

Bush regime entered secret agreement with drug cartel against Noriega

by Carlos Wesley

Lawyers for Gen. Manuel Antonio Noriega filed a motion on Aug. 31 for a new trial, on the basis of new evidence showing that the administration of George Bush “entered an agreement with the world’s largest drug-trafficking organization,” the Cali cocaine cartel, to obtain a conviction against the Panamanian leader. Noriega, who has been held as a prisoner of war in a Miami federal prison since shortly after the Bush-ordered 1989 invasion of Panama, was sentenced to a 40-year jail term on trumped-up charges of drug trafficking.

The motion, filed by attorneys Jon May and Frank Rubino before Judge William Hoeveler in U.S. District Court for the Southern District of Florida, alleges that shortly before the start of Noriega’s trial in 1991, the U.S. government entered into a secret agreement with the Cali Cartel: In exchange for a reduction of the 23-year jail sentence of Luis “Lucho” Santacruz, brother of Cali Cartel capo Julio Santacruz Londoño, “the Cali Cartel induced Ricardo Bilonick to surrender to U.S. authorities and testify against General Noriega.”

Bilonick was the owner of Inair, a cargo airline he purchased with money he obtained from Jorge Ochoa, the Medellín Cartel capo. Eventually, Medellín Cartel kingpin Pablo Escobar would also become a partner in Inair, which Bilonick used to fly tons of cocaine into Miami, until U.S. authorities intercepted a shipment hidden in some shrimp-coolers in 1984. The United States indicted Bilonick and a warrant was issued for his arrest, but he lived in Panama in relative impunity until 1991, when the U.S. government secretly sought the assistance of the Cali Cartel to procure his testimony.

With Bilonick’s surrender, the government’s case against Noriega “changed dramatically,” reads the motion. “Now the United States had a witness who at one and the same time alleged Panama’s use for the transshipment of massive quantities of cocaine, some 20,000 kilograms, and General Noriega’s direct participation.”

Perhaps even more important, compared to the traffickers and cutthroats who were the majority of prosecution witnesses, Bilonick “seemed relatively unimpeachable.” A former diplomat, “at the time of the trial he was 44 years old, married, with six children.” He was also U.S.-educated, at Scranton University and with a law degree from Tulane. Further, although “he was essentially immune from arrest by U.S. authorities,” he had voluntarily surrendered, or so the jury was told, because “he wanted to do the right thing,” says

the motion.

What was kept from the jury and the defense, was the role of the Cali Cartel in procuring the testimony of this trafficker from the putatively rival Medellín Cartel. According to the motion, this was a violation of the so-called “Brady rule,” which holds that the suppression of evidence favorable to an accused person upon request violates due process.

Silver or lead

The new evidence obtained by the defense is a set of letters exchanged in 1991 by former Justice Department prosecutor Joel Rosenthal and one of his successors in the U.S. Attorney’s office in Florida, Myles H. Malman. At the time, Rosenthal had left the Justice Department and was representing the Cali Cartel’s “Lucho” Santacruz.

Rosenthal indicated that the Cali Cartel would procure Bilonick, but that it was crucial for both the prosecution and his clients, whom he refers to as “*Time* magazine poster boys,” that the deal be kept secret.

“The defense will doubtlessly attempt to portray the government as having made a deal with the *Time* magazine poster boys for specific testimony from Bilonick,” Rosenthal said in a July 24, 1991 letter to Assistant U.S. Attorneys Malman and Pat Sullivan. “I cannot stress to you how critical it is to this agreement that my client’s role and identity be kept secret.” Otherwise, “the *appearance* will be that you have made a deal with the Cali Cartel to secure the cooperation and specific testimony of a witness against the Medellín Cartel.”

Malman provided Rosenthal the assurance he sought. In a letter he signed on behalf of his boss, Dexter Lehtinen, U.S. Attorney for the Southern District, dated July 31, 1991, Malman wrote: “It is our position that it [the deal] not be disclosed to the defense at the upcoming Noriega trial.” Rosenthal thanked Malman in a letter dated Aug. 7, 1991, in which he reported that his client, Santacruz, had signed the deal. Rosenthal attached an outline of what Bilonick would testify to at the upcoming trial. “With respect to Bilonick’s departure, I am doing my best to encourage him to depart on Thursday,” Rosenthal wrote Malman. A handwritten footnote added: “In view of our (you and me) chat today, I will see to it that he [Bilonick] understands from *my* viewpoint, that anything after next week is unacceptable, insulting, stupid, etc., etc.”



Gen. Manuel Antonio Noriega, now in federal prison in Miami, has filed a motion for a new trial.

According to the motion, the prosecution knew that “Bilonick’s testimony would be induced by ‘silver or lead.’ The Cali Cartel would either pay Bilonick a large sum of money, or threaten his life and the lives of his family, or both.” Bilonick, was sentenced to three years after pleading guilty to smuggling tons of cocaine. He is now living in the United States, a free man. He and his family were given permanent U.S. visas, and he was allowed to keep at least \$4 million in drug money.

But, it could have been lead instead of silver for Bilonick, had he decided not to go along. Rosenthal, the former prosecutor who brokered the deal, is one of six lawyers, three of them former U.S. Department of Justice officials, indicted by the Clinton administration in June in Miami for being an accomplice of the Cali Cartel. According to the indictment, Rosenthal, who has pleaded guilty to money-laundering charges, relayed death threats in November 1991 from Cali kingpin Miguel Rodríguez Orejuela, to Gustavo Naranjo, a cartel operative who was jailed in Texas. “Rosenthal told Gustavo Naranjo that it was good that he was not cooperating because Naranjo knew what would happen if he did cooperate.”

The newly discovered documents “reflect a level of hypocrisy and cynicism beyond words,” says the motion filed by Noriega’s attorneys. “A decision at the highest levels of the United States government was made” to allow perjured testimony from Bilonick and to illegally withhold from the defense, and even from the trial judge himself, the information about the Cali Cartel’s role in securing the damning testimony by this prosecution witness, “thus perpetrating fraud on the courts.”

It adds that “to this day the United States has engaged in

a coverup of the most significant and explosive evidence in this case.” The government was willing “to take whatever measures were necessary to prevent the defense from proving its contention that the instant prosecution was in truth a political prosecution despite the effort of the United States to convince the jury that this was merely a drug case.”

Besides a new trial, Noriega’s attorneys are also asking the court to immediately schedule an evidentiary hearing, to order the government to produce all correspondence and documents relating to Bilonick’s testimony, including those prepared “by officials of the Department of Justice and other executive agencies,” and to unseal all proceedings pertaining to Santacruz, whose sentence was reduced by Judge Hoeveler, from 23 to 14 years, after the Noriega trial.

“Regardless of how this court rules herein, history will condemn the government’s conduct in this case,” says the motion. “We cannot conceive of conduct that more undermines the reliability of the jury’s verdict than the knowing and willful suppression of material evidence. And, if such conduct is imaginable, surely it must be the knowing and willful use of false testimony.”

‘Bush wanted me dead’

The report of Bush administration collusion with the Cali cocaine traffickers corroborates *EIR*’s charges that the Bush-ordered invasion of Panama was not to fight drugs, but rather to remove one of the best drug fighters around, Noriega, who was also an obstacle to Bush’s fascist new world order, of “democracy” and “free trade,” i.e., drugs. The people whom Bush installed in power “are neither honest nor democratic, but rather front men working for the drug mafia,” *EIR* reported in its Jan. 12, 1990 issue (“Bush Plans to Keep Troops in Panama Forever”). It identified several members of the Bush-installed regime of Guillermo Endara, including Endara himself, his Attorney General, two vice presidents, and most of his cabinet, as tied to the cocaine cartels.

The U.S. administration was “willing to agree to drop or quash all criminal charges against me, in exchange for my handing my country over to them,” Noriega said at his sentencing hearing in 1992. “Panama was invaded because I was an *obstacle* and *injurious* to the historical records of your President, George Bush, who preferred me dead!” He predicted that the Panama Canal treaties would be honored in the breach, and by the year 2000, Panama would have no Army, “but there will be an ostentatious and insulting foreign presence, with troops and war bases of the United States.”

This is indeed happening. On Sept. 6, it was announced in Washington that Panama and the United States have agreed to informal negotiations for the United States to retain military bases in Panama past the year 2000, when they should have shut down, according to the treaties. The main purpose of these bases will be “strengthening democratic institutions” in the Americas, said Assistant Secretary of Defense for International Security Affairs Joseph Nye on Sept. 11.