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Chairman Smith and distinguished members of the committee. I sincerely appreciate your efforts in support of US citizen Jacob Ostreicher and his family and thank you for allowing me the opportunity to come before you to share my experience regarding Mr. Ostreicher and the increasing urgency of his situation.

In 2012 I travelled three times to Bolivia, first in February on behalf of the Republic of Haiti in my role as Ambassador-at-Large. There I met with President Morales, and in him I found a man sincerely dedicated to his people and their economic and social development.

It may be instructive to anecdotally recall for you the three points that dominated my first conversation with President Morales.

Number 1 – The issue of Bolivia's sea rights over ancestral Bolivian lands commandeered by a past Chilean government 150 years ago.

Number 2 – Despite a standing extradition treaty with the United States, the US has steadfastly refused to acknowledge the treaty and return Bolivia's former President, Gonzalo Sánchez de Lozada, who is charged with genocide and currently in asylum in the US as well as Bolivia's former Drug Czar, General Rene Sanabria, who is currently held in the US.

Number 3 – the Bolivian campaign to educate those outside the region on the cultural and economic value of their dominant Coca crop.

I will not sit here today as an advocate for any of these three primary concerns though I will briefly quote from a blog piece I published shortly after that trip.

*"While indeed coca leaf is the base material for the production of cocaine, it resembles cocaine only so much as does the fertilizer so accessible and profitable in the United States, so necessary for our own farming community and its regrettable relativity as the base material for explosives."*

Bolivia's campaign seeking markets for export for the multiple benign uses of coca leaf reads "Coca no es cocaína" and the economic impact on Bolivia of this puritanical misperception is tremendous and translates to human hardship that is palpable in that country. Further it inflames the uninformed perceptions that connect Bolivia's leadership with the criminal narco-trafficking that Bolivia itself is so dedicated to abate.

Since this indigenous President assumed office in 2006, and while the United Nations General Assembly designated President Morales "World Hero of Mother Earth" in 2010, internal opposition media, political and economic powers have continuously exploited our own internal propaganda, leveraging the false perception of drug-lord-ship and totalitarianism against this elected leader of this democratic socialist country.

My second trip to Bolivia in October of 2012 resulted from the call of a colleague who had been contacted on behalf of the imprisoned American, Jacob Ostreicher. Based on my brief history with President Morales, I was asked to review the Ostreicher case, and having done so to my satisfaction in his innocence, bring the case to President Morales.

I began by reviewing the report of former FBI Investigator Steve Moore, consulting with Mr. Ostreicher's Bolivian attorneys as well as the Washington-based law firm representing he and his family pro-bono and discussing the matter with Mr. Ostreicher's wife, Miriam Ungar. All of these people have provided testimonies to this Subcommittee before, and I would STRONGLY encourage all of the new members to review the testimonies provided on June 6 and August 1, 2012 so to better inform yourselves to the injustice of Mr. Ostreicher's situation.

I continued my investigation discussing the matter with members of the US State department and made inquiries to my Venezuelan and Bolivian colleagues. Finally, I thoroughly reviewed the situation on the ground myself in Bolivia.

Following all of this, I was not only personally and thoroughly convinced of Mr. Ostreicher's innocence, but particularly alarmed by a consensus both among Bolivian officials as well as international sources that the un-evidenced prosecution against Jacob Ostreicher was Standard Operating Procedure in the fundamentally corrupt Bolivian Judiciary.

At that point, I requested a second meeting with President Morales. In that meeting in La Paz, I was able to share with the President the materials that had been provided to me as well as additional information that I had garnered from multiple sources.

I will subject my intuition to your judgment. I was convinced then, and am convinced today that these findings were received by the President with tremendous personal and human grief – that the President had indeed inherited a

judiciary that at once is populated by brave and ethical servants of the Bolivian people and the rule of law but that within it a mafia-proportioned criminal network referred to as “la Red” in Bolivia maintains a devastating grip on power, extortion, narcotrafficking and human cruelty.

I was not educating a President, but I was witnessing one who like any President faces the multi-faceted challenge of governance. This President was being asked by an American friend to put laser attention on a single case, but one that he knew, and that I would come to know, reflected the challenge at large for the Bolivian Government in respect to their judiciary.

President Morales, in my presence, immediately called his Minister of Government who without hesitation referred to the case of Mr. Ostreicher as “a bad case.”

Following that meeting, the Bolivian Government, ordered by President Morales, gave new empowerment to the investigatory body of the judiciary which resulted in arrests and imprisonments of over 14 Bolivian officials including Fernando Rivera, representative of the Ministry of Government in the prosecution of Mr. Ostreicher.

What had been exposed was an unprecedented ring of extortion.

Indeed Mr. Ostreicher’s only “crime” was to have brought a successful rice concession and well-paying jobs to Bolivia. Upon the criminal actions of the judiciary, the rice was commandeered and sold for personal profit and the jobs evaporated.

While the principle investor of Mr. Ostreicher’s business venture, Swiss businessman Andre Zolty, was determined to be conducting legitimate and transparent business practices through an investigation by Interpol, and while Mr. Ostreicher had been able to account for every penny, demonstrate that all funds had legally and with full transparency channeled through the Bolivian Central Bank and that all funds had subsequently been invested legally and with the same transparency, it was Mr. Ostreicher who was carted off to a prison in Santa Cruz called Palmasola.

Palmasola prison is described as a “modern-day Dante’s Inferno”. 4,500 inmates in a prison that they themselves run with the corrections officers limited to perimeter patrol. A prison that receives a delivery of body bags to the front gate on a weekly basis and feeds its prisoners 18-cents-worth of a mulchy broth twice daily from a trough. Disease. Violence. Humiliation.

In this prison, Mr. Ostreicher lost 55 lbs, a full third of his weight, and suffered the onset of Parkinson’s disease.

In addition to enabling the arrests of “La Red” extortion network, President Morales also ordered an emergency medical examination for Mr. Ostreicher. I flew to Santa

Cruz, Bolivia where I met with Minister of Government Carlos Ramiro and his vice minister, Jorge Peres. With the support of President Morales and the assistance of Mr. Ostreicher's Bolivian attorneys, Minister Morales and Vice Minister Peres were able to expedite the doctor's examination.

We went together to Palmasola at 1 am that same night and stood witness as the Bolivian state-appointed doctor made the determination that Mr. Ostreicher was at life risk and signed papers ordering that he be transported to a private medical clinic for treatment.

On my third visit to Bolivia in 2012, I was scheduled to meet with President Morales and Vice President Linera. At the diplomatic home of Venezuelan Ambassador to Bolivia, Cris Gonzalez in La Paz, we were informed that that meeting would no longer be necessary as Mr. Ostreicher's hearing in Santa Cruz the following morning was assumed to be that which would secure his release and exoneration.

We were flown by military transport that evening to Santa Cruz. The following morning at the courthouse, we were brought to a waiting room where despite our optimism, Mr. Ostreicher who was then in a minimally-improved physical state, wearing a required body armor (that acknowledged the Bolivian State's own concern for his safety in light of the criminal elements within their own judiciary), constrained by his own disability to a wheelchair with hands shaking from Parkinson's Disease, nonetheless had a clarity of mind that our optimism had stolen from us. As we prepared for the arrival of the judge and the hearing to take place, I imparted to him based on what I had been told in La Paz that he would very soon be seeing his wife, his five children and 11 grandchildren that he had been significantly parted from for two years.

He said to me, "It won't happen, Sean. These [expletive omitted] want to kill me. I'm too dangerous to them as a witness."

At that point we were notified that the judge would soon enter the court, and I pushed Mr. Ostreicher in his wheelchair into the courtroom.

As an actor, I have been in good movies and bad ones. I have never seen a worse movie, nor more arch-villainy on such a caricature-ish or humanly diabolical level as I witnessed in that court room.

Despite the clear and unequivocal arguments of innocence and more importantly, evidence of innocence, brought by Mr. Ostreicher's Bolivian defense team, the judge, under the clear intimidation of a panel of snickering, arrogant and hateful prosecutors would have none of logic nor law.

With Mr. Ostreicher still too frail to be touched without bone contact through his then-paper-thin skin, and the Parkinson's mixed with a heightened stress-anxiety creating intense shaking, the prosecution dared even to challenge the Bolivian State

doctor's medical diagnosis and claim that Mr. Ostreicher was perfectly healthy and pushed for him to be returned to the death-factory of Palmasola Prison.

What followed was a very challenging fight to keep Mr. Ostreicher in the clinic so to keep him from being returned to Palmasola prison.

Where we stand today, through the diligent work of both his Bolivian and American attorneys, and indeed the cautious support of President Morales and Venezuelan counterparts, Mr. Ostreicher is remanded to house arrest. While his weight and mobility have returned to something close to normal, the Parkinson's quite likely triggered by the stress of his time in Palmasola prison remains a debilitating concern and he is in daily fear for his life – further exacerbating his Parkinson's.

It is high-time Mr. Ostreicher's elderly parents, wife, children and grandchildren receive him back in the United States to move on with their lives.

This tragic scenario is NOT Bolivia. It is NOT the Bolivian people. It is NOT the Bolivian President. What it is, is an example of the continuing of Bolivia's hundred years struggle in its fight for human rights and its revolution for freedom. In that revolution, Bolivians have demonstrated an extraordinary courage and will for sacrifice.

It is on that basis, and in solidarity with President Morales and the Bolivian people, that I sincerely request that all of the distinguished members of this committee use every peaceful means necessary to persuade the Bolivian Judiciary to finally release Mr. Ostreicher to return to the United States and to his family. As the 18 months allowed by the Bolivian Constitution to be held without charge have already passed there should be NO discussion that could give an opening for too-late offers of expedited trial. No, Mr. Ostreicher should be freed immediately to return to the United States.

This international pressure could very well be precisely what the President of Bolivia needs to be able to finally expel the malignant cancer of corruption that is killing both the Bolivian Justice System and thousands of innocent people like Mr. Ostreicher. By calling attention to the injustice of Mr. Ostreicher's case and by using all peaceful means to pressure for Jacob Ostreicher's freedom, we may well be giving President Morales and the people of Bolivia the leverage needed to advance their heroic fight for freedom and justice in Bolivia to the next level – and in doing so, we can safely return our too-long-abandoned fellow American, Jacob Ostreicher, to his loving family.

Thank you.