

“Piracy Through Lawfare” Seeks to “Divide and Rule” South America

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The Argentine judicial system and parts of its national press are co-opted by the US to advance its objectives in the New Cold War through an intensification of Hybrid Warfare with elements of piracy and Lawfare. These tools of neo-colonial control are a negation of the entire system of international law, and whose long-term objective is to neutralize the sovereign forces within the states of Latin America and the Caribbean. The article focuses on the legal implications of the hijacking of the Empresa de Transporte Aerocargo del Sur (Emtrasur SA) plane and its crew as a clear escalation of the US Hybrid War against Venezuela – and against Argentina – as part of the New Cold War to resist the global transition to multipolarity and the fortification of the sovereignty of the countries of the Global South.

The international legal framework has been violated since June 8, 2022, the day on which the events of the hijacking of a Venezuelan airplane in Argentina at the request of the United States took place. This transport aircraft originally belonged to Air France, being later sold to Mahan Air of Iran, and these in turn subsequently sold it to the Venezuelan government, which deploys it through the governmental project, Empresa de Transporte Aerocargo del Sur (Emtrasur SA). This aircraft was purchased between 2020 and 2021 from the Republic of Iran by the Venezuelan Government and by February 2022 the aircraft arrives in Venezuela starting its cargo operations to and fro Asia, the Middle East and the Latin American region. Therefore, the aircraft is Venezuelan, it is not Iranian, it has Venezuelan acronyms and Venezuelan flag whose Venezuelan registration number is YV-3531.

The Emtrasur SA transport aircraft traveled to Mexico where it picked up a load of auto parts as part of an order placed by a transnational vehicle company. Afterwards, it went to Argentina to deliver the cargo, but after finishing the process, it turned out that the Venezuelan aircraft was not refueled at that stop, alleging that it could not be refueled due to US sanctions. The crew of the plane tried for hours to get the Argentinean airport

authorities to sell them fuel, which they were unable to do. For this reason, they decided to take a risk and with little fuel remaining, they flew to Uruguay, since they had all the necessary permits to trade for the fuel they needed. However, on the way, the Uruguayan aeronautical authorities [revoked](#) the landing permits and the aircraft had to make an emergency return to Argentina. The aviation authorities of both South American nations broke aviation safety protocols in terms of access to fuel and landing permissions.

The United States through Hybrid Warfare seeks to implement a “divide and conquer” strategy, so in its chaotic ingenuity it instrumentalizes nations in the Global South vulnerable to co-optation and wields them against a third nations in order to create enmity and chaos in their day-to-day relations. Each state is composed of a series of internal tensions derived from its own circumstances and contexts therefore the US disposes submission of Global South countries by hacking internal legal and political processes to co-opt control of the white state circuit by circuit.

The situation is configured as an entrapment, or a kind of ambush to trap the Venezuelan aircraft willing to so many irregularities driven by the Rule-Based Order deployed in the Lawfare strategies of the US empire. From there begins a framework that shows us a breach of the [Chicago Convention](#) in which the states must favor the actions of civil aviation in terms of collaborative security. Argentina and Uruguay play the role of privateers using lawfare and infowar in an anti-commercialist manner against Venezuela, facilitating a new chapter of piracy and economic sabotage in the US Hybrid War against the entire region.

The international legal framework of civil aeronautical law classifies these actions of piracy and hijacking as conducts that violate international regulations and international treaties on civil aeronautics, such as the aforementioned Chicago Convention. The Charter of the United Nations is also violated by not respecting the sovereignty of the states, understanding that this is a unilateral coercive measure that is being applied by the US in collusion with Argentina, harming not only the sovereign rights of Venezuelan civil aeronautics – which had all the rights and all the permits for air traffic – but also the safety of the hijacked crew, still at risk due to the uncertainty. We are talking about the crew members of Venezuelan nationality and the crew members of Iranian nationality who were at that time carrying out a specialized but daily and lawful task within the international legal framework.

The denunciation by the state of Venezuela should be supported by all lovers of freedom and of free trade between entities that agree to carry out an objective, transactions or exchanges in a sovereign manner as free people of the Global South. These acts of piracy are made viable through a de facto right-wing judicial dictatorship in Argentina to stop the global transition to multipolarity as part of a New Cold War. The judicial apparatus co-opted through Legal Warfare and the elements of the press serving as US proxies in Argentina both want to create a negative aura about the business dealings of the plane and its crew.

In the Argentine media there is an [infowar campaign](#) sowing half-truths and false news when talking about the current situation where unfounded allegations are made of supposed links between the company and irregular groups such as Hezbollah. In a sinister way it merges the Hybrid War that Washington and Tel Aviv have been waging for decades against the Islamic Republic of Iran and Lebanon. The [infowar](#) campaign repeats that the plane is not Venezuelan but that it is an ‘Iranian Venezuelan’ plane, which is another piece of [false news](#), part of the propaganda seeking to confuse about the plane’s data and at the same time to increase the racist anti Iranian propaganda within the Argentine society, whose press acts as a proxy of the US through the years spreading xenophobic false news that equates being

Iranian with being a terrorist.

There are several points to analyze in this violation of international law. In the first place, the situation of whether the merchandise was legally received, as well as the situation of the 19 crew members of that airplane, whose passports were taken away without their being legally detained. The crew members of the aircraft are in a situation of limbo with no legal basis; this is precisely how Lawfare is designed to condemn without a proper process. Judicially, Argentina did not have any cause, nor did they have any arrest warrant, nor did they have any investigation order, however, the crew is suffering as if they had been convicted.

The press that serves as a US proxy in the infowar inside Argentina judges with racism the fact that 5 members of the crew of Emtrasur SA are Iranian. However, regardless of the fact that there are nationals of the Islamic Republic of Iran, they are Venezuelan crew members because they are working a contract under Venezuelan flag and Venezuelan registered aircraft. This situation of piracy, of hijacking of the assets of a company, which has all the legality for its international performance and the hijacking of the freedom of the crew is an affront to the sovereignty of the nations of the Global South.

This plane performed a lawful act that is intended both for acts of commerce and also to transport to Venezuela much needed health supplies: the importation of insulin, COVID vaccines and specialized medical equipment. According to the [United Nations](#), there should be no action to restrict access to COVID vaccines because the pandemic has gone from being a global problem to being a problem of those nations that cannot procure the specific supplies to treat this disease due to a clumsy and disorganized response of the international community.

There was a surrender of Argentine sovereignty by the federal judge of Lomas de Zamora, Federico Villena, who granted the request of the United States to seize the Venezuelan aircraft held in Argentina for three months. This surrender of sovereignty by one of the branches of the Argentine state is the result of the [Argentine resolutions](#) on the case of mid-August, which orders the seizure of the aircraft but does not even maintain for it the custody of the property, it is not even that court alone, it is the judge who says that the property is seized in favor of an Argentine court and a U.S. court, so the custody corresponds to the FBI, which would then raid the aircraft. The co-opted legal apparatus in making this decision displaces Argentine national law and international law in favor of a sub-legal instrument of the United States, such as sanctions, to treat Venezuela in a way that does not recognize a basic principle of the United Nations Charter, such as the legal equality of states. The substitution of authentic international law by the imperial verbiage of the Rules Based Order denies Venezuela of the freedoms to relate with the rest of the members of the international community and hinders its duty to carry out trade actions, exchange actions that allow the entry of resources that guarantee access to human rights within Venezuela.

Emtrasur SA offers a service that is more cost effective than other similar companies in the region, although it is a recent company they provide a very decent cargo capacity thanks to their aircraft – now hijacked by the FBI – and mostly because of the fuel prices they have access to in Venezuela. In the world of aeronautical transport, the contracting price is set by fuel, so due to the current circumstances in Ukraine since the Russian special operation there, a series of conditions have been created that have caused the prices of oil and its derivatives to shoot up in the region, with aeronautical fuel being one of the most affected. On the other hand, Venezuela has one of the lowest prices in the world and in addition to

that, Emtrasur SA, being a governmental company, receives a discount in itself. So, in that sense they were offering a service at enviable prices in the region, making it possible for them to compete highly commercially while supplying Venezuela with what it needs.

It becomes evident that by denying Venezuelan sovereignty one is achieving, in turn, the denial of Argentine sovereignty itself, hence the historical efficacy of “divide and rule” implicit in the legal war. It is a double division, not only dividing the nations of a given region from each other, but also creating internal chaos within each nation as a whole, dividing and breaking down each state into more manageable institutional subcomponents. This security failure within the apparatus of the Argentine Republic effectively expresses itself as an interstate security failure by denying two nations, both Venezuela as a buyer and Iran as a seller, their ability to engage in acts of commerce on the basis of a third US state in this case being the one empowered by its own ‘Rules Based Order’ to determine who may or may not enter into the normal actions enunciated in international law.

These serious threats to the mercantile system are caused by the arbitrary weapon of Lawfare which from an illegitimate Rules Based Order guarantees the denial of Venezuela’s right to property as well as a denial of Venezuela’s ability to acquire property. This is fundamental because the actions of the United States, together with Argentina and Uruguay, are treating Venezuela, a sovereign state, as if it were a person that does not even have the legal capacity with its own person to process an act of purchase and sale of certain goods, something that can be done by any person without having to present much documentation.

The joint actions of the United States, Argentina and Uruguay have broken the principles of the United Nations Charter recognizing the dignity of the peoples and consequently the dignity of the inhabitants of these countries, as peoples with individuals capable of jointly creating the conditions to improve their societies. Venezuela, a sovereign republic that makes its procedures endorsed by the international instances that certify the information of its aircrafts, is left without the power to buy an airplane or to provide first class services in air cargo transport by the grace of the U.S. Rules Based Order that seeks to falsify the authentic international law.

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