

Panama Report by Carlos Wesley

Who needs enemies?

Ungrateful U.S. officials now say they lied when they called Noriega the U.S.'s only ally in the war against drugs.

After a delay of nearly seven weeks, the trial of Panamanian Gen. Manuel Noriega resumed in Miami on Feb. 3. Whereas the drug traffickers, kidnapers, murderers, and other criminals were given shorter sentences, immunity from prosecution, outright freedom, tax breaks, and were even paid millions of taxpayers' dollars by the U.S. government to testify against Noriega, the defense is heavily relying on current and former U.S. law enforcement officials to prove that Noriega was the United States' best ally in the war on drugs.

"None of the witnesses we'll present was allowed to keep his drug profits in exchange for his testimony," said defense attorney Jon May, in a pointed reference to the sweetheart deals given by prosecutors to Medellín Cartel co-founder Carlos Ledher and others. "None of the witnesses we will present has received immunity for his testimony, none of the witnesses we will present has been allowed to plead to reduced charges," said May.

The trial had been in recess since the prosecution completed its case on Dec. 17, while Federal District Judge William Hoeverler underwent triple-bypass heart surgery. "At the very time General Noriega was alleged to have been in bed with the cartel," he was leading key strikes against the drug traffickers, said May.

Among the defense evidence are recently obtained Drug Enforcement Administration (DEA) reports about an anti-drug operation code named "Operation Negocio." The documents, which the government claimed to have misplaced earlier, "buttress

the contention by defense lawyers for Noriega that the deposed general cooperated fully with U.S. drug interdiction efforts," reported *New York Newsday* on Jan. 31. "Noriega was helping us, not 10%, not 20% of the time, but in every instance we asked him to do so, 100% of the time," a federal drug enforcement officer was quoted. "These were key operations . . . that struck at both the Cali and Medellín cartels."

As May told the jury, "By the end of this trial you may wonder why General Noriega was ever indicted." In part because Hoeverler's rulings have severely hamstrung Noriega's ability to present a political defense, his attorneys will reportedly not seek to introduce evidence that U.S. government agents were running a drugs-for-arms pipeline as part of Oliver North's Iran-Contra operations.

Peter Bensinger, who served as DEA chief from 1977 to 1981 in the Ford and Carter administrations, was called to the stand by the defense and asked to read several letters he had written in which he praised Noriega's "professionalism," which "has contributed substantially to the ongoing war against drugs." A hostile witness, Bensinger now claims that he lied when he wrote the letters.

"I always regarded [then] Colonel Noriega with suspicion," said Bensinger. "I did not view him as an individual dedicated solely to law enforcement." As for the letters, they were "to create goodwill," to "facilitate cooperation," he said. "My own view was, 'Let's get whatever we can get by way of cooperation.'"

Should Bensinger be believed now, when he states that he didn't tell the truth then? Was he just stroking Noriega? Well, in April 1978, Bensinger sent a circular to all DEA field offices: "In all of Central and South America," wrote Bensinger in an internal document that Noriega was unlikely ever to see, "Noriega is the only one who has been cooperating" with the DEA.

Following Bensinger on the stand was another hostile witness, John Lawn, DEA chief from 1985 to 1987. Lawn was forced to admit that Noriega and the Panamanian Defense Forces had seized tons of chemicals used to process cocaine, virtually eradicated Panama's marijuana crops, expelled fugitives who were wanted in the U.S., and "always" agreed to let the U.S. Coast Guard search suspected drug ships registered in Panama.

But Lawn denied that these were "significant" achievements. "I certainly wouldn't describe General Noriega's cooperation as unprecedented," said Lawn, who also claimed that he didn't mean the laudatory things he wrote about Noriega in letters he was forced to read from the stand. "The letter was written while I was wearing my diplomatic hat."

Some diplomacy. "I am writing to express my gratitude and appreciation for the recent actions taken by the Panamanian Defense Forces under your command," wrote Lawn in a Feb. 13, 1987 letter to Noriega following the capture of Jack Carlton Reed, "a co-defendant of Carlos Lehder" according to the letter. One month later, in March 1987, Lawn wrote another paean, praising the Panamanians for passage of Law 23, the anti-drug money-laundering law promoted by Noriega. "I hope this initiative your government has taken will serve as a model for other countries throughout the Americas."