

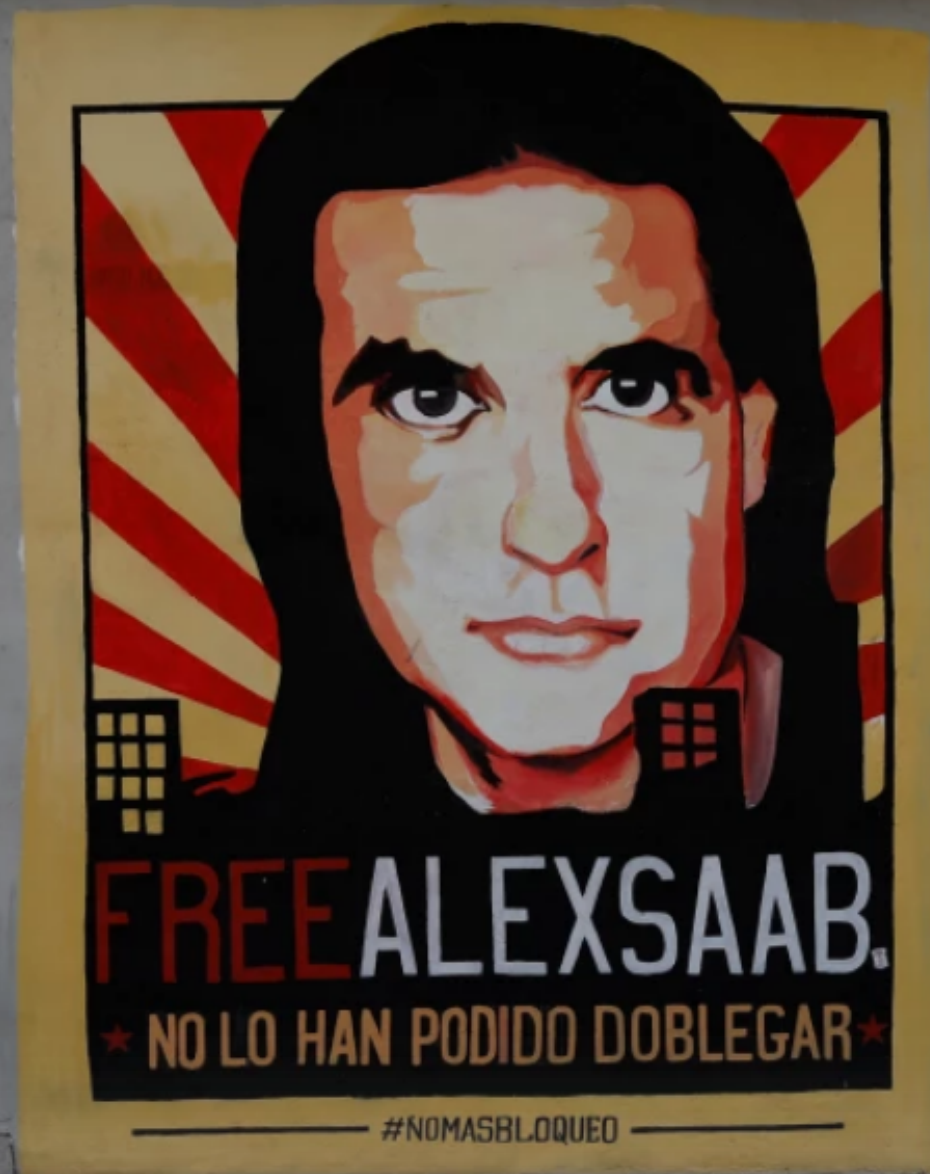


ALEX SAAB

*FACT SHEET ON THE ILLEGAL ARREST
OF VENEZUELAN DIPLOMAT ALEX SAAB*

October 23, 2021

Venezuelan diplomat Alex Saab was illegally arrested in Cape Verde on 12 June 2020 and illegally deported to the United States of America on 16 October 2021. Thus, his illegal arrest – or kidnapping – in Cape Verde lasted 471 days.



Who is Alex Saab and what was he doing in Cape Verde?

Alex Saab is a Special Envoy of the Venezuelan Government. His duties include: "responsibilities for the commercial and humanitarian procurement of essential goods and services to be used by the Venezuelan State in social programs, especially food, inputs, machinery and equipment for the production and processing of food, medicines and medical equipment (Appointment Resolution of 9 April 2018). Acting in such diplomatic capacity, Alex Saab was travelling to Iran when his airplane stopped in Cape Verde to refuel.

What is the reason behind his arrest and extradition?

As part of his diplomatic and commercial duties, Saab was a key person in negotiating for Venezuela the import of vital goods, such as food, medicine and fuel.

The US Government in its relentless quest for regime change to topple the democratically elected Government of President Nicolas Maduro has issued more than 75 unilateral and illegal sanctions against Venezuela^I, many of which prevent the Venezuelan Government from buying food to be delivered to 6 million families across the country through a subsidized food program called CLAP^{II}.

In her report about Venezuela^{III}, the UN Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights, Alena Douhan, stated on February 12, 2021, inter alia, that:

- The purchase of goods and payments by public companies are reportedly blocked or frozen.
- Venezuelan assets frozen in the US, UK and Portuguese banks amount to US 6 billion dollars.
- Impediments to food imports, constituting more than 50 per cent of food consumption, have resulted in the steadily growth of malnourishment in the past six years with more than 2.5 million people being severely food insecure.



Why was his arrest illegal?

Under the Vienna Convention on Diplomatic Relations^{IV}, Saab shall not be liable to any form of arrest or detention (Article 29). Specifically, Cape Verde should have accorded Saab inviolability and such other immunities as were required to ensure his transit to Iran (Article 40). It is worth underscoring that under the Vienna Convention “special envoys” fall equally under the category of “diplomatic agents”; thus, they enjoy diplomatic immunity^V.

- There was no Interpol warrant on the day of his arrest, as ruled by ECOWAS on 15 March 2021^{VI}.
- The arrest warrant that was belatedly attached to the extradition request from the US was in the name of someone else (Álvaro Enrique Pulido-Vargas), as the attorney general of Cape Verde admitted it^{VII}.

Further illegal procedures

Breach of due process of law and violation of the Cape Verde constitution, as stated by the Saab defense team^{VIII}.

- There is no extradition treaty between Cape Verde and the US^{IX}.
- Saab's extradition took place without prior notification to his legal team^X.
- The Cape Verde Government did not wait for the case to go down to the Barlavento Court of Appeals^{XI}.

Violation of human rights

- Saab was detained in pretrial longer than established by the legal system of Cape Verde^{XII}.
- Saab was tortured and not allowed to see his medical doctors, even though he is a cancer patient^{XIII}.
- Saab was denied visits by his wife and children^{XIV}.

International pronouncements in Saab's favor:

On 15 March and 24 June 2021, the Justice Court of the Economic Community of Western African States (ECOWAS), of which Cape Verde is a member, ruled^{XV} that Cape Verde had to:

- Free Alex Saab.
- Avoid his extradition.
- Award a \$200,000 US dollar fine to Alex Saab in compensation for the wrongful arrest and detention.



Cape Verde also disregarded similar binding rulings by^{XVI}:

- The UN Human Rights Committee.
- Five UN Special Rapporteurs.
- One UN Working Group.

Additionally, In March 2021 the Office of the Attorney General of Switzerland dropped the case against Saab over inadequate evidence, for no irregularities were found in the three-year long investigation conducted against him^{XVII}.

US history in rendition flights

This is not the first time that the US Government kidnaps nationals from other countries. According to The Washington Post, “from 2001 to 2005 the US ran a global network to transfer terrorism suspects to secret detention sites across the world.^{XVIII}”

- I <https://sures.org.ve/wp-content/uploads/2021/04/INUSUAL-Y-EXTRAORDINARIA-N.-6-2.pdf> (page 8)
- II <https://venezuelanalysis.com/news/14602>
- III <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=26747>
- IV https://legal.un.org/ilc/texts/instruments/english/conventions/9_1_1961.pdf
- V <https://listindiario.com/puntos-de-vista/2015/10/23/393313/privilegios-e-inmunidades-diplomaticos>
- VI <https://misionverdad.com/english/coercion-kidnapping-and-leal-malfeasance-illicit-route-alex-saab-case>
- VII <https://africabriefing.org/2021/07/cape-verde-prosecutor-gene-al-admits-error-in-alex-saabs-extradition-saga/>
- VIII <https://today.in-24.com/News/369918.html>
- IX <https://abcnews.go.com/International/wireStory/cape-verde-send-suspect-us-extradition-treaty-71254504>
- X <https://cdn.venezuelaaldia.com/2021/10/17/defensa-de-alex-saab-afirmo-que-cabo-verde-no-notifico-la-decision-de-extradicion/>
- XI <https://www.telesurenglish.net/news/10-Key-Facts-About-The-Arbitrary-Extradition-Of-Ambassador-Saab-20211018-0001.html>
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- XIII <https://orinocotribune.com/alex-saab-ive-been-tortured-and-denied-medical-attention-interview/>
- XIV <http://mediaautoresponder.com/2021/10/18/venezuela-alex-saabs-wife-camila-addresses-crowd-of-supporters-in-caracas/>
- XVI <https://citinewsroom.com/2021/03/alex-saab-case-enforce-ecowas-courts-ruling-immediately-femi-falana-urges-cape-verde/>
- XVI <https://www.telesurenglish.net/news/10-Key-Facts-About-The-Arbitrary-Extradition-Of-Ambassador-Saab-20211018-0001.html>
- XVII <https://www.thengozimedia.com/swiss-officials-withdraw-case-against-venezuelan-envoy-alex-saab-over-inadequate-evidence/>
- XVIII <https://www.washingtonpost.com/news/monkey-cage/wp/2017/03/14/the-u-s-carried-out-extraordinary-rendition-flights-from-2001-2005-here-are-15-more-countries-that-helped/>