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TITLE: SUBJECT: GUILLERMO CANO MURDER TRIAL BEGINS; ESCOBAR IS
DEFENDANT IN ABSENTIA

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TEXT:

TAGS: KJUS, CJAN, SNAR, PTER, CO

SUBJECT: GUILLERMO CANO MURDER TRIAL BEGINS; ESCOBAR IS
DEFENDANT IN ABSENTIA

REF: BOGOTA 8403

SUMMARY

1. (C) A TWO PART TRIAL OF THOSE SUSPECTED OF THE 1986
MURDER OF NEWSPAPER DIRECTOR GUILLERMO CANO, INCLUDING
PABLO ESCOBAR, BEGAN IN BOGOTA JUNE 7. NORMAL SECURITY
WAS BEEFED UP BUT APPEARS INADEQUATE GIVEN THE LENGTHS
TO WHICH ESCOBAR HAS GONE TO AVOID THIS TRIAL, AND THE
LENGTHS TO WHICH HE WILL LIKELY GO IN ORDER TO AVOID A
CONVICTION. END SUMMARY

THE TRIAL BEGINS UNDER LIGHT SECURITY

2. (U) THE TRIAL OF THOSE SUSPECTED OF ORDERING AND
CARRYING OUT THE DECEMBER 1986 MURDER OF "EL ESPECTADOR"
DIRECTOR, GUILLERMO CANO ISAZA BEGAN IN BOGOTA JUNE 7.
THE TRIAL WILL TAKE PLACE IN TWO PARTS. THE FIRST WILL
TRY FIVE "MATERIAL AUTHORS" OF WHOM TWO ARE IN CUSTODY.
WHEN THE FIRST TRIAL ENDS, THE SAME JUDGE AND THREE
PERSON JURY WILL IMMEDIATELY TRY FIVE "INTELLECTUAL
AUTHORS," INCLUDING MEDELLIN CARTEL BOSS PABLO ESCOBAR,
THREE LEADERS OF THE GANG OF MEDELLIN ASSASSINS KNOWN AS
"LOS PRISCOS" AND THE PERSON SUSPECTED OF LAUNDERING THE
MONEY USED TO PAY THE KILLERS, MOLINA YEPES. ALL FIVE
ARE STILL AT LARGE AND WILL BE TRIED IN ABSENTIA.
MOLINA YEPES WAS CAPTURED IN EARLY 1988, BUT ESCAPED
FROM A MEDELLIN PRISON.

REVIEW AUTHORITY: James Cooper, Senior
Reviewer

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3. (C) SECURITY FOR THE TRIAL AND THE PARTICIPANTS, WHICH IS EXPECTED TO LAST ABOUT THREE WEEKS, APPEARS TO BE TIGHTER THAN WITH PREVIOUS TRIALS, BUT STILL FAR FROM ADEQUATE. ON THE FIRST DAY OF THE TRIAL TELEVISION CAMERAS PANNED THE COURTROOM, GETTING CLOSEUPS OF THE TWO MEN AND ONE WOMAN ON THE JURY, AS WELL AS THE FEW POLICEMEN WITH AUTOMATIC WEAPONS. THE TRIAL IS BEING HELD IN THE MAIN BOGOTA COURTHOUSE. IT IS TOTALLY INSECURE. THE JUDGE, JURORS, LAWYERS AND THEIR FAMILIES ARE APPARENTLY BEING GIVEN MINIMAL PROTECTION AT THIS TIME.

HISTORY OF CASE GIVES REASON FOR WORRY

4. (U) THIS WILL BE THE FIRST TRIAL OF PABLO ESCOBAR IN COLOMBIA. THAT IT HAS REACHED THIS POINT IS IN ITSELF A TRIUMPH OF THE COLOMBIAN JUDICIAL SYSTEM. THE HISTORY OF THE CASE IS FULL OF BLOOD, CORRUPTION, AND BRAVERY. SHORTLY AFTER THE MURDER, THE GUNMAN WAS FOUND SHOT TO DEATH IN MEDELLIN. THE MOTORCYCLE DRIVER WAS ARRESTED ALONG WITH ONE OTHER PERSON INVOLVED. TESTIMONY DERIVED FROM THEM LED TO THE LINKAGE OF PABLO ESCOBAR TO THE CASE. THE INVESTIGATIVE JUDGE IN CHARGE OF THE CASE THEN DECLARED THAT THERE WAS INSUFFICIENT EVIDENCE TO PURSUE THE INVESTIGATION AGAINST ESCOBAR AND THE MEMBERS OF THE PRISCOS AND DROPPED THE CASE AGAINST THEM.

5. (C) A SUPERIOR TRIBUNAL REVIEWED THE JUDGE'S ACTION, FOUND NO BASIS FOR IT, AND REMOVED THE JUDGE FROM THE CASE. (NOTE: THIS WAS THE SAME JUDGE WHO IS CURRENTLY BEING TRIED ON CRIMINAL CHARGES FOR ORDERING THE RELEASE OF JORGE LUIS OCHOA IN DECEMBER 1987.) A NEW JUDGE, CONSUELO SANCHEZ DURAN, REOPENED THE INVESTIGATION AGAINST ESCOBAR AND CO. SHE LIVED FOR A YEAR ON A MILITARY BASE AND EVENTUALLY ISSUED AN INDICTMENT IN MID 1988. HOWEVER, SHE HAD BEEN SEVERELY THREATENED AND, ALONG WITH HER EXTENDED FAMILY, IMMEDIATELY FLED THE COUNTRY. IN FEBRUARY 1989 THE BOGOTA SUPERIOR TRIBUNAL DENIED AN APPEAL FROM ESCOBAR'S LAWYERS TO OVERTURN THE INDICTMENT, OPENING THE WAY FOR THE TRIAL.

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6. (U) THE TRIAL WAS SCHEDULED TO BEGIN IN EARLY APRIL.
C O N F I D E N T I A L SECTION 02 OF 02 BOGOTA 08602

JUSTICE FOR ICITAP
SOUTHCOM FOR POLAD

E.O. 12356: DECL: OADR

TAGS: KJUS, CJAN, SNAR, PTER, CO

SUBJECT: GUILLERMO CANO MURDER TRIAL BEGINS; ESCOBAR IS ON MARCH 29, THE EL ESPECTADOR LAWYER WHO HAD BEEN REPRESENTING THE VICTIM IN THE PROCEEDINGS WAS SHOT AND KILLED WHILE DRIVING TO WORK. THE TRIAL WAS POSTPONED UNTIL MAY 15. ON MAY 4 THE FATHER OF A JUDGE WHO HAD ISSUED A SEPARATE INDICTMENT AGAINST ESCOBAR WAS SHOT AND KILLED ON HIS WAY HOME FROM WORK. THE TRIAL WAS POSTPONED AGAIN UNTIL JUNE 7.

PROSPECTS FOR CONVICTION ARE NOT GOOD

7. (C) WE HAVE BEEN TOLD THAT THE EVIDENCE AGAINST THE SUSPECTS IS UNASSAILABLE. HOWEVER, THAT ALSO APPEARED TO BE THE CASE AGAINST ESCOBAR-ASSOCIATE GONZALO RODRIGUEZ GACHA, WHO WAS ACCUSED AND THEN ACQUITTED OF MURDERING LEFTIST LEADER JAIME PARDO LEAL. THERE WILL BE NO LAWYER REPRESENTING THE VICTIM (THE MURDERED LAWYER WAS NOT REPLACED BY THE CANO FAMILY) IN THE COURTROOM, NOR WILL THE EXILED JUDGE WHO CONDUCTED THE INVESTIGATION BE ABLE TO DEFEND HER EVIDENCE. THERE IS NO PROSECUTOR IN THE COLOMBIAN JUDICIAL SYSTEM. ESCOBAR'S LAWYERS ARE THE BEST IN COLOMBIA.

8. (C) ESCOBAR HAS DONE VIRTUALLY EVERYTHING IN HIS POWER TO PREVENT THIS (AND EVERY OTHER CASE AGAINST HIM, SEE REFTTEL) FROM COMING TO TRIAL. WE DO NOT BELIEVE HE INTENDS TO ALLOW HIMSELF TO BE CONVICTED, EVEN IN ABSENTIA. HE IS WELL BEYOND THE STAGE OF SENDING VERBAL THREATS, WHICH DID NOT WORK AGAINST SANCHEZ DURAN. THE THREATS HE HAS SENT TO THOSE INVOLVED IN THE TRIAL HAVE BEEN IN THE FORM OF THE BODIES OF THE "EL ESPECTADOR"

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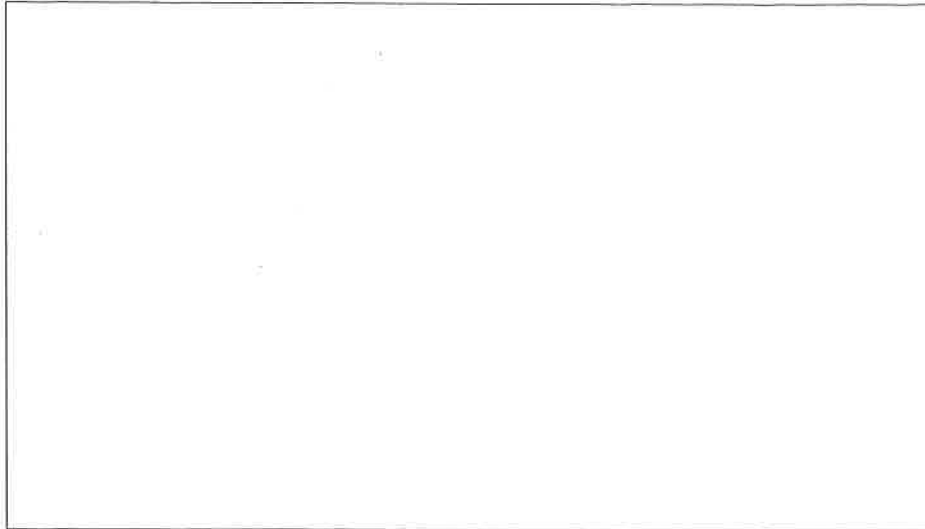
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LAWYER, AND THE FATHER OF THE OTHER JUDGE. NEITHER HAD
RECEIVED ANY THREATS BEFORE THEY WERE KILLED.

MCNAMARA

END OF MESSAGE

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