

EPISCOPAL CHURCHMEN FOR SOUTH AFRICA
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U R G E N T!

The US Senate has suddenly voted for the Extradition Legislation as devised by the House of Representatives. The vote in the lower house comes up very, very soon - this week, perhaps not till next. You will find details of the bill in the op-ed article by Christopher H. Pyle printed in THE NEW YORK TIMES on 11 August - overpage.

It is urgent that Representatives be contacted immediately asking that they debate this dangerous would-be legislation extensively on the floor. Amendments will be offered which would - if accepted - make the legislation more protective of the rights of those who seek asylum in the United States and guard against their peremptory detention and deportation back into the hands of their oppressors.

ACT IMMEDIATELY! Press the issue with your Representatives, at their home offices or in Washington. Here are a few key Congresspeople, with their Washington phone numbers and their staff aids:

Ron Dellums (D-CA)	1-202-225-2661	Marilyn Elrod
Don Edwards (D-CA)	" " --225-3072	Robertta Haerberle
Pete Stark (D-CA)	" " -225-5065	Bill Vaughn
Mervyn Dymally (D-CA)	" " -225-5425	Adonis Hoffman
Toby Moffett (D-CT)	" " -225-4476	Ed Klaymann
Pat Schroeder (D-CO)	" " -225-1955	Andrea Pamfilis
Paul Findley (R-IL)	" " -225-5271	Bob Wichser
Harold Washington	" " -225-4372	Bill Ware
Sam Gejdenson (D-CT)	" " -225-2076	Kathleen Bertelson
Barney Frank (D-MA)	" " -225-5931	Dave Feltman
Gerry Studds (D-MA)	" " -225-3111	Bill Woodward
John Conyers (D-MI)	" " -225-5126	Bobby Kammerman
George Crockett (D-MI)	" " -225-2261	Jack Bathwell
Howard Wolpe (D-MI)	" " -225-3158	Priscilla Newman
Arlen Erdhal (R-MN)	" " -225-2271	John Ehrlich
Jonathan Bingham (D-NY)	" " -225-4411	Pat Branch
Shirley Chisholm (D-NY)	" " -225-6231	Brenda Pillors
Stephen Solarz (D-NY)	" " -225-2361	Stanley Roth
Ted Weiss (D-NY)	" " -225-5635	Mark Pinsky
Charles Rangel (D-NY)	" " -225-4365	Peter Pope
Dennis Eckart (D-OH)	" " -225-6331	Ina Risman
John Sieberling (D-OH)	" " -225-7792	K. Cass Stevens
Thomas Kindness (R-OH)	" " -225-7612	Virginia Chamberlain
Mickey Leland (D-TX)	" " -225-3816	David Quilter
Don Bonker (D-WA)	" " -226-7825	Farborz Fatemi
Bob Kastenmeier (D-MI)	" " -225-3926	David Beier

A THREAT TO THOSE IN REFUGE

SOUTH HADLEY, Mass. — For more than two centuries, the United States has provided a refuge to which opponents of authoritarian regimes could flee without fear that they would be returned to stand trial for political offenses. That policy may be about to end.

Under either of the extradition bills now cleared for debate in Congress, persons charged with political crimes would be stripped of their legal defense and United States courts would be turned into the long arms of foreign persecution.

The purpose of the bills — to facilitate the return of terrorists — is manifestly worthwhile. However, both bills are so badly written that they would endanger the very persons that American law governing extradition has always shielded: critics of foreign regimes, former freedom fighters against authoritarian rule, former officials of regimes that the United States once supported.

For example, both bills provide for the arrest of an accused person without any proof that he is guilty of a crime. A mere allegation by a foreign dictatorship, coupled with a promise to produce evidence sometime in the future, would be sufficient to cause the United States Government to jail the accused for months. No United States prosecutor has this power of arbitrary detention, but under these bills, Albania, Rumania, South Africa, El Salvador and about 60 more countries with which we have extradition agreements would have it, and could use it to bring about the imprisonment of their critics within the United States.

Under current law, no American court will allow a person to be extradited if it can be shown that he or she is really being sought for "an offense of a political character." Each bill would, in its own way, destroy this defense.

The Senate bill, which the Adminis-

Ruining Extradition

By Christopher H. Pyle

tration favors, would do so by stripping the courts of jurisdiction over the political crimes defense. Instead, the accused would have to raise his claim with the State Department, which could then decide whether protecting him from persecution is worth the risk of alienating the foreign government involved.

The State Department's motive for supporting this bill is clear. It wants to be able to swap alleged criminals with foreign countries the same way that children trade baseball cards: "We'll give you one terrorist if you give us three embezzlers."

The House bill seems more protective of political refugees than the Senate bill because it would keep in the courts the power to decide the political crimes defense. However, the appearance is deceptive, because the House bill would forbid the courts to regard as political, and hence not extraditable, any offense involving bodily violence or a conspiracy to commit bodily violence. There is a tiny exception for crimes committed under "extraordinary circumstances," but the bill does not say what they might be. All that is clear is the political message: Protecting foreign revolutionaries from return to authoritarian regimes should be a rare, not common occurrence.

As if to emphasize a preference for authoritarian regimes, both bills would forbid the courts to question whether a request for extradition was really a subterfuge for persecution.

Nor would the courts be allowed to hear evidence that the charges against the accused resulted from torture or to deny extradition on the ground that the requesting regime is notorious for brutal interrogations, unjust trials or cruel punishment. Judgments of this sort would be left to the State Department, which currently pretends that El Salvador protects human rights.

The Administration claims that the courts should be denied the power to look into foreign injustice in order to assure the neutrality of the United States in foreign political conflicts. However, there can be no doubt where the Justice Department's sympathies would lie; both bills would require its lawyers to represent all foreign governments in their extradition requests. The United States would be neutral — on the side of whoever happens to be in power.

In anticipation of this legislation and a treaty to implement it, the Marcos dictatorship is requesting the extradition of more than a dozen of its opponents now living in the United States. One of those charged with plotting in the United States to support bombings in the Philippines is Benigno Aquino Jr., an associate at Harvard University's School of International Affairs who ran against President Ferdinand El Marcos in the last free election. The only "evidence" against Mr. Aquino comes from the confession of an alleged co-conspirator who later recanted, claiming he had been tortured. However, if either bill now before Congress passes, that evidence will be sufficient to send this democratic politician back into the hands of the dictator he opposed.

Christopher H. Pyle teaches constitutional law and civil liberties at Mount Holyoke College.

THE NEW YORK TIMES, WEDNESDAY, AUGUST 11, 1982

Shocking? If this proposed legislation directly affected those of us who are American citizens, we would be up in arms. But those amongst us seeking political refuge from oppressive regimes abroad — many of them our close friends — are in imminent peril of being offered up in sacrifice for cold-blooded foreign policy considerations by a reactionary US government. Americans have traditionally prided themselves that their country is a sanctuary for the oppressed. The sanctuary is endangered.

Contact your Senators and Representatives immediately. The time is short!

For full information and advice:

Campaign for Political Rights
201 Massachusetts Avenue, NE
Washington, DC 20002

ATT: Ms Susan Benda

PHONE: 1-202-547-4705