela.

13. Indeed, if we examine our respective records on torture, a prisoner is more likely to be tortured in the custody of the U.S. government than in the custody of Venezuelan officials.

14. There is a cynical double standard at work here fighting an "a la carte" war on terror. On the one hand, the United States presents itself to the world as the leader of a global war against terrorism, invades countries it accuses of terrorism and restricts the civil rights of Americans in order to combat terrorism. On the other hand, when it comes to its own terrorist whom it has recruited and coddled for years the United States refuses to allow that he is tried for some of the heinous crimes he has committed.

15. The only way out of this double standard is for the United States to immediately proceed with the extradition case. The Government must present our extradition request to the appropriate federal judge with no further delay. The victims of Posada's crime have waited long enough.