

Colombia's Samper on the edge as prosecutor readies charges

by Javier Almario

Despite the stubbornness of Colombian narco-President Ernesto Samper Pizano in clinging to power come what may, and despite the dictatorial methods he is using to prolong his reign (threats against witnesses, illegal raids, bans on demonstrations), Samper will receive still another blow within the next few days when the country's chief prosecutor, Alfonso Valdivieso Sarmiento, formally lodges criminal charges against him.

The Prosecutor General's office, in Valdivieso's hands, has become one of Colombia's last redoubts of credibility, both nationally and internationally, to the point that Colombia's population and political leaders, even international governments, would view Valdivieso's accusations as unchallengeable proof of Samper's links to the drug trade.

Although, as of this writing, the Prosecutor General's office has not yet detailed the crimes with which President Samper will be charged, sources within legal circles are mentioning:

1. illicit enrichment and receipt of money from the drug trade to finance his electoral campaign;
2. failure to report a crime, for not having informed the authorities of the illegal acts which occurred during his campaign;
3. corruption, because he delayed any prosecution of the Cali Cartel drug traffickers during the early months of his administration in anticipation of the voluntary surrender of their chiefs;
4. fraud, for having falsified the accounts of his campaign to permit the receipt of an additional 1.8 billion pesos into his campaign treasury, despite having already raised nearly 20 billion pesos (12 billion of that from the Cali drug cartel), surpassing the legal limit by as much as fivefold.

Battle over certification

Samper is also in trouble on the foreign front. On March 1, President Clinton is required by Congress to certify that a number of drug-producing countries, such as Colombia, are "fully cooperating partners in the war on drugs." Colombia, under Samper's regime, has violated every criterion established by the U.S. government for such certification, and yet there are forces inside the United States—many of whom

have been identified as advocates of drug legalization—who are quietly lobbying on behalf of Colombia's certification, fully aware that without it, Samper's narco-dictatorship would likely fall. If Samper and his cartel buddies fall from power in Colombia, other trees in the forest, *including in the United States*, might fall as well.

Samper is fully aware of the implications of the certification battle, and has deployed several business delegations to Washington to lobby on behalf of certification during the week of Feb. 19-23.

Also in Washington, where he has already had meetings in numerous congressional and Executive branch offices in the Clinton administration, is the Colombian head of the Ibero-American Solidarity Movement, Maximiliano Londoño Penilla. Londoño, who has faced repeated death threats in Colombia for his outspoken views on government corruption in his country, as well as for his long-standing advocacy of a military war on drugs, has laid out various steps that he thinks must be taken, both in the United States and in his own country, if the drug plague is to be defeated and sovereignty restored to the nation of Colombia (see Londoño's statement below).

At press-time, it is unclear what President Clinton will decide on March 1. He is under intense pressure, from the still-powerful political machine left over from the Bush administration and from the influential pro-drug bankers' lobby known as the Inter-American Dialogue, to grant Samper's Colombia a "national interest" certification, as was done last year. Such a move would give the drug cartels a new lease on life in Colombia, and would represent a serious setback to Clinton's war on drugs.

Whitewash, or impeachment?

According to Colombian constitutional law, Prosecutor Valdivieso's accusation against Samper (which has been delayed because of a series of consultative meetings Valdivieso has been holding) will pass to the so-called Accusations Committee of the House of Representatives, the same body which in December 1995 absolved Samper in an earlier corruption probe. The Accusations Committee is responsible for determining if Valdivieso's charges have sufficient merit

to accuse the President. If the accusation is then presented to the Colombian Senate, Samper will be automatically suspended from his post while the Senate conducts its political trial. If Samper is found guilty, he will then face legal, probably criminal, proceedings before the Supreme Court.

Valdivieso has already challenged the members of the Accusations Committee, the majority of them members of Samper's own Liberal Party, to see the case as "a great opportunity for the Congress to recover its lost credibility."

However, the country is not prepared to wait out the six months or more of such a trial, under a Presidency whose chief spends more time defending himself than running the country. Daily, more and more institutions are demanding Samper's resignation. On Feb. 12, for example, the Colombian Bishops Conference called on Samper to temporarily step down from office while the case against him is pursued. Certain bishops, however, such as Msgr. Libardo Ramírez, bishop of Garzón (Huila), have called for Samper's immediate and definitive resignation. At the same time, several active officers of the Colombian Air Force issued a call for Samper's to resign immediately, "if Colombians are to begin to believe in their institutions again."

Samper is not sitting still, but is using every trick in the book to hold onto the Presidency, despite the mountain of evidence against him:

- Samper knows how to pull the strings of Congress, from which he expects exoneration once the accusation reaches the House of Representatives;
- Thanks to his influence with that same Congress, Samper won approval of a law that places all the State intelligence agencies in the hands of the Interior Ministry, run by Samper intimate Horacio Serpa Uribe. Such power gives Serpa a powerful weapon with which to intimidate Samper's political opponents;
- Samper has managed to get the country's business leaders to campaign in the United States for U.S. certification of Colombia as a so-called "anti-drug partner." Samper is convinced that, once his government is certified, there is no one that can force him from power;
- Samper is trying to demobilize the opposition against him, by spreading the rumor that he will abandon the Presidency "with head held high," once the House of Representatives or Senate absolves him. However, Samper hasn't the slightest intention of leaving.

The Samper government has done its best to prevent Prosecutor Valdivieso from lodging his charges, with the argument that the Prosecutor's office cannot block Presidential power, but should remain an "impartial" agency regarding possible crimes committed by the President. Samper also lobbied the Council of State, to get its magistrates to vote in favor of ousting Prosecutor General Valdivieso from his post late last year. His lobbying was unsuccessful.

Submission of Valdivieso's formal accusation to the House of Representatives will likely reactivate the street

protests that were recently silenced under threat of physical repression. The last of these demonstrations was held on Feb. 8, when a group of students, housewives, and activists from the Ibero-American Solidarity Movement (MSIA) conducted a four-kilometer torchlight march, demanding Samper's resignation. The march ended with a rendition of the national anthem in the Plaza de Bolívar, in front of the Congress. Heading the march were three members of the MSIA, dressed as prisoners representing President Ernesto Samper, Interior Minister Horacio Serpa, and Congressman Heyne Mogollón, who last year led the Accusation Committee's whitewash of the President. Behind the "prisoners" was an MSIA banner reading: "Samper, to Jail with Your Whole Cartel!"

Samper's dirty tricks

Samper, along with Interior Minister Serpa—known also as "Commander Serpa" for his rumored close association with the narco-terrorist National Liberation Army—have done everything possible to keep people out of the streets. They ordered Gen. Luis Ernesto Gilibert Vargas, commander of the Bogotá metropolitan police, to stop any demonstrations in the capital at all cost. In carrying out these orders, General Gilibert has caused several public scandals, and is currently facing a disciplinary investigation for his behavior. Among other actions worthy of a KGB or Gestapo, General Gilibert ordered the seizure of any anti-Samper propaganda; he has ordered the police to raid, without warrant, the homes of student leaders who have organized the protest marches; he raided one of the presses where propaganda demanding Samper's resignation was being printed. Commented one retired officer, "General Gilibert's is a sad and thankless task."

At the same time, one of the student leaders has charged that unknown individuals smashed into his car and vulgarly insulted him for having organized one of the anti-Samper rallies. Before the Feb. 8 march, unknown individuals distributed leaflets at the universities announcing planned terrorist acts and inviting students to protect themselves by staying home. Bogotá transit authorities pulled a number of vehicles off the roads, supposedly because their documents were not in order, but actually because they were carrying anti-Samper bumper stickers and placards.

Adding the final touch of terror to the already-intimidating environment, the National Liberation Army (ELN), which, one week earlier, had been denounced by Army Commander Gen. Harold Bedoya as an integral part of the Cali drug cartel, announced plans to assassinate Valdivieso's deputy Adolfo Salamanca, and identified a variety of institutions, ranging from the Prosecutor General's office and National Police headquarters, to the offices of leading Colombian newspapers and the U.S. Embassy, as "military objectives" in a new declaration of war. Is it a coincidence, that the ELN's enemies and Samper's are the same?