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## **Cape Verde's Collaboration in the Illegal Arrest, Detention and Extradition of Alex Saab is a Stain on All of Africa.**

The case of Alex Saab is unique. It is really about the international order and viability of diplomacy, which is all the more relevant today, when illegal wars are being waged and brutal force is being used.

Cape Verde's participation in the illegal arrest of Venezuelan Special Envoy Alex Saab and its capitulation to pressure applied by the United States, first on 12 June 2020 and then again on 16 October 2021, will go down as shameful episodes in the history of the African continent.

It is on record that Cape Verde breached two binding rulings of the ECOWAS Court of Justice issued on March 15 and June 24, 2021. In its decisions the Court ruled that Alex Saab's detention was illegal, that he be freed immediately, that the extradition process be terminated, and he be paid compensation of \$200,000. To the eternal embarrassment of Africa, the United States, with impunity, forced its vassal state, Cape Verde, to not comply with the decision of a highly respected international court.

That Cape Verde, a member state of both the Economic Community of West African States and the African Union can hold the ECOWAS Court of Justice in such contempt by refusing to obey binding rulings of the highest human rights court in West Africa and also fail to comply with a binding decision of the African Commission of Human and People's Rights and not fear the consequences, is a testament to how far the ideals of the multilateral treaty-based world order that was built on the ashes of World War II have been left behind.

Furthermore, the United Nations Human Rights Committee on June 8 and 16, 2021, in granting interim measures, ordered Cape Verde to halt the extradition of Alex Saab whilst

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it investigated allegations of torture and denial of access to health care. Cape Verde's disregard for these directives resulted in it receiving an unprecedented strongly worded letter in July from four United Nations Special Rapporteurs and one Working Group highlighting Cape Verde's obligations under international treaties and conventions regarding Alex Saab. The contemptuous action of Cape Verde was supported by the Government of the United States.

It is extremely disappointing that the very nations that these regional and international bodies were created to help should now actively seek to diminish their authority.

It is also pertinent to recall that in early 2021, the Geneva Public Prosecutor ended a three year-long investigation into allegations of money laundering against Alex Saab by ruling there was no evidence to support the allegations. That ruling, along with the payment of compensation amounts to a "not guilty" verdict under Swiss Law. As the funds in question were the same funds which are at the heart of the US's allegations against Alex Saab, I am confident that justice will prevail.

Never before has a diplomat in transit from one country to another whilst engaged on a Special Mission been illegally arrested and then forcibly sent to a hostile third country. Never before have the rules which govern the free movement of diplomats, established over hundreds of years, been dismissed so disdainfully. Never before has politically motivated judicial overreach been deployed as arrogantly as it has in the way the United States has dealt with Alex Saab.

One thing that has never disappointed, however, me is the moral, mental and physical strength which Alex Saab showed throughout his time in illegal detention in Cape Verde. Despite being denied vital medicines, despite being physically and psychologically tortured and despite being denied some of his most basic human rights by the Cape Verdean authorities, he maintained his dignity and focus throughout the 16 months he spent imprisoned at the request of the United States.

The legal process in Cape Verde was not even completed when Alex Saab was forcibly taken from there to Miami. I am told that once again Alex Saab is showing remarkable strength of character as he gets ready to begin his fight to ensure the US courts recognises his immunity and inviolability as a Diplomat of a sovereign state.

I am confident that Alex will prevail and that he will be returned to Venezuela and his family in the very near future.



**FEMI FALANA, SAN, FCI Arb.**