

**United States v. Toscanino** (2d Cir. 1974)

Francisco Toscanino, and Italian citizen, alleged that he was kidnapped by U.S. agents in Montevideo, Uruguay, taken to Brazil where he was subjected to physical torture, and then transported to the United States.

He also alleged that U.S. officials bribed telephone officials in Montevideo to conduct electronic surveillance of his calls.

If the allegations can be proved, can the U.S. court exercise jurisdiction over him once he is brought for trial?

*Ker/Frisbie* Rule?

Violation of treaty obligations?

Are Article 2(4) of the U.N Charter and Articles 17-19 of the OAS Charter *self-executing*??

*Cook v. United States* (1933)?

What about Article 9 of the ICCPR?