

# 'Peace without justice' doomed in Colombia

by Andrea Olivieri

On June 16, one of Colombia's courageous "faceless judges" issued arrest warrants for a score of infamous narco-terrorists who constitute the leadership of the Colombian Revolutionary Armed Forces (FARC) and National Liberation Army (ELN), two of the country's bloodiest communist insurgencies. The arrest orders, combined with warrants issued one month earlier against the amnestied M-19 terrorist group, have thrown a monkey wrench into President César Gaviria's plans for a power-sharing arrangement with the narco-terrorists. The result is a long-overdue institutional crisis.

The system of "faceless judges"—a corps of protected judges specializing in drug and terrorism cases, whose identities are kept secret—is a judicial mechanism constitutionally decreed in 1991 as a means of at least partially restoring the capacities of a judiciary which had been bribed and terrorized into impotence. Ironically, the better the new system now works, the more desperate the government institutions which brought it into being have become.

## A dead 'peace'

The latest arrest warrants were issued shortly after the Gaviria government's "peace talks" with the FARC and ELN, held in Tlaxcala, Mexico, collapsed in early May after the terrorists not only refused to consider a cease-fire proposal, but dramatically escalated their offensive against military, economic, and *civilian* targets across the country. The warrants charge the guerrilla leaders with "committing crimes for terrorist ends," and among the accused is Guillermo Saenz (a.k.a. Alfonso Cano), the top FARC negotiator in Tlaxcala who had refused to abandon his Mexican sanctuary after the government negotiators departed. Saenz, according to the Colombian daily *El Tiempo* of June 22, was on the verge of leaving for the United States, because "he had been invited to give some presentations at several U.S. universities," when the arrest warrant, enforceable internationally, was issued.

Desperate to salvage his moribund "peace initiative," President Gaviria has resorted to various juggling tricks. For example, in order to fulfill his "gentlemen's agreement" with the FARC to allow the terrorists' safe return to Colombia, Gaviria convinced both Interpol and the Mexican government to postpone enforcement of the arrest warrants until

June 25. Gaviria also arranged for the Mexican authorities to grant Cano and his fellow terrorists diplomatic immunity providing them safe passage to Colombia on June 24, thereby giving the terrorists an additional 24 hours after they touch down in Colombia to rejoin their terrorist armies before the warrants are activated.

President Gaviria has simultaneously been pressuring the Congress to ram through a blanket pardon for the M-19, whose presidentially approved amnesty was threatened when another "faceless judge" on May 18 charged its top leaders with atrocious crimes "punishable under the Nuremberg precedent," and issued orders for their arrest. At stake, of course, is Gaviria's dual power arrangement with the M-19—whose "former" narco-terrorist cadre occupy seats in both the House and Senate, and in the presidential cabinet itself—and more broadly, his "democratic new order" based on shared power with all of the country's narco-terrorist forces.

## Institutional crisis

Gaviria's efforts to interfere with the judicial system by offering a second, broader amnesty for the M-19 has fueled outrage, and led to a clash between the Executive branch, the Congress, and the influential Council of State, the latter insisting that such interference threatens Colombia's institutional order. Ironically, President Gaviria is being driven by his treasonous "appeasement" policies with the narco-terrorists to violate the very Constitution his government helped to bring about. Should his efforts to sabotage the arrest warrants succeed, he will have gutted one of the few remaining institutions that can help restore dignity to his ravaged nation.

Gaviria's most vocal critic, former Justice Minister Enrique Parejo González, charged on June 15 that "the country is marching toward dissolution," and that "lack of foresight and daily improvisation by this government" has brought about "institutional disorder" and "serious moral prostration." Parejo specifically referred to "the undue interference of the Executive and Legislative in the decisions of the judiciary, under the pretext of defending the peace," as one of a string of such abuses of power.

While giving a wide berth to the institutional chaos their commander-in-chief has created, Colombia's Armed Forces are simultaneously taking advantage of the policy vacuum to intensify their own military offensive against FARC-ELN bastions. In mid-June, the Army conducted 62 raids in the capital city of Bogotá, arresting dozens of FARC collaborators and disrupting a vast communications network servicing the narco-terrorists, while an elite police group raided and dismantled a FARC camp a mere 90 kilometers from the capital city. Evidence has also surfaced indicating that the FARC-ELN "peace negotiators" used their presence in Tlaxcala, Mexico to arrange a new flow of weapons to their terrorist ranks in Colombia.