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Update: U.S. Extradition Request Denied in France for Alleged Iranian Military Parts Smuggler

On May 7, 2010, a French appeals court returned a [decision to deny](#) a U.S. extradition request to try alleged smuggler Majid Kakavand, 37, in a U.S. court for allegedly exporting more than \$1 million in military dual-use electronic components to Iran. The U.S. Department of Justice expressed its disappointment with the verdict. It believes the evidence and facts in the case warranted extradition, and it will continue to seek Kakavand's extradition elsewhere if he leaves Iran.

Kakavand is charged in the United States with fifteen counts of conspiracy, smuggling, money laundering, fraud, and making false statements for allegedly exporting goods to Iran that he acquired via his Malaysia based trading company, Evertop Services, between 2006 and 2008. U.S. authorities allege that Evertop Services was a front company run by Kakavand to use Malaysia as a turntable to send military dual-use items to two Iranian entities affiliated with the country's ballistic missile and nuclear programs, Iran Electronics Industry (IEI) and Iran Communications Industries (ICI). Both entities are on U.S. sanctions lists. (See an ISIS case study of Kakavand's alleged procurement scheme [here](#), and an update to that case [here](#)).

The French decision came after six prior court hearings delayed a final outcome over Kakavand's extradition. The court debated whether the items he exported to Iran violated French dual-use export controls. A technical opinion provided by the French DGA (Direction générale de l'armement) found that the electronic goods could not be employed for military purposes. The U.S. Department of Justice maintains that French dual-use controls should have covered the items because they had both military and commercial applications, and that the end users of the goods likely planned to use them in weapons systems. Moreover, the European Union designated IEI as an entity involved in Iran's nuclear program in 2008.

Kakavand was arrested in March 2009 in Paris and freed on bail in August 2009 pending a decision over his extradition. He has reportedly returned to Iran after being [escorted](#) by Iranian diplomats; he was [welcomed](#) by the Iranian foreign ministry and [threatened suit](#) against U.S. authorities for arranging his fourteen month detention in France on what he termed "false charges." Presumably, Kakavand would be arrested for his alleged crimes if he tried to come to the United States to testify against the U.S. government in a lawsuit. Reports in the French media [circulated](#) that the court's decision was part of a secret *quid pro quo* deal between French and Iranian authorities to secure the release of 24-year-old French professor, Clotilde Reiss, held in Iran since July 2009, but French authorities have denied such a deal.

The extradition request made to France is part of an ongoing effort by U.S. agencies, particularly U.S. Immigration and Customs Enforcement (ICE), to crack down on suspected Iranian smugglers working abroad to procure controlled U.S. goods for Iran's military programs. Over the past few years, U.S. authorities have requested the arrest of alleged Iranian smugglers in third party countries and have sought their extradition to stand trial for export control violations in U.S. courts. (See ISIS's coverage of recent cases involving U.S. attempts to arrest Iranian smugglers abroad [here](#)). The French extradition denial is a blow to these efforts, but Dean Boyd, a spokesman for the U.S. Department of Justice, [told](#) the *New York Times*, "We will continue to seek justice in this matter"... "Efforts to apprehend Kakavand are ongoing and should he come into U.S. custody, he will stand trial for his alleged crimes."