Colombian President Uribe, Judicial Branch Clash Over Paramilitary Probe

LADB Staff

Follow this and additional works at: https://digitalrepository.unm.edu/notisur

Recommended Citation

This Article is brought to you for free and open access by the Latin America Digital Beat (LADB) at UNM Digital Repository. It has been accepted for inclusion in NotiSur by an authorized administrator of UNM Digital Repository. For more information, please contact amywinter@unm.edu.
Colombian President Uribe, Judicial Branch Clash Over Paramilitary Probe

by LADB Staff
Category/Department: Colombia
Published: 2008-09-12

Colombia's judicial and executive branches of government have been clashing in August and September, with President Alvaro Uribe attacking the Corte Suprema de Justicia (CSJ) for rejecting his proposals for reforming the court system. At the root of the conflict is the "parapolitica" scandal, which has brought down numerous Congress members and other government officials as their alleged links to paramilitary groups have become public.

As the CSJ has broadened its investigations into Uribe-linked politicians, the president has accused the court and opposition legislators of manipulating and bribing witnesses. The conflict led to expressions of concern by a prosecutor from the International Criminal Court (ICC), which in turn drew Uribe's ire.

Attorney general expands investigations

The two branches accuse each other of hatching "conspiracies" against the other. The deepening split between the two became more pitched on Aug. 25 when Uribe alleged that there was "witness trafficking" being conducted to implicate him in the alleged schemes where politicians benefited from ties with the paramilitary death squads.

Not long before, CSJ president Francisco Javier Ricaurte had denounced a "conspiracy" to attack the court, a conspiracy in which, he claimed, presidential officials might be involved. Ricaurte did not set aside the possibility of discussing the situation with ICC prosecutor Luis Moreno Ocampo, then in Bogota investigating human rights crimes and their prosecution.

The parapolitica affair has led to the jailing of more than 30 Congress members, and another 38 were under investigation for alleged militia links, most of those being political allies of President Uribe (see NotiSur, 2007-03-02 and 2007-05-04).

Attorney General Mario Iguaran revealed on Aug. 25 that his office had requested investigations into 155 former and current members of Congress for paramilitary links, along with 76 members of the country's security forces and 35 state officials. The Uribe-CSJ confrontation came to a head after television program Noticias 1 revealed three "secret" meetings at the Casa de Narino, the presidential seat, between paramilitary representatives and Uribe's press and judicial secretaries.

The last of the meetings took place at the end of April. The video of those meetings showed a man passing as a CSJ intermediary who demanded that money be given to the lawyer of Diego Fernando Murillo Bejarano, alias Don Berna. Don Berna is one of the main paramilitary leaders in the country who was extradited last May to the US on charges of drug trafficking.
One of the two emissaries of Don Berna, Antonio Lopez, was killed three weeks prior to the broadcast. Lopez was a demobilized paramilitary who had been identified as having links with a feared organization of hired assassins in Medellin. Uribe alleges manipulation and bribing witnesses. Very upset with the video, Uribe convened an extraordinary press conference in which he said repeatedly that justice must investigate the alleged manipulation of witnesses who purported to be related to the paramilitaries.

The president said that almost every day he meets with people who have information about the episode that has not surfaced publicly, because strong evidence against the court has not yet been found. Although the alleged intermediary is not a CSJ official, Uribe said that the secret police discovered that he had been known to regularly go to the seat of the court. Uribe also attacked Ivan Velasquez, the star investigative judge in the CSJ, and accused him of having drunk alcohol in the company of witnesses of the judicial process.

When Uribe was asked about CSJ complaints of pressure in its investigations into the parapolitica affair, he said he could also denounce the judges for having done "nothing" regarding this issue before 2002. "Are they going to denounce the government that set democratic security in motion, the government that has dismantled the paramilitaries, the government that has created the conditions for carrying out justice?" said Uribe.

"Democratic security" is the phrase Uribe uses for his militarist policy towards rebel groups and criminal gangs and his generally concessionist demobilization policy toward paramilitaries. The friction is not only between Uribe and the CSJ, but also with the attorney general's office, which Uribe accused of not having acted in a timely manner to fire the chief prosecutor of Medellin, Guillermo Valencia Cossio, currently enveloped in scandal for alleged links with drug traffickers. That prosecutor is the brother of newly appointed Minister of Interior and Justice Fabio Valencia Cossio.

Uribe complained that, even though the investigation had been underway for a year and a half, the prosecution had only dealt with Valencia when the media revealed compromising recordings the week before. But Iguaran defended himself and even said that the interior minister called him to speak to him about his brother's innocence. Iguaran also responded to criticism against his office for his performance in the parapolitica scandal and said his agency already appealed the acquittal of two former congressmen who had been imprisoned and were subsequently freed.

Uribe and his surrogates have also attacked opposition Sens. Piedad Cordoba and Gustavo Petro, accusing them of manipulating witnesses through bribery. Cordoba responded that the president wants not only to jail her but "to see me dead." Petro responded to accusations from Minister Valencia Cossio, saying that the testimony the administration had alleging witness manipulation came from narcotraffickers and that the administration had been duped into believing them. The two senators have been strong critics of the president and have conducted investigations into massacres.

The war of words between Uribe and Ricaurte continued into September, with Ricaurte rejecting a judicial-reform package Uribe had sent to the Congress as an attack on the court's autonomy. It
"threatens the judicial independence of Colombia when he refers to the magistrates of the Supreme Court as prevaricators and coup leaders," said Ricaurte on Sept. 5. "Having a majority in opinion polls [as Uribe does] is not a guarantee that one is governing democratically." Ricaurte said there was "a conspiracy in a sector of the government in alliance with the paramilitaries to discredit the CSJ."

In statements on RCN TV, Uribe called on Ricaurte to no longer make "unfounded" and "reckless" statements. He said that "the government is open to discussion," but that the issue of judicial reform "has to be taken on and not eluded with distraction or sophistry."

**Uribe’s cousin released from jail**

A former senator close to Uribe was freed from prison on Aug. 20, four months after his arrest on charges of colluding with far-right death squads (see NotiSur, 2008-05-16). Mario Uribe was released after Colombia's number-two prosecutor said there was insufficient evidence to hold him. He remains under investigation, however, and is barred from leaving the country. Mario Uribe is the most prominent figure in the parapolitica scandal.

Another former lawmaker, William Montes, was also freed Aug. 20 after a judge determined he was under duress when he signed a 2001 document pledging an alliance with the paramilitaries. The judge dropped criminal conspiracy charges against Montes, who had been jailed for 15 months. The ultraright-wing paramilitaries were formed in the 1980s to defend wealthy ranchers from leftist rebel kidnappings and extortion but evolved into drug-trafficking criminal mafias. Prosecutors blame them for at least 10,000 murders and the theft of millions of hectares of prime cropland.

Mario Uribe is a second cousin of the president, and he presided over the Senate from 2000-2001. The two launched a political party together in the mid-1980s and have been close allies since. As he left prison, Mario Uribe denied any relationship with the paramilitaries, whose top leaders Uribe extradited to the US in mid-May. "I never met with paramilitaries," he said. "I never served them or promoted the groups, never helped them, and they never helped me."

Mario Uribe made headlines in April by seeking refuge in the Costa Rican Embassy and requesting asylum to try to avoid arrest. After the releases, 29 members of Congress remained in jail on criminal conspiracy and other charges for alleged ties with the paramilitaries, who demobilized beginning in 2005 under a peace pact with the government (see NotiSur, 2005-07-22).

-- End --