

Colombian regime rolls over and plays dead for dope traffickers

by Javier Almario and Valerie Rush

On Dec. 30, one of the world's most wanted criminals, cocaine czar Jorge Luis Ochoa Vásquez, walked out of a maximum-security Colombian prison, arm-in-arm with the prison warden. Surrounded by lawyers and bodyguards, Ochoa stepped into a waiting Mercedes-Benz and disappeared into thin air. A new arrest warrant for him, and the rest of the "board of directors" of the so-called Medellín Cartel of cocaine traffickers, has since been issued.

Ochoa had been arrested for speeding by Colombian highway patrolmen on Nov. 21, 1987, and transferred first to a military prison, then to the top-security La Picota penitentiary in Bogota. Despite several months remaining on a pending jail sentence he faced for smuggling, and despite an extradition petition against him from the United States, which wants the mafioso on charges ranging from homicide and drug trafficking to racketeering, Ochoa's high-powered lawyers secured his release with a *bona fide* writ of Habeas Corpus for "arbitrary detention."

Ochoa's release poses the question of whether a nation—in this case, Colombia—possesses the moral fitness to survive, since even a cursory review of the events leading to his "legal" escape reveals a spreading stain of complicity which originates with President Virgilio Barco himself. It was no accident that the daily *El Espectador*, whose director Guillermo Cano was assassinated by the mafia in December 1986, greeted the news of Ochoa's release with the blaring headline, "For Shame, Mr. President!"

The shame

When Ochoa was first brought to La Picota prison, the warden who opposed special treatment for the drug kingpin was quietly forced to resign by the director general of Colombia's prisons, Guillermo Ferro Torres. Ferro Torres was, and remains, a protégé of Justice Minister Enrique Low Murtra. The newly appointed warden of La Picota (since fired) provided Ochoa with a stereo, a color television, a video recorder and videotapes, a comfortable bed, even his own

private cook and imported foods. Ochoa indulged himself by giving a gala holiday banquet for the prison, complete with orchestra.

Ochoa's Bogota lawyers came and went as they pleased, and include at least one former Supreme Court magistrate, a former member of the Council of State (a presidential advisory body on constitutional law), and two former presidents of the National University of Bogota. One of those two former university presidents is Luis Carlos Pérez, the most notorious "fellow-traveler" of the Colombian Communist Party.

While those lawyers were out shopping for a judge who would sign Ochoa's release forms, a suspicious "escape attempt" at Bogota's other penitentiary, El Modelo, occurred, happily occupying the attention of prison authorities and permitting them to ignore the legal machinations around the Ochoa case until it was too late. Three judges refused to sign Ochoa's release order. The judge who ultimately signed the release, Andrés Montañez, was the same man who—reportedly under death threats from the mob—had absolved the entire leadership of Ochoa's Medellín Cartel from authorship of the Guillermo Cano assassination. He is currently "under investigation."

Two days after Ochoa's capture, Justice Minister Low Murtra issued an arrest order for the purpose of his extradition, premised on a petition submitted by the U.S. Department of Justice. On Dec. 17, the same minister revoked the arrest warrant, accepting the argument of Ochoa's lawyers that the drug-trafficking crimes for which Ochoa was wanted in the United States were "already being investigated by criminal judge #45 in Medellín," and international law prohibits the extradition of a national to face the same charges twice.

One day before Ochoa's release from jail, on Dec. 29, Ochoa's two brothers and colleague Pablo Escobar—all of them leaders of the Medellín Cartel—were visited by Judge María Cadavid Montoya of criminal court 45 in Medellín,

for the purpose of determining whether the basis existed for their and Jorge Luis Ochoa's indictments on drug-trafficking charges. The judge determined that "clear evidence of their participation in the events under investigation did not exist," and ordered conditional freedom for all four mafiosi. She, too, is now "under investigation."

With the Medellín charges against Ochoa abandoned and no outstanding arrest warrant against him, the way was cleared for his lawyers to secure his release under claim of "arbitrary" and "illegal" detention.

Lawyering for the mob

The outcry both within and outside Colombia to Ochoa's scandalous escape forced Justice Minister Low Murtra to attempt an explanation to the population on national television and radio, the night of Jan. 4. In that address, he abandoned any pretense at representing the national interest, and appeared instead as the lawyer for Ochoa's lawyers. He not only presented their argument that Ochoa could not be extradited because of the pending national charges against him (dropped immediately afterward), but defended the prison warden's decision to free Ochoa by insisting that "neither jail officials nor any other public official can deny a release order issued by a judge of the republic." This, despite the fact that the minister also claimed in that same address that Judge Montañez had "lacked the competency" to issue the order in the first place.

Further, Low Murtra protested the "injustice of placing blame on the executive for a sequence of decisions made by officials, whose nominations and whose acts, by constitutional mandate, the government can neither intervene nor involve itself in. . . . It must be understood that the government and justice minister are incapable of preventing the actions of judges of the nation, given the autonomy the Constitution provides that branch."

The next day, *El Espectador* headlined its front page, "God Save the Nation . . . Justice Minister Recognizes Judicial Victory of the Drug Trade." The daily *El Siglo's* title: "Low Murtra Justifies Release of Ochoa." Wrote *El Espectador's* editors: "Minister Low Murtra clarified nothing. He told us what we already know. Further, he has handed us over—tied hand and foot—to the despotism of the mafia. . . . What currently prevails as government opinion is the absurd criterion that our state of law has been conceived to protect the criminals, and not society. It is, aside from a sign of weakness, a tacit confession of cowardice."

Statecraft or franchise?

The question raised by those who know the extensive power of the drug mafia in Colombia, the violence, the degree of corruption, is, "Could the Barco government truly have done anything?" The issue of whether there is genuine statesmanship in Colombia, or whether President Barco merely holds the mob's franchise, was addressed in a Jan. 6 editorial

in *El Espectador*, which attacked the Barco government for "not having dared, for example, to present the [overturned] extradition treaty to the Congress for [re]consideration. It could have, also, advanced new talks with the U.S. government, to modify it along lines it believed opportune and appropriate. And then it could have gone to Congress, to comply with its constitutional mandate in approving it. It did not do so during the ordinary sessions just concluded. It can still do so now, convoking extraordinary sessions [of Congress], exclusively for this purpose.

"It is said that [the government] fears that Congress would not approve the initiative, and . . . that some congressmen seriously compromised with the business of the drug trade and its owners, would block approval of the treaty. Were that so, *the duty of the national government is to cause a rupture, and denounce the anti-social conspiracy of the Congress before the nation.*"

The U.S.-Colombia extradition treaty was one of the single most important weapons in the battle against the drug trade. As the assassinated Justice Minister of Colombia Rodrigo Lara Bonilla repeatedly stated, "While the Colombian judges fear the drug traffickers, the latter only fear the U.S. judges."

However, even while it was in force, the Barco government never used that weapon. On Dec. 13, 1986, the Colombian Supreme Court—which had lost half of its magistrates in the narco-terrorist siege of the Justice Palace—declared the U.S.-Colombia extradition treaty unconstitutional, on the basis of a technicality. The only extradition that took place under the Barco government was that of Carlos Lehder Rivas, an extradition which had been authorized by the previous government.

According to journalist Fabio Castillo, in his just-released book *The Cocaine Horsemen*, the first justice minister under Barco, Eduardo Suescún Monroy, revealed in a private meeting that he would accept the ministry only under the condition that he would not have to deal with the extradition issue, to which President Barco reportedly agreed.

Barco's second justice minister, Edmundo López Gómez, used his earlier position as communications minister to legalize the radio station of drug trafficker Gilberto Rodríguez Orejuela. Later, as justice minister, he denied the extradition of Rodríguez Orejuela and his partner José Santacruz Londoño. The Colombian Supreme Court had actually approved Santacruz's extradition to the United States, but Minister López had insisted, "We can judge better than the Court."

Barco's third justice minister, José Manuel Arias Carrizosa, who was forced to resign that post for having helped a drug trafficker to import a Rolls Royce from Miami, had earlier announced that the government had no intention of presenting Congress with a new extradition treaty, as "that would have been a waste." Besides, he said, it would not have been approved since "they [the drug traffickers] have infiltrated the Congress." Arias Carrizosa ordered the release

from jail of a group of drug mafiosi, who had been awaiting extradition to the United States.

Strong U.S. criticism

The Reagan administration responded to the Ochoa release with scarcely veiled accusations of cowardice against the Barco government, and with a series of retaliatory measures ranging from humiliating body searches of all Colombians entering the United States, to excruciatingly slow and detailed inspections of all Colombian goods coming into U.S. ports, especially such perishables as seafood and cut flowers.

The U.S. State Department, for all its own criminal failings in the war on drugs, declared correctly that the recapture of Ochoa and his partners was critical “for the well-being of Colombian democracy.”

The criticism and the sanctions had their effect, with the justice ministry using state-of-siege provisions to issue new arrest warrants against Ochoa and the four other Medellín Cartel leaders. At the same time, a U.S. federal court added additional charges to the 39 already pending against Ochoa, which presumably paves the way for reconsidering his extradition to the United States. At least one cynical columnist in Colombia wondered how the Barco government could now justify issuing an arrest warrant for extradition purposes, when it could not do so one month earlier. “Is history repeating itself?” asked the journalist.

On Dec. 19, the Barco government was forced to deny widespread rumors that it had authorized debt-for-amnesty negotiations with the Medellín Cartel. Cartel members have repeatedly offered to pay Colombia’s foreign debt in return for amnesty. According to the rumor, presidential adviser Gustavo Vasco Muñoz—considered the *eminence gris* of the Barco government—was in charge of the contact. Vasco, formerly a Communist activist who had once run for the presidency of the Colombian Communist Party, later rose to the top of the business world, becoming a member of the Santodomingo business group run by a cousin of the pro-drug former President of Colombia, Alfonso López Michelsen. Vasco ran Barco’s presidential campaign, through control of a masonic conspiracy known as the Sanedrin, to which nearly half the current cabinet belongs, along with the President himself.

The financial lure of the drug trade is, of course, a key factor in the government’s “narco-tolerance.” Colombia’s comptroller general recognized that the growth of the real estate sector of the economy in 1987 was abnormally large, due to mob money “repatriated” under Barco’s tax amnesty. Thanks to this money, Finance Minister Ricardo Alarcón Mantilla has bragged that Colombia can punctually pay its debts and continue to receive foreign credits. Banker Fernando Londoño Hoyos recognized that the large loan Colombia is currently seeking is an “unprecedented case of an international banking deal which presupposes the well-being of the mafia for its compliance.”

Terror wave engulfs

by Susan Maitra

With the Indian Peace-Keeping Force (IPKF) still locked in battle with Tamil terrorists of the LTTE in Sri Lanka’s northern province, political consolidation of the peace plan drawn up between India and Sri Lanka has been held in abeyance. Now new and powerful threats have emerged to dim the fragile hope of reconciliation further.

On Dec. 23, the Sinhala radical terrorist organization, the JVP, gunned down the chairman of the ruling United National Party (UNP), Harsha Abbeywardene, in broad daylight in the capital city of Colombo. The gunman escaped, leaving behind 28 empty shells fired from a Chinese-made T-56 automatic rifle. The 37-year-old Abbeywardene was President Jayewardene’s most trusted confidant.

On the same day, in the southern district of Galle, the UNP activist who had organized President Jayewardene’s Dec. 21 public meeting in Galle was stabbed to death.

The murders were the high point of a month-long campaign by the JVP, with its base in the south, against the Indo-Sri Lankan accord. The campaign has taken the lives of some 250 people since August, when the accord was signed, including at least 60 assassinations specifically targeted to crack the morale of the ruling party and terrorize anyone who dared support the accord. It was the same JVP that nearly wiped out the entire government with its bomb attack on the parliament several months ago.

According to reports from Sekhar Gupta of *India Today*, it is commonplace in the southern rural areas to see placards in front of the homes of UNP functionaries announcing their “severance” of relations with the party. Hundreds of grassroots workers have deserted, and UNP leaders in Colombo admit that it is becoming more difficult to convince partymen in outlying districts to hang on to the party and the accord.

The JVP, which stands for Janatha Vimukhti Peramuna, is not a newcomer to the Sri Lankan political arena, but its influence has exploded into a formidable threat in recent months. The organization was banned in 1983 when its pivotal role in the anti-Tamil riots that ignited the now four-year-old ethnic war in Sri Lanka was found out.

What is the JVP?

The JVP is led by Rohana Wijeweera, the son of an old communist activist, who spent three years at Patrice Lumumba University in Moscow and returned to form an ultra-revolutionary group. The group launched an uprising in 1971