

Out of the Box Justice: Policing Beyond Borders

By Ben Goldstein

(Extra)dition

Capel Street, a car-free thoroughfare north of the Grattan Bridge in central Dublin, is best known for Ireland's first poitin bar, one of Europe's most famous drag shows, and a quirky assortment of eateries.¹ However, recently, an *Irish Times* report revealed a little-known venue sandwiched between two restaurants: a Fuzhou City police station.

Fuzhou, a metropolis of nearly eight million residents, is situated in Southeastern China's coastal Fujian province, over 6,000 miles from the Emerald Isle. The Chinese Embassy in Dublin states that its Irish outpost is part of the "Overseas 110" initiative (named after China's emergency services phone number, 110), staffed by volunteers and designed to help Chinese nationals abroad process documents and file local police reports.² Under this pretense, Chinese authorities administer a chain of 54 unassuming police stations throughout the world, with 36 in Europe, four in North America, and outposts as far-flung as Lesotho, Ecuador, and Brunei.

Of course, consular services are not uncommon; many nations, including the United States, offer basic resources for citizens abroad. Nevertheless, *Safeguard Defenders* reveals a more sinister, clandestine purpose for these unofficial "police stations" hidden within real estate agencies, restaurants, or private homes – to carry out extraditions to China without the knowledge of state authorities in their host countries.^{3,4}

In one episode, a Chinese national in Cambodia was lured into one of these informal agencies and badgered into returning to China. When he refused, police officers retaliated by vandalizing his mother's home in China. Similar "persuasion to return" tactics have been reported in Spain and Serbia, with footage from Madrid depicting Chinese police threatening a suspect to return to China for trial using a "family representative." Specifically, Chinese authorities presented tacit threats of vandalism and physical violence against relatives of overseas Chinese who have not returned.⁵ Inexplicably, no foreign state – neither the United States, Canada, the United Kingdom, Sweden, nor any of the other dozens of nations in which these suspect stops are located – had initiated an investigation into their legality until late October 2022, even after a high-profile case in which an NYPD agent was arrested in 2020 for espionage on behalf of China. The first forcible closure of one of these overseas outposts was, in fact, the hideout in Dublin, ordered by the Irish government on October 27, 2022. This was followed by two in the Netherlands on November 1st,

after more than three years of operation.^{6,7,8}

The inaction of "host states" remains a mystery, with a favorable assumption relating to the avoidance of creating public fear and tension, and a less favorable one relating to the prioritization of trade with China over the security of citizens. The inner workings of "Overseas 110" are shrouded in secrecy as well, though China's motive for setting up these stations is not. Surveillance of a nation's citizens in a globalized world may require extraordinary measures, and when internal discipline is rendered ineffective by foreign bureaucracies, states may resort to clandestine methods abroad to uphold law and order. Amid the failure of national governments to protect their citizens from the grasp of foreign law enforcement, counter-policing against these methods may prove to be a major personal security concern of the future.

Extraterritorial enforcement of justice did not begin with China in the 21st century. As the case of a high-profile Israeli fugitive illustrates, it did not begin with simple coercion either.

A Nuclear Deterrent

Mordechai Vanunu was an Israeli nuclear technician. He had the rare combination of intimate details of the Middle Eastern nation's highly-guarded nuclear program and a fundamental desire to undermine it. Vanunu leaked 57 photographs from inside Israel's Dimona Nuclear Research Center, along with technical details about tritium and lithium-6 production, hinting at the production of "boosted nuclear weapons," to the British press in 1986.⁹ Given the national security risk entailed by a leak of such sensitive information, Israeli authorities resolved to capture the rogue technician. There was one issue, however; Vanunu was in Britain, a nation soured on Israel's famed *Mossad* intelligence agency due to a series of incidents in the early 1980s.

In an extraordinary effort, the young Jewish-American Mossad operative Cheryl Bentov lured Vanunu into an ambiguous romantic liaison. She invited him on a jaunt down to Rome, Italy, during which he was accosted by Bentov's Mossad colleagues at an Israeli-owned apartment, drugged with a paralytic, driven to an Italian port, and shipped to Israel to stand trial.¹⁰ A Jerusalem court convicted Vanunu in 1988 of espionage and aiding an enemy during wartime, sentencing him to 18 years in prison, of which he served 11.¹¹ Italian authorities raised concerns, but the incident did not rise to the level of a diplomatic crisis.¹² Israel had carried out a prior assassination campaign in Italy when Israeli

authorities shot PLO organizer Wael Zwaiter in his Rome apartment building following the infamous 1972 Munich Massacre against Israeli Olympians.¹³

If European authorities would not commit to Israel's national security, the state reasoned, then it would intervene itself. As recently as May 2022, Israel announced that the Mossad had prevented Iranian executions in Europe, where they continue to operate.¹⁴ Be it China or Israel, the rationale remains: nations will do what their governments deem necessary for the maintenance of domestic security and rule of law, even if it requires clandestine operations abroad.

In such a world, no citizen of a powerful state remains beyond the reach of domestic law *enforcement*. Can this citizen be, however, beyond the reach of domestic *laws*? The United States seems to think so.

Is There Anywhere to Hide (A Detainee)?

Former CIA Case Officer Robert Baer, speaking on his agency's ongoing extraordinary rendition policy, once told the media, "If you want a serious interrogation, you send a prisoner to Jordan. If you want them to be tortured, you send them to Syria. If you want someone to disappear — never to see them again — you send them to Egypt."¹⁵ China and Israel might see an international law enforcement presence as a means of subjecting diasporic hideouts to their domestic laws. Baer argues that the United States, alternatively, leverages this presence as a means of *escaping* their domestic laws.

America's infamous "Black Sites" are unacknowledged detention and interrogation centers administered by United States officials in Europe, Asia, Africa, and Latin America. Here, American intelligence personnel question and torture detainees through methods deemed unconstitutional on *American* soil, but tacitly permitted by foreign officials. At a "Black Site" in Poland, a CIA linguist subjected detainees to mock executions, waterboarding, sleep deprivation, and power tools as torture instruments during interrogations.¹⁶ The most famous of these sites, Guantanamo Bay Naval Base in Cuba, even detained an American citizen, the Louisiana-born Yaser Hamdi. After secretly holding him in Iraq, they denied him access to legal counsel, formal and contestable criminal charges, or a trial. He was later appointed a lawyer and released upon his transfer to prisons in Virginia and South Carolina, but the precedent remains that extraterritorial detention serves as a strategy for evading constitutional protections, even for citizens.¹⁷ Not only does globalization of domestic law enforcement infringe upon rule of law in the "host country," but it can also skirt basic detainee protections offered by the "intervening country."

In such a world, an American can be captured by local U.S.-backed authorities in Afghanistan and imprisoned without basic protections in a U.S.-administered Cuban camp, all as an "internationalizing" of domestic law enforcement de-

signed to extend American reach beyond American freedoms.

The theoretical limits of this practice are concerning — if a nation can detain anyone anywhere, and selectively ignore its own laws in doing so, has international policing descended into a game of "might makes right?"

If so, is there anything that nations can do to insulate those within their borders from the quiet reach of superpowers?

A Belt and Road to Control Abroad

Famously-neutral Switzerland does not always bend to American will. The country has controversially denied the American extradition request for high-profile filmmaker and convicted sex offender Roman Polanski, as well as helped hide Russian assets from American sanctions throughout the Russian invasion of Ukraine, earning significant castigation from American authorities.^{18,19} Earlier this year, a Credit Suisse scandal exposed the Alpine haven managing the money of human rights abusers and businesspeople sanctioned by the United States. The European Commission even considered adding the nation as the first European member to the "high-risk money-laundering country" list, joining the likes of Iran, Myanmar, and North Korea.²⁰ The United States has even branded it a currency manipulator in 2020 and the Swiss considered granting American fugitive and secret-dealer Edward Snowden asylum in 2014 in exchange for testifying against the NSA, surprising those who had believed bilateral relations between the two nations to have been more favorable.^{21,22}

Switzerland is not an unconditional Chinese ally either, with its leadership condemning China's human rights record, and announcing an intention to "coordinate its China policy with the [anti-China] EU."²³ Swiss authorities have also opted out of China's famed Belt and Road Initiative, a Chinese bid to fund and develop infrastructure throughout the world. European countries such as Austria, Italy, Portugal, Greece, Poland, and Luxembourg have opted in.²⁴

While Switzerland has suffered its fair share of international terrorist attacks, the nation hosts no known foreign police presence, has had no known unwanted action taken by foreign law enforcement, and continuously refuses to submit to the world's superpowers. Instead, it maintains a strong defensive military and a foreign policy predicated on independence from any major bloc. Few other nations can claim such a fortified neutral status. Between the 146 Belt and Road Initiative members, 30 NATO members, 27 EU members, 22 Arab League members, and numerous other states implicitly or explicitly tied to larger ones, such as Bhutan with India or Costa Rica with the United States, hardly anywhere beyond Switzerland's cloud-covered peaks maintains such an exceptional distance from the *formal* grasp of foreign power.²⁵ So why is it that even Switzerland is so deeply infiltrated by Chinese authorities?

A jarring 2022 documentary on Swiss public television network RTS reveals a litany of abuses. A Tibetan protester was physically assaulted by a Chinese military attaché under protection from Swiss police, and the investigation was dismissed and scrubbed from the record due to the rift in Switzerland-China relations it would have caused. A 2015 agreement between China and Switzerland concerning “the identification of alleged Chinese citizens with irregular stay in Switzerland” gives Chinese security agents free rein to interrogate suspected Chinese nationals on Swiss soil, even if they are refugees. A Uyghur in exile, allegedly under protection, receives threatening letters, attempting to coerce him to spy on the Uyghur diaspora community, even after reporting these threats to authorities.

China’s primary mechanism of control within Switzerland is through a network of CCP-controlled organizations with influence in Swiss society, including the “Sino-Swiss Innovation Center,” “Swiss Chinese Overseas Chinese Association,” and “Swiss Association for the Peaceful Reunification of China,” as well as through board seats at highly influential Swiss companies, including Nestle, UBS, Credit Suisse, and Swiss Re.²⁶ Chinese interests have infiltrated prestigious and powerful institutions within Swiss society, and continue to exert influence. It is possible that this comes with a cost: human rights. If even the most nominally-independent nations are under such foreign control, it may be that “universal jurisdiction” is an inevitable consequence of a world in which politicians, corporate executives, and leaders within civil society are connected across borders. And, perhaps, more loyal to their international elite class than to citizens of their homeland. Policing against this, therefore, is relegated to a matter of personal decision.

Counterpolicing: A Personal Choice

During the peak of the Cold War, East German student Albrecht Dittrich was recruited for the KGB, and deployed to the United States under the name “Jack Barsky.” Under this pretense, he studied computer science at Baruch College and landed a job at MetLife, sending the firm’s software technologies back to the Eastern Bloc to be used for running factories. Over time, however, he grew fond of the American lifestyle, marrying an American woman and having an American child, despite his German wife and son back home.

One harrowing day, “Barsky” received a telegram from his handlers. It informed him that his cover was blown and that he would be arrested; he was told to return to East Germany

immediately, using a fake passport and cash dropped under a tree in a Staten Island park. He ignored the warning. Shortly after, a man with a thick Russian accent approached him on a subway platform in Queens, telling him that he would be “dead” were he not to return. The brazen spy did not care – he wrote his Russian handlers a letter informing them (incorrectly) that he had AIDS, attempted to defect, and was ultimately apprehended by American authorities but released in exchange for information on the KGB.²⁷

Despite living at the core of international law enforcement intervention and espionage, “Barsky” maintained personal autonomy from both American and East German authorities alike, similar to the efforts of the exiled Uyghur in Switzerland and the numerous dissidents of powerful regimes worldwide, living in resistance of both “intervening” and “host” authorities.

Sometimes, in the world of internationalized surveillance and law enforcement, we are on our own.

Conclusion: Everyone For Themselves

At a glance, the situation appears dire. From abduction and intimidation on foreign soil as an attempt to impose domestic laws on diasporic populations, to interrogation and imprisonment abroad as a means of circumventing their own laws. The backdrop of corporate and trade-related influence over government begs the question of how citizens can protect themselves

if their governments have strong ulterior motives. Not even American hegemony serves as adequate protection – a November 2022 report reveals that private investigators in New York are being hired by Iranian and Chinese officials to stalk and coerce foreigners into returning.²⁸ Even protesting, the last resort, is often met with repression. In October 2022, a protester outside the Chinese consulate in Manchester, England, was dragged within consulate gates and savagely beaten by diplomatic guards.²⁹ This can, perhaps, be seen as a consequence of integrating both autocracies (China) and democracies with an interest in extra-territorial law enforcement (United States, Israel) into the international system. From a different perspective, it can be seen as an erosion of a state’s monopoly on force over its territory – a sign of an era devoid of well-defined regions of control, where interventional “offense” has outmatched interventional “defense.” This can play into a larger picture of the declining power and autonomy of the individual, in the face of government and corporations alike.

As such, all individuals can do is operate in accordance with their best personal interests.

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