



Directorate of
Intelligence

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Narcotics Review



April 1986

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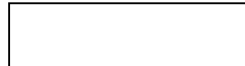
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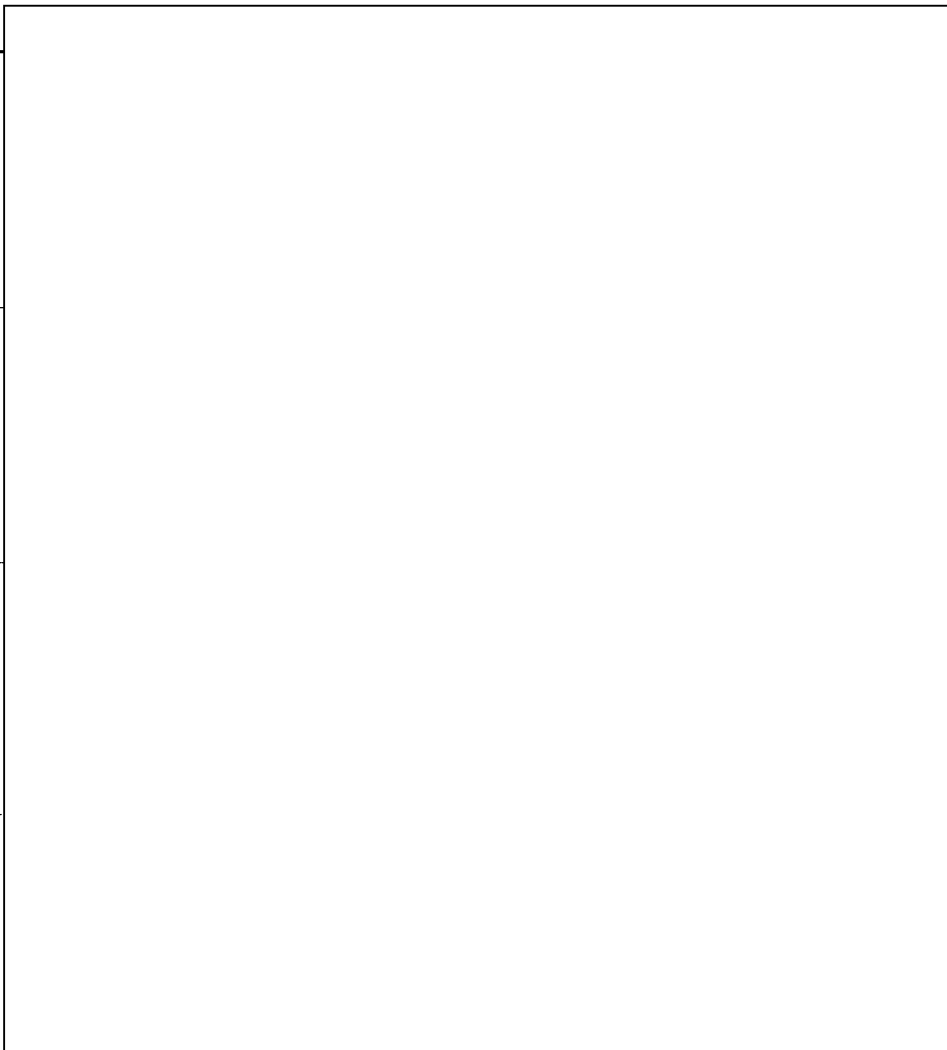
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Worldwide Narcotics Highlights
A summary of key developments from 1 February to 1 April 1986.



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Worldwide Narcotics Highlights

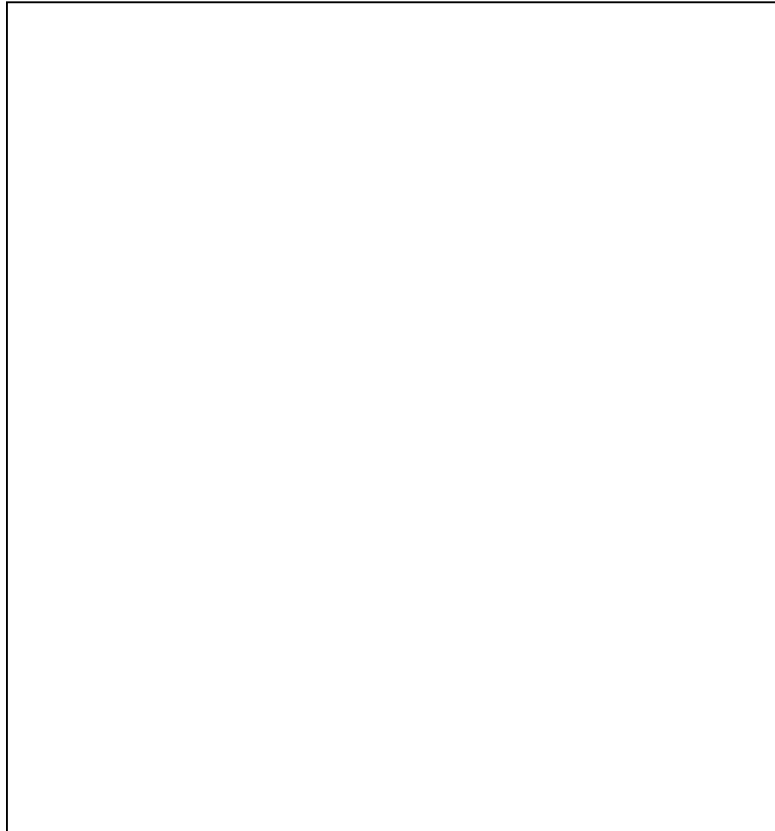
South America

The *Colombian* Government recently enacted a comprehensive new law that increases the penalties for involvement in any aspect of drug activity and provides incentives for convicted lawbreakers to implicate others. According to press reports, key changes raise the maximum prison sentence for those engaged in the most serious kinds of drug activity to 12 years, and permit authorities selectively to seize drug funds or property acquired with narcotics earnings. The new law also contains, for the first time in Colombia, a provision that allows a convicted narcotics criminal to receive as much as a two-thirds reduction in his sentence if he provides information that leads to the conviction of those who are higher in the production and smuggling chain. In our judgment, this provision could help prosecutors who up to now have had difficulty obtaining evidence and testimony against major traffickers. At the same time, the new law has not yet been tested in court, and lawyers defending future clients against drug charges almost certainly will be quick to question whether any of the statutes applicable to a given case violate civil rights guaranteed by the Colombian Constitution.

The appointment of new judges to *Colombia's* Supreme Court—to replace the 12 who died last November during the M-19 terrorist attack on the Palace of Justice in Bogota—will have a bearing on the outcome of any challenge to the constitutionality of the new antidrug laws and also could complicate President Betancur's two-year-old roundup and extradition of traffickers wanted for prosecution in US courts. Colombia's Supreme Court previously had refused to hear arguments questioning the legality of extradition by ruling that the Colombian-US Extradition Treaty of 1982—from which Betancur derives his authority to turn smugglers over to Washington—can be amended only by presidential decree. The new Chief Justice, however, has privately indicated that he views the extradition issue as complex and serious, and the believes that the court may reexamine the matter. In our judgment, the country's powerful major drug traffickers—who during the past two years have openly called for Bogota to halt extradition on the grounds that it is an affront to nationalism—are trying to influence the new Supreme Court members. There is no hard evidence that this is happening, but the fact that several prominent jurists have declined appointment to the Supreme Court after receiving threats from the traffickers suggests that the Chief Justice and other judges who have been selected thus far have received similar threats, and we believe it is possible that some may have deflected such pressure by agreeing to look into the extradition issue. We judge that the new Supreme Court is not likely to overturn the extradition treaty, which would stir considerable domestic and US criticism and damage the Supreme Court's reputation as Colombia's most venerable government institution. Judges, however, could raise sufficient questions about individual cases to slow substantially the overall pace of extradition proceedings and give imprisoned traffickers awaiting extradition more time to appeal their cases or try to escape from prison.

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Delays during the past year on one prominent *Colombian* extradition case already have taken a toll. [redacted] major South American drug trafficker Juan Matta-Banesteros—sought by the United States for his alleged role in the killing of a DEA officer and arrested in April 1985 by Colombian authorities—escaped in mid-March, evidently by making payoffs to prison officials. The Honduran-born cocaine dealer was the most powerful smuggler arrested by Bogota for extradition to the United States and is closely linked to a leading Mexican narcotics organization headed by Miguel Felix-Gallardo, another key suspect in the DEA officer's death. Press reports indicate that for the past year Matta had resisted extradition with the help of a former director of Colombia's national police and a former Colombian Supreme Court judge. Shortly after escaping, Matta surrendered to authorities in Honduras, which—unlike Colombia—does not have an extradition treaty with the United States. Matta faces charges in Honduras for murders that he allegedly committed there some years ago, but reports indicate that authorities do not have a strong case against him. [redacted]

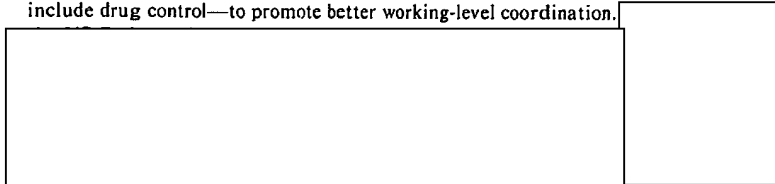


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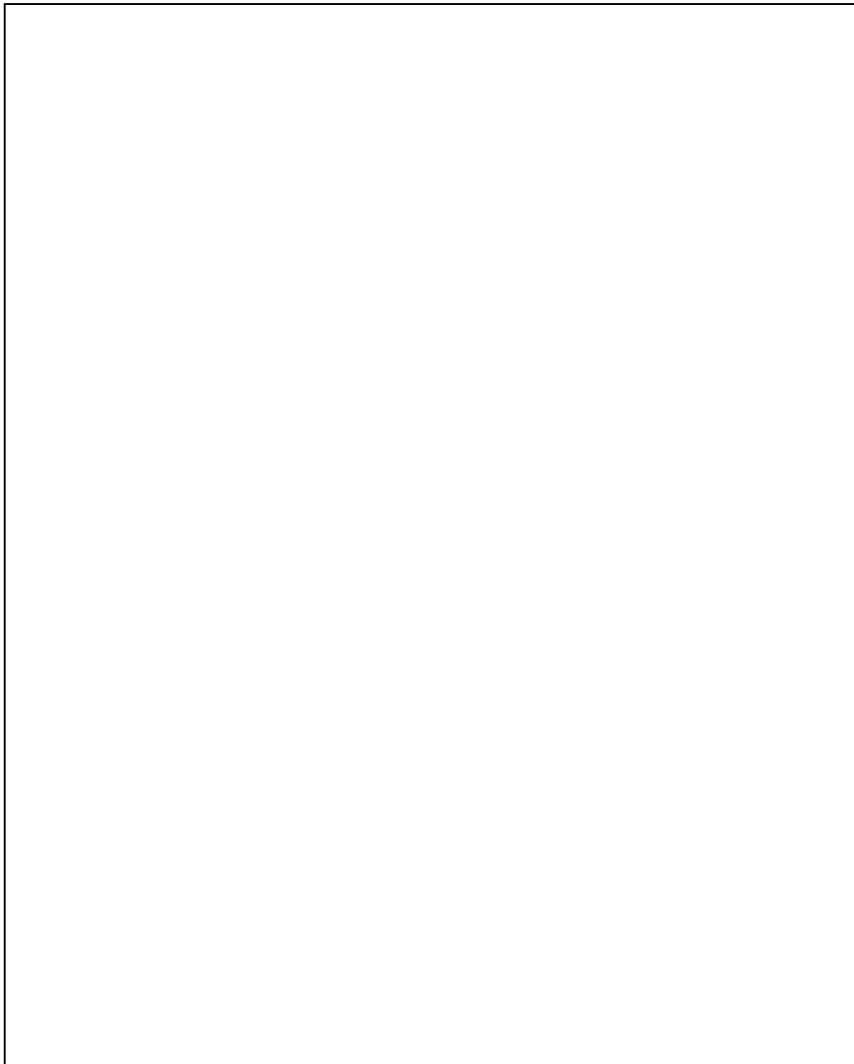


Peru's Government in February publicly announced recent steps it has taken to curb inefficiency and drug-related corruption in the country's various law enforcement organizations. President Garcia has merged the top leadership of the Civil Guard and the Investigative Police—two organizations whose responsibilities include drug control—to promote better working-level coordination.



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Mexico

- The media reported in March that a federal judge released, for lack of evidence, the son of the influential leader of the Durango-based Herrera drug clan who was being held on charges of narcotics trafficking. Following the release, which reportedly has provoked public shock and disbelief, the Attorney General sent officials to Durango to review the case. The Attorney General probably felt that

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