

# Posada Carriles to stay in US: Washington shields CIA terrorist from prosecution

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An immigration judge in El Paso, Texas ruled on Tuesday that the CIA-trained anti-Castro Cuban terrorist Luis Posada Carriles cannot be deported to Venezuela, where he is a citizen and is wanted for mass murder, on the grounds that he could face torture there.

The ruling is the latest chapter in the decades-long US government protection of Posada and fellow Cuban exile terrorists. In this case, Washington is shielding him from prosecution for masterminding the 1976 terrorist bombing of a Cuban jetliner carrying passengers from Venezuela, in which 73 people were killed.

Venezuela issued a formal request last May for Posada's extradition to stand trial, but the US authorities have flouted international law, refusing to arrest him on criminal charges and hand him over. Instead, after the extradition request, they picked him up on charges of entering the US illegally. This was done in order to protect him. Since then, US officials have treated his case as a run-of-the mill immigration matter.

The Venezuelan government has threatened to break diplomatic relations with Washington over its refusal to extradite Posada.

The ruling issued by Judge William Abbott in El Paso was farcical, exhibiting an unhealthy fascination with Posada, whom the judge described as "like a character out of Robert Ludlum's espionage thrillers, with all the plot twists and turns Ludlum is famous for."

Abbott claimed that he would have made the same ruling for "the most heinous terrorist or mass murderer"—Posada is both—"if he or she could establish... the probability of torture in the future." Earlier in the proceedings, he said that he would grant deferral of deportation to Adolf Hitler if Hitler could

prove such a threat.

The judge's decision was made a foregone conclusion by the US government—which ostensibly was arguing for deportation. The Homeland Security Department prosecutor made no attempt to rebut unsubstantiated claims by Posada's lawyers that he would likely be tortured if returned to Venezuela.

The only testimony offered to substantiate the Venezuelan torture claim came from one Joaquín Chaffardet, a Caracas lawyer and Posada's long-time associate. "All political detainees in Venezuela have been subjected to torture," he claimed.

The prosecution made no attempt to cross-examine Chaffardet on his 40-year political and business relationship with Posada, allowing him to pose as an objective expert on conditions in Venezuela. Had the government lawyer questioned Chaffardet, the issue of torture would have emerged in a different light.

The two men met in Venezuela in the late 1960s, when Chaffardet was the secretary general of the DISIP, the Venezuelan secret police. He hired Posada as chief of operations of this repressive force. The Cuban terrorist had been trained by the CIA and the US military in interrogation techniques, torture and bomb-making. When he arrived in Venezuela in 1967, Posada was on the payroll of the CIA.

Posada put his US training to work, directing the interrogation and torture of political prisoners. Survivors of Posada's clandestine prison have testified to being subjected to beatings, electric shocks, mock executions and other forms of torture. A number of these prisoners were murdered or disappeared.

Afterwards, Chaffardet was a partner with Posada in a private security firm from which the bombing of the Cuban jetliner was organized. Chaffardet is a fanatical right-wing opponent of the government of Venezuelan

President Hugo Chavez.

That Posada, a proven terrorist, murderer and torturer, would be offered protection by the US government under the guise of upholding the United Nations Convention against Torture (CAT) is a mockery of international law and an insult to world public opinion.

Everyone knows that the Bush administration has shown complete contempt for the international treaty against torture, organizing the systematic torture of those whom it holds as “enemy combatants” in Guantanamo Bay, Cuba, as well as the prison camps scattered across Iraq, Afghanistan and elsewhere in the world.

It has also pursued a policy of “extraordinary rendition,” shipping people in blindfolds and shackles to countries like Egypt, Jordan, Syria and Uzbekistan, precisely so they will be tortured to extract information sought by Washington. Unlike Posada, these are people who have been charged with no act of terrorism or any other crime.

The US government does not believe its own claims about an alleged threat of torture in Venezuela. In separate cases involving Venezuelan military officers wanted for their roles in the attempted coup against Chavez in 2002 and subsequent terrorist bombings, the Homeland Security Department has argued openly against invoking a deportation deferral based upon the CAT.

Washington has no intention of turning over Posada Carriles for trial, but not because it fears he will be tortured or denied a fair trial. The Bush administration and the US intelligence apparatus know full well that he is guilty—a fact substantiated by recently declassified CIA documents. The problem is that the US government is fully implicated in his terrorist activities, which extend from the bombing of the airliner to attacks on Cuba, assassination attempts against Fidel Castro, and the US-organized dirty wars in Central America in the 1980s.

The Bush administration is refusing to extradite him—violating multiple international and bilateral treaties covering extradition, air piracy and terrorism—because the prosecution of the CIA-trained terrorist would inevitably turn into a trial of the long record of US crimes in Latin America.

Venezuela’s ambassador to the United States,

Bernardo Alvarez, denounced the immigration decision in blistering terms. He angrily dismissed the claim that Posada would be tortured in Venezuela. “Indeed, if we examine our respective records on torture, a prisoner is more likely to be tortured in the custody of the US government than in the custody of Venezuelan officials,” he said.

Calling Posada Carriles “the Osama Bin Laden of Latin America,” he accused Washington of maintaining a “cynical double standard” and “fighting an ‘a la carte’ war on terrorism.”

“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,” said the ambassador. “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.”

US prosecutors have indicated that Washington is looking for a possible third country to which Posada could be deported. Numerous governments in Latin America, however, have already indicated that they will not accept him. Meanwhile, his own lawyers are pressing to have him released from custody in order to return to the Cuban exile terrorist circles in Miami.

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