

Is the drug mafia about to join the Colombian cabinet?

by Andrea Olivieri

On Dec. 9, election of delegates to a Constituent Assembly will be held in Colombia. The Assembly, which will meet shortly thereafter, will have sweeping powers to rewrite Colombia's National Constitution. There is a strong possibility that a significant percentage, if not the majority, of those delegates will be representatives of the cocaine cartels and their narco-terrorist allies. If that happens, Colombia will become the first nation to be "legally" captured by the international narcotics mafia—in much the same way that Adolf Hitler and his National Socialists came to power in Germany.

The alarm has already been sounded by former Interior Minister Carlos Lemos Simmonds, who was forced out of the previous government of Virgilio Barco for denouncing that government's suspected secret negotiations with narco-terrorists. In an Oct. 17 article published in the daily *El Tiempo*, the ex-minister wrote that "whoever controls a mere 36 of the 70 constituent seats—by conviction, persuasion, or intimidation—will have total control of the country. These 36 people could do what they would with the nation. They could, for example, turn the Republic into a state lax and permissive with crime, and in the name of peace could condone armed insurrection, turn kidnaping into a misdemeanor. . . . They could also, if they so pleased, do away with the institution of state of siege and drastically limit or eliminate military service—which would give the guerrillas an unexpected victory by electoral means—or they could create a 'popular army' into which the insurgent forces could enter. Under these conditions, naturally, they would make peace."

Opening the door to treason

The door to this frightening state of affairs was opened by an Oct. 9 vote of the Colombian Supreme Court, which after first overturning as unconstitutional President César Gaviria's executive decree convoking the Assembly, yielded to pressure and intimidation from both narco-terrorists and the government and approved the decree. Twelve out of the 26 Supreme Court magistrates were on the brink of resigning their posts to protest the absurdity of the Court's being asked

to validate what is essentially a dirty deal between the government and various political tendencies who want to succumb to the mafia's pressure. They withdrew their resignation threats after acknowledging that this would only aggravate the degeneration of the Supreme Court.

In fact, the Supreme Court has been little more than a terrorized shell of the original institution ever since November 1985, when the M-19—under hire by the drug cartels—seized the Justice Palace, burned the legal archives, and executed most of the Court's magistrates.

But the real culprit is President César Gaviria himself, who violated his electoral mandate to wage war against narco-terrorism and instead invited Colombia's enemies into his own government. Under the much-abused name of "peace," Gaviria not only fully endorsed his predecessor's grant of full amnesty to the M-19 narco-terrorists, but gave their chieftain, Antonio Navarro Wolf, a cabinet ministry.

The President has now offered unprecedented state guarantees—dubbed "surrender terms" by critics—to the FARC, ELN, and EPL terrorists as an enticement to enter a similar agreement with his administration. Those guarantees include the promise of international oversight of a peace pact, protection of their civil and human rights, adherence to the Geneva Accord's Protocol II which would grant the highly coveted status of "belligerents" to the narco-terrorists, and representation in the Constituent Assembly. The only conditions Gaviria would impose are release of any kidnap victims and a ceasefire. Conspicuously absent are demands for disarmament and demobilization which were the hallmark of Gaviria's tough-sounding presidential campaign earlier this year.

The extension of Gaviria's "peace" policy to the cocaine cartels is also under way. His first offer to the traffickers, in the form of Decree 2074 which promised no extradition and reduced jail terms in exchange for surrender to and collaboration with the authorities, was described as a "trial balloon" by knowledgeable observers. The infamous Medellín Cartel of Pablo Escobar countered with the kidnaping of seven journalists—including the daughter of a former President, the

sister of a government adviser, and the managing editor of a major daily—to force the government to offer it terms comparable to those won by the M-19.

Gaviria responded with a considerable softening of his original offer, including: the elimination of confession and collaboration as a qualifying condition for no extradition; the pledge not to confiscate traffickers' assets; permitting traffickers to remain free while awaiting trial; and the promise to free detainees, including those facing complicated multiple charges, if not tried and sentenced within a year.

Pablo Escobar himself answered Gaviria's latest offer, through the prologue of a book on extradition written by one of his lawyers. In that prologue, the fugitive Escobar argued that the theme of extradition should be placed before the delegates to the Constituent Assembly and prohibited through constitutional reform. He argued against those "backward sectors of Colombian society" who would treat extradition as the "forbidden fruit" which must not be touched by the Assembly.

Escobar's partner-in-crime Jorge Luis Ochoa went even further in defining the conditions required for a "narco-peace." Responding to an open appeal from former ambassador to Spain and cartel benefactor Ramiro Andrade Terán to intercede for the release of the kidnaped journalists, Ochoa declared his readiness to assist provided he were given "assistance and guarantees by the authorities that I could move freely around the country to carry out what needs to be done." If this were acceptable to the authorities, declared Ochoa, "you can communicate to me publicly by issuing a state of siege decree, similar to that which occurred in the case of [M-19 leaders] Pizarro and Navarro," prior to their receipt of amnesty.

The cartels' "respectable" negotiators, such as former minister Joaquín Vallejo Arbeláez, are even bolder in their demands. Vallejo gained notoriety last year when, in admitting to representing the traffickers in a negotiating bid with the government, he revealed that he had urged the cartel to hire Henry Kissinger as its advocate in Washington! Now he is arguing for a general pardon *and* a cabinet ministry for the cocaine cartels. In an Oct. 11 article in *El Tiempo*, Vallejo wrote: "Colombians want peace, at the best price possible." That price, he argued, included granting a ministry to the M-19 narco-terrorists. Now, he says, "The citizen is doubtless prepared to pardon sins against law and public order, as the Church does with penitents. . . . Negotiated peace formulas should be generalized, because the country cannot put up with more violence and terrorism."

Along with the push for amnesty for the traffickers has come a renewed campaign to legalize cocaine. The dean of the law faculty of Bogotá's National University, Ricardo Sánchez, has already described the "gradual legalization of cocaine" as an inevitable part of the peace process, and a new magazine entitled *Palomas* is devoted entirely to achieving drug legalization as the "solution" to Colombia's ills.

A pact with torturers and drug pushers

Who are the drug runners and narco-terrorists that Gaviria would negotiate the country's future with? Like the M-19, now ensconced in the Gaviria government, the Communist Party's Revolutionary Armed Forces of Colombia (FARC) is up to its neck in the drug trade and has been repeatedly denounced by the Colombian Armed Forces as the country's "third cartel."

On Oct. 16, a military operation in the lower Magdalena Valley in the province of Bolívar, uncovered a huge cocaine complex composed of six laboratories surrounded by nearly 2,000 hectares of coca. The crops were protected by FARC guerrillas, on contract with the Medellín Cartel. Even more significant was the Oct. 20 bust, by Colombian Army troops, of one of the largest cocaine-refining centers ever discovered in Colombia, in Putumayo along the Colombia-Ecuador border. The complex included an enormous electricity-generating plant, housing for 200 people, with a restaurant, exercise room, swimming pool, and infirmary. The complex was entirely run by the FARC.

The National Liberation Army (ELN), partners of the FARC in the so-called Simón Bolívar Guerrilla Coordinating Group, have also continued to assault towns, kidnap company executives, dynamite oil installations, and murder at will. Two ELN encampments that served as sophisticated bomb factories were uncovered by the Army in Norte de Santander, and when the military began anti-guerrilla operations in the southeast province of Arauca, the ELN retaliated by murdering a soldier it had abducted six months previously. His body had been mutilated and showed signs of torture.

According to Mario Yori, the head of the state oil company Ecopetrol's exploration division, most of the country's best oil fields have been abandoned because of joint ELN-FARC sabotage and kidnappings. "The state of insecurity is nationwide. There is hardly a point in the petroleum basins not affected by subversion," he said.

Despite Colombia's descent into ignominy, voices of reason can still be heard. Columnist Tomás de Zumalacarregui wrote in *La Prensa* of Oct. 10: "Something as important as the reform of our Constitution and of the criminal law of the state cannot be made subject to the impulse of terrorist acts and to the inspiration of enemies of the Constitution and of law, be they political or common criminals. The FARC, ELN, EPL, and drug cartels, with their terrorist actions and kidnappings, cannot and should not be advisers or promoters of a constitutional reform."

Alfonso Cano, brother of the murdered anti-drug editor of *El Espectador*, Guillermo Cano, penned an editorial Oct. 23 warning that the Constituent Assembly was intended to create the basis for "reintegrating the drug barons into civilian life under the rubric of 'honorable citizens,' cleansed of all guilt." He said the way for such an outcome was already paved by the cases of the FARC and ELN, who "collaborate with the drug traffickers whenever it suits them."