

The US government's double standard on extradition: CIA agents vs. Roman Polanski

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It is worth considering the contrast between the refusal of the US government to cooperate with the extradition to Italy of 23 convicted CIA and Air Force kidnappers, and its determined effort to see filmmaker Roman Polanski returned to Los Angeles so that "justice can be served."

The CIA agents (and one Air Force colonel), in collaboration with the Italian intelligence services, organized the abduction of Osama Moustafa Hassan Nasr, known as Abu Omar, an Egyptian cleric, on a Milan street in February 2003 and flew him to Egypt, where he was sadistically tortured over several years. Nasr was never charged with a crime or brought before any court of law.

An accompanying article posted today on the *World Socialist Web Site* explains the horrific details of the case, but it should be noted that Abu Omar alleges he was beaten severely by his CIA captors, that he was subsequently held in an underground cell in Egypt "where you cannot distinguish between night and day, and the cockroaches and rats and insects walk all over" one's body, and that he was "hung up like slaughtered cattle, head down, feet up, hands behind my back, feet also tied together, and I was exposed to electric shocks all over my body and especially the head area to weaken the brain ..."

Milan prosecutors provided evidence indicating that US involvement did not end with turning Nasr over to Egyptian authorities. The prosecutors produced cell phone and hotel reservation records revealing that Robert Seldon Lady, the CIA's chief in Milan and one of the defendants in the case (who received an 8-year sentence in absentia), traveled to Cairo four days after Abu Omar was deposited there and stayed in the city for two weeks—no doubt, to see if the torture was bearing fruit.

Lady fled the villa in northern Italy to which he had retired when the investigation into the Abu Omar case became more serious. He is assumed to be living in the US. There is no clamor, however, in the American media that "Lady must face justice" for his serious crimes.

In February 2007, after a judge in Milan ordered the group of American agents to stand trial on kidnapping charges, the Bush administration announced its intention to protect the CIA personnel. State Department legal adviser John Bellinger told a news briefing, "We've not got an extradition request from Italy... If we got an extradition request from Italy, we would not extradite US officials to Italy."

In any event, the Italian government has steadfastly refused the prosecutors' extradition request. Prosecutor Armando Spataro told the media he was now "considering asking Rome to issue international arrest warrants for the fugitive Americans on the strength of the convictions." The right-wing Berlusconi government is unlikely to take any such action.

The Obama administration is continuing the Bush policy, expressing its "disappointment" with the Italian verdict and promising not to hand over the CIA criminals.

The US Justice Department's Office of International Affairs (OIA), which would handle any Italian request for extradition of the CIA agents from the US, treated the Polanski matter in a quite different fashion. Its agents monitored the film director's movements in Europe since at least last December, according to emails obtained by the Associated Press, rejecting Austria as a possible site for his arrest before settling on Switzerland, after a tip from authorities there in September.

On September 25, OIA officials emailed the Los Angeles district attorney's office, confidently predicting that the Swiss would hold onto Polanski. "Generally, Switzerland does not release fugitives sought for extradition," the email explained. "The default in Switzerland is that a fugitive will be detained until s/he is either extradited or determined by the Swiss Federal Supreme Court to be non-extraditable."

The campaign against Polanski, who pled guilty to having sex with a teenage girl in 1977 and then fled the

US after a judge threatened to renege on a plea bargain agreement, is entirely vindictive. It is a sop to the right-wing “family values” crowd that now has such a significant influence on social policy in the US.

On October 2, a team of Polanski’s lawyers met with Justice Department officials, including Clinton appointee Deputy Assistant Attorney General Bruce Swartz, who oversees the OIA, in an effort to convince them to drop the extradition proceedings. The attorneys presented the Obama administration officials with arguments against returning Polanski to Los Angeles. They summarized allegations of prosecutorial and judicial misconduct in the 1977 case, and contended that Polanski had little chance of receiving a fair hearing in California should he be extradited to the US.

The Los Angeles County District Attorney’s Office said the “lobbying” effort would have no impact on the process. Declared public information officer Sandi Gibbons, “We will be following the procedure that we follow in all international extraditions. We send all the necessary materials to Washington and the request goes out from there.”

And, indeed, the Swiss announced October 23 that the US government, through its embassy in Bern, had formally asked for Polanski’s extradition the evening before.

When it comes to intelligence and military personnel guilty of major crimes, the Obama administration, like the Bush regime before it, flouts international law and protects the perpetrators. It proceeds with zeal when it comes to a film director wanted for a 30-year-old crime, whose prosecution is useful in whipping up social backwardness and strengthening the powers of the state. The double standard could hardly be clearer.



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