

ombia extradition treaty, and defeats it.

July 23, 1987: The Barco government revokes arrest warrants for purposes of extradition against the heads of the Medellín Cartel.

July 1987: A judge finds “insufficient evidence” to accuse the cartel bosses of the April 1984 murder of Justice Minister Rodrigo Lara Bonilla.

Narco-financier Gilberto Rodríguez Orejuela is found innocent of drug-trafficking charges in a fixed trial, and is released from jail.

Secretary to the President Germán Montoya is accused of business links to drug trafficker Gilberto Rodríguez Orejuela.

September 1987: In the wake of a dramatic escalation of narco-terrorist violence in the country, Colombian military demands for increased funding for training and equipment to meet these threats are rejected by the finance ministry as a potential “trauma” to the government’s IMF-dictated fiscal policies.

October-November 1987: President Barco drops his demands that the narco-terrorists “disarm and demobilize” before renewing “dialogue” with them. This, despite their October bombing of the defense ministry as part of their campaign to force an end to the longstanding state of siege, and a “civilianization” of the nation’s intelligence service, police force, and defense ministry.

November 1987: A judge finds “insufficient evidence” to indict the leaders of the Medellín Cartel for the December 1986 murder of *El Espectador* editor-in-chief and anti-drug spokesman Guillermo Cano.

Nov. 23, 1987: Just two days after the stunning capture of Medellín Cartel chieftain Jorge Luis Ochoa, the Barco government revokes an arrest warrant against him, accepting Ochoa lawyers’ arguments that the non-validity of the extradition treaty nullifies the arrest order.

Dec. 19, 1987: The Barco government is forced to deny widespread rumors that it had authorized negotiations with the Medellín Cartel, based on an offer of amnesty in exchange for the mafia’s payment of the foreign debt.

Dec. 30, 1987: Despite several months remaining of a jail sentence on an animal contraband charge, and despite a standing U.S. extradition petition against him for drug trafficking, murder, and racketeering, Jorge Luis Ochoa is released from a maximum-security jail, on a legally secured writ of *habeas corpus* which the justice ministry had been informed of at least 24 hours earlier.

Jan. 4, 1988: Justice Minister Enrique Low Murtra goes on national television to present the following contradictory list of excuses for Ochoa’s release: 1) His orders that Ochoa not be released were “disobeyed”; 2) due to the constitutional mandate of “separation of powers,” his ministry was in any case powerless to revoke Ochoa’s release papers which were “legally” secured from a judge; and 3) the judge who ordered Ochoa’s release had “lacked the competency” to sign the release papers.

The war against extradition

Attorney General Carlos Mauro Hoyos Jiménez was not the first Colombian official executed for his support for extradition. For 10 years, the chiefs of the Medellín Cartel have used extortion, bribery, terror, and extermination to crush any and all efforts to implement an extradition agreement between the United States and Colombia, under whose terms criminals wanted on drug-trafficking charges can be deported to face trial in the United States.

Two leading Colombian officials, Justice Minister Rodrigo Lara Bonilla and his right-hand aide, Col. Jaime Ramírez Gómez, argued that, because it is extradition that the drug traffickers fear, extradition must be carried out. “While the Colombian judges fear the drug traffickers, the latter only fear the U.S. judges,” Lara Bonilla’s collaborators report the minister repeated incessantly.

Speaking to a group of reporters in early November 1986, Ramírez repeated: “In this matter of extradition, no one should be fooled into believing that we are dealing with anything less than the key factor in the fight against drugs. . . . The day that [the treaty] is annulled, they will have won the war.” *El Espectador* published his interview posthumously on Nov. 19, 1986.

Both men were murdered by drug mafia hit squads: Lara Bonilla on April 30, 1984, Ramírez Gómez on Nov. 17, 1986.

Methods of terror

When, after Lara Bonilla’s assassination, President Belisario Betancur signed extradition orders, which had been sitting on his desk, for the top drug traffickers, the mafia undertook a legal offensive against the treaty. While Medellín Cartel lawyers argued that the Supreme Court must overturn the 1979 extradition treaty with the United States as unconstitutional, and thus bury it permanently, the cartel’s military apparatus deployed against the Supreme Court. For over a year, each Supreme Court judge received death threats from the mafia—daily, sometimes by the hour.

On Nov. 6, 1985, the Colombian Supreme Court met in the Justice Palace to consider the legal challenge to the treaty brought by Ochoa’s lawyers. As they gathered to meet, the terrorist M-19 group seized the palace.

“It was evident that the guerrillas sought above all to reach the fourth floor of the palace, where the offices of the magistrates of the Supreme Court’s Constitutional Tribunal and those of the Criminal Annulment Court, were located,” reported one of the judges who survived. The head of the

Court's Constitutional branch, Alfonso Patiño Roselli, had prepared a brief arguing that the mafia's petition be rejected, his wife was later to reveal.

One-half of the Supreme Court—12 judges in all—was assassinated in the M-19's assault on the Justice Palace, including each of the Constitutional Tribunal judges.

New judges were appointed; the death threats from the group of "extraditables," as the cocaine trade's most wanted men now called themselves, continued. In 1986, two more Supreme Court judges were assassinated, both of whom were involved in the extradition fight.

On July 31, 1986, mafia hit squads gunned down Magistrate Hernando Baquero Borda on the streets of Bogota. And on Oct. 17, 1986, Magistrate Luis Enrique Aldana Roza died of "complications" from a heart attack, suffered after a coffin was sent to his home with the message, "This is for you," attached. Flown to Houston immediately following his non-fatal heart attack, Aldana underwent emergency surgery but, upon leaving the operating room, "his oxygen tubes were mysteriously cut, and he died immediately," Colombian journalist Fabio Castillo reports in his book, *The Horsemen of Cocaine*.

On Dec. 1, Magistrate Samuel Buitrago Hurtado of the Council of State, a presidential advisory body on constitutional matters, summarized the narcotics cartel's case in a nationally broadcast television interview. He argued that the government's continued persecution of drug traffickers had led Colombia into chaos and violence, that extradition of Colombian nationals on trafficking charges is "unconstitutional," "repulsive," and "unpatriotic," and that the government should instead legalize cocaine and marijuana traffic, in order to increase its tax base.

"We have been playing the role of useful idiots, because we are conducting a campaign [against drugs] with a high social cost, and what have we Colombians received in return? The threats are against very important Colombians, above all against those who administer justice," Buitrago stated.

On Dec. 13, 1986, the terrorized Supreme Court issued a new decision, overturning the extradition treaty on a legal technicality. Several days later, President Barco personally authorized the reactivation of the extradition law, but has never once implemented it during his administration. The February 1987 extradition of cocaine kingpin Carlos Lehder had been authorized by the previous Betancur administration. Arrest warrants based on U.S. extradition petitions against seven other leading Colombian narcotics traffickers were revoked in July 1987, immediately after the Supreme Court issued its final ruling declaring the extradition treaty unconstitutional.

Attorney General Hoyos renewed the fight for the extradition treaty, after Ochoa walked to liberty. On Jan. 4, 1988, he told the press that extradition was the only thing the traffickers feared, and that the treaty should therefore be reestablished immediately. The mafia killed him. Their message:

No high government official will ever again be allowed to support extradition.

The judicial and executive branches of government have not been the only targets of the cartel's warfare. The message of terror has been delivered to all public figures—politicians, journalists, clerics—who continued to demand war against the narcotics business.

On Dec. 17, 1986, exactly one month after Ramírez's killing, a mafia team assassinated Guillermo Cano, the owner of *El Espectador*, and the most renowned journalist in the country who had not feared to sign his name to repeated editorials calling for extradition and war against the narcotics mafia. One of his last editorials implicitly indicted the "citizens above suspicion" who fronted for the mob: "In Colombia, we are lowering our guard against organized crime. Each day we are increasingly shocked to discover that in Congress, bills are presented which are going to favor the drug traffickers; that the miracle prescription is to legalize the drug trade; that the panacea is Church dialogue with the drug-trafficking kingpins. We are on the verge of coexisting with organized crime, with accepting it."

Moscow's terrorists offer support

The narcotics mafia has simultaneously waged a war of propaganda, bankrolling lawyers, journalists, and politicians to organize support for the mafia's arguments that an extradition treaty violates "sovereignty." A May 6, 1986 "Letter to Colombian Reporters and Communications Media," signed by 35 top drug traffickers, wanted by international police or in jail, summarized the argument of the drug mafia against extradition. The letter, published in *El Tiempo*, was released three weeks before the presidential elections.

The traffickers argued:

"(1) We don't understand how Colombia, being a sovereign, democratic, and independent nation, had to resort to foreign and alien laws to judge its children, since, as can be clearly seen with the signing of this extradition treaty and the handing over of nationals to the U.S. government, we are allowing Colombia's national sovereignty to be violated;

"(2) It is almost incredible to have to accept that on the mere say-so of some people who have infiltrated our country [DEA agents], we are to be turned over to foreign judges. . . .

"(3) The treaty is unconstitutional and in clear violation of human rights. . . ."

The letter "requests" from the government:

"the right to be judged in the Republic of Colombia, by Colombian judges, in Colombian jails," and "a national plebiscite be immediately held for the purpose of carrying out a total revision of the so-called Extradition Treaty."

That argument has been echoed by politicians from every party, but following the release of Ochoa, the political group which has stepped forward with promises that it will assure those demands will be met, is Colombia's Communist Party. Orders have been issued by the party's Central Committee,

to present the defeat of extradition as the “urgent contemporary task” for the “Colombian people.” Marching orders to the Communists’ cadre and supporters to enforce the mafia demands have been a dominant theme in the Communist Party’s paper, *Voz*, since Ochoa’s release, as the following samples exemplify.

a. *Voz*, Jan. 7, 1988.

“We are struck by the fickleness of the government, which first dictated an arrest warrant against Ochoa, and then rescinded it, and now, under U.S. pressure, turns around and issues arrest warrants against a whole group of citizens. . . . Thus it is proven that Barco does not conduct policy, but rather the whim of whatever is imposed upon him by the U.S. . . . Instead of getting down on his knees, Barco should assume an upright behavior. And if he does not, let our people do so.”

b. *Voz*, Jan. 7, 1988.

Column by editor Manuel Cepeda, entitled, “No Mr. Reagan, Colombia Is Not a Yankee Colony,” references the U.S. reaction to the freeing of Ochoa.

“The government of the United States has given the aforementioned slap in the face to this little government, this submissive payer of the foreign debt, which has paved the road for the DEA, which receives [U.S.] Ambassador Gillespie at any hour of the night. . . . In Colombia, we tolerate Barco becoming daily more ambivalent, more weak-willed, more submissive to Washington. . . . [Barco] has now proven that in his hands, sovereignty is endangered. The crisis which Barco reveals, is that of the entire ruling establishment.”

c. *Voz*, Jan. 14, 1988.

The lead editorial, signed by Communist Party General Secretary Gilberto Vieira, states:

“We Communists have taken a position against the extradition of nationals, for reasons of principle. . . . The government, at the beginning of 1988, has issued arrest orders for the purpose of extradition against five supposed members of the so-called Medellín Cartel, in response to an official U.S. request. . . . [which is] no longer based upon the Extradition Treaty, which lost all juridical weight. . . . but on the multi-lateral agreement on extradition agreed to in Montevideo in 1933. . . . All of which reflects an ambiguous attitude which will inevitably clash with the norms of a state of law. . . .

“We recognize the gravity of the drug-running problem, which cannot be won with simple repressive measures. We consider it absurd and counterproductive to assault peasants who cultivate coca. . . . We consider the government’s collaboration with the DEA in bombarding marijuana and coca crops with poisons an act of anti-ecological barbarity. . . .

“We energetically reject the meddling of the United States in the internal affairs of Colombia on the pretext of drug

trafficking. This interference, ever more aggressive, poses to the Colombian people the defense of national sovereignty as an urgent contemporary task.”

d. *Voz*, Jan. 21, 1988.

An unidentified Communist author claims that in the state of Alabama, in the United States, “a large number of Colombians can be found . . . receiving training by the DEA [Drug Enforcement Administration]. It is said that the new commands are being distributed [throughout Colombia]. . . . Without asking for visas, the DEA already has its quarters in Colombia. . . . Thus, we have the pirate presence of the U.S.A. in Colombia. Behind the persecution of local narcos (to leave to the great narcos of the North the monopoly over the drug market, without the disturbing presence of the Colombian kingpins), comes the other: the offensive against the democratic and revolutionary movement.”

The Communist Party’s apparatus deployed against extradition, overlaps the drug mafia’s apparatus itself. Two cases are exemplary: that of lawyer Luis Carlos Pérez, and of Bogota City Councilwoman Clara López Obregón.

Pérez, a former president of the National University in Bogota, a lawyer, and a longstanding “fellow-traveler” of the Colombian Communist Party, appears prominently in the stable of lawyers employed by the Ochoa family. In fact, Pérez’s name appears on a recently uncovered Ochoa family payroll, which includes at least one senator, judges, and personnel of the Interior Ministry, among others. According to that payroll, Pérez received at least 50 million pesos for his legal work prior to the November 1987 capture of Jorge Luis Ochoa. Pérez admits to working for Ochoa’s defense, but claims he does so as a matter of principle, and not for money.

In a Jan. 10 interview with *El Tiempo*, Pérez insisted that the extradition treaty violates “the principle of reciprocity, that the U.S. imposes excessive penalties such as life-time incarceration, whereas Colombia has a maximum penalty of 30 years. . . . It is, to a certain degree, treason to the fatherland to order a Colombian handed over,” he argued. Pérez also explicitly argued against confiscation of drug mafiosi’s property, as “a violation of Article 26 of the Constitution.”

The Communist Party’s electoral front, the Patriotic Union (UP), has taken up the campaign. The UP’s candidate for mayor of Bogota is Clara López Obregón, niece of former President Alfonso López Michelsen. In an interview published by *El Espectador* on Jan. 11, 1988, Clara López Obregón called the freeing of Ochoa a demonstration of the corruption of the government, but argued, “I think, however, that a distinction must be made between the money used for the bribe, and legitimate exercise of their profession by the defending lawyers. I also think that it is necessary to explore and discuss further the extradition question, since I share the judgment of Dr. Luis Carlos Pérez that it violates national sovereignty.”