

## Andean Report by Andrea Olivieri

### Colombian narcos impose 'Diana's Law'

*President Gaviria has given the proverbial "inch" to the cocaine cartel, and it has taken the mile—and then some.*

Immediately following the Medellín Cartel's Jan. 25 execution of journalist hostage Diana Turbay, cartel lawyer Guido Parra gave a press conference, at which he crowed that the government of President César Gaviria had proceeded to "fully meet the demands" of the traffickers, or Extraditables, by issuing Presidential Decree 303 just four days later. Parra hurried to add, "Not that I think there have actually been demands. As the country knows, this [decree] is the culmination of a unilateral and sovereign policy on the part of the government."

Parra dubbed the government's latest concession "Diana's law," in supposed tribute to his clients' latest victim, who was also the daughter of former Colombian President Julio César Turbay Ayala. Decree 303's central feature is that the deadline for surrendering to the authorities and reaping the benefits of protection from extradition and a substantially reduced prison term, was altered from the date of the government's initial offer—Sept. 5, 1990—to the actual moment of surrender. Gaviria assured Colombians that the date change was "insignificant," but the Bogotá daily *La Prensa* got to the heart of the issue when its Jan. 29 headline on Decree 303 screamed, "Commit Crime Until You Surrender!"

As Justice Minister Jaime Giraldo Angel explained on national television Jan. 31, Decree 303 "grants the benefits to crimes committed before the surrender of the individual. If the kidnapers of the reporters or the murderers of Mrs. Diana Turbay turn

themselves in, they will still be favored by the reduced jail term and non-extradition."

Unbeknownst to Colombians at the time of the government's latest capitulation, the Extraditables had already ordered the execution of another hostage, 64-year-old Marina Montoya, sister to the influential adviser of former President Virgilio Barco. Montoya's bullet-riddled body had been discovered on the streets of Bogotá Jan. 24, and was silently interred in a common grave the next day, supposedly because of the authorities' inability to identify her. It wasn't until after Decree 303 was issued that Montoya's body was exhumed and formally identified.

The Extraditables, who publicly admitted to ordering her execution, have since dangled under the Gaviria government's nose the likelihood of another high-level surrender—the third brother of the so-called Ochoa clan. And, in a statement issued Feb. 4, the Extraditables assured the 70 elected members of the Constituent Assembly—preparing to meet that same week—that the cartel's possession of three remaining hostages was in no way intended to "pressure" the Assembly, which will consider the constitutionality of extradition.

The Extraditables' statement included new demands, such as for the formation of a government commission to *directly* negotiate amnesty conditions for surrendering traffickers, and the election of "autonomous" regional attorney generals. "Popular election" of regional posts has long been the demand of the traffickers,

who possess both the money and terrorist capability to guarantee their control over such officials.

Those who have been following Gaviria's doomed strategy of appeasement might well suspect that the next "recommendation" of the Extraditables will be that the drug trade itself be legalized. But that recommendation is already on the table. A powerful member of the Constituent Assembly, "former" narco-terrorist and M-19 commander Antonio Navarro Wolf, has long been an advocate of drug legalization and is expected to promote his viewpoint in the Assembly. Narco-journalist Antonio Caballero has already launched the campaign, writing Feb. 3, "The narcos are not criminals because they traffic in drugs. They are criminals in order to be able to traffic in drugs. They bribe, murder, kidnap, and drive the State to its knees in order to maintain their business. And they are prepared to do all this because that business is colossal. . . . And it is colossal because it is illegal."

The main voice of Colombia's anti-drug forces, *El Espectador*, denounced the government's appeasement policy in a Feb. 3 editorial: "We are under the dictatorship of crime, and to this atrocious rule can be added the permissiveness of the government, committed to a policy of appeasement which is confused with the surrender of the judicial and moral order of the Republic."

An anonymous letter published by *El Espectador* Jan. 29 challenged the Gaviria government on its failure to provide the same quality of protection to the country's terrorized judiciary that it has to the tiny handful of surrendered traffickers who are being kept in "five-star" jails. The letter warned in conclusion, "It is well known that the society which forgets its own history is condemned to repeat it."