

CONFIDENTIAL

37488107

TITLE: SUBJECT: SHAKEUP IN SPECIAL ANTI-TERROR COURTS

ORIGDATE: 199008031510

SOURCE: STATE

DOCNO: BOGOTA 12292

TEXT:

TAGS: KJUS, PGOV, CO

COMBINE: COMPLETE

RELEASED IN PART B1,25X6, B3 CIA  
PERS/ORG

SUBJECT: SHAKEUP IN SPECIAL ANTI-TERROR COURTS

NON-RESPONSIVE PORTIONS  
REDACTED

REF: A) BOGOTA 8160 B) BOGOTA 8191 C) BOGOTA 7632

1. CONFIDENTIAL -- ENTIRE TEXT.

2. IN A MOVE WHICH TOOK PLACE MORE THAN A WEEK AGO, BUT WHICH ONLY RECENTLY BECAME PUBLIC, ROUGHLY HALF OF COLOMBIA'S APPROXIMATELY 60 PUBLIC ORDER JUDGES (EXACT NUMBERS ARE HARD TO COME BY) HAVE BEEN FORCED FROM OFFICE. PUBLIC ORDER JUDGES, RESPONSIBLE FOR HANDLING MAJOR TERRORISM CASES, PLAY A VITAL ROLE IN THE FIGHT AGAINST COLOMBIA'S NARCO-MAFIAS. THE CURRENT TWO YEAR TERM FOR ALL PUBLIC ORDER JUDGES EXPIRES IN A MATTER OF DAYS AND SOME 30 JUDGES OF FIRST INSTANCE WERE NOT REELECTED BY THE PUBLIC ORDER APPEALS TRIBUNAL TO SERVE NEW TERMS. PUBLIC ORDER JUDGES DO NOT BELONG TO THE JUDICIAL CAREER SERVICE (THE "CARRERA JUDICIAL"), GIVING THEM MUCH LESS JOB SECURITY THAN OTHER COLOMBIAN JUDGES.

2. MEMBERS OF THE PUBLIC ORDER APPEALS COURT TOLD THE PRESS AND POLOFF THAT THE LOWER COURT JUDGES WERE NOT REELECTED BECAUSE OF POOR PERFORMANCE ON THE BENCH. VERY FEW OF THOSE DISMISSED WERE SUSPECTED OF CORRUPTION OR OTHER IMPROPER ACTIVITIES. IN MAY THE PUBLIC ORDER APPEALS COURT ITSELF HAD BEEN SHAKEN UP WHEN THE SUPREME COURT DECIDED NOT TO REELECT FIVE OF THE COURT'S TWELVE MAGISTRATES (REF A).

3. POLOFF SPOKE RECENTLY TO ANA LUCILA GONZALEZ AND CARLOTA OSORIO PARDO, TWO BOGOTA BASED PUBLIC ORDER JUDGES

REVIEW AUTHORITY: James Cooper, Senior  
Reviewer

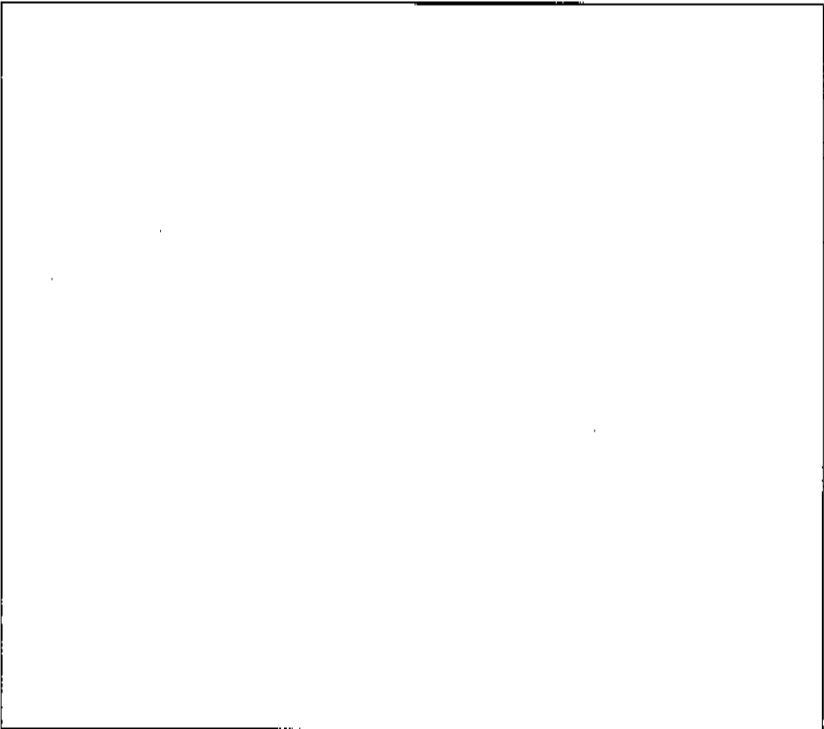
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Classification Extended on : 08/14/2014 ~  
Class: CONFIDENTIAL ~ Reason: 25X6

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WHO WERE NOT REELECTED. [REDACTED] JUDGE GONZALEZ [REDACTED] AS THE JUDGE IN CHARGE OF THE INVESTIGATION INTO THE MURDER OF M-19 PRESIDENTIAL CANDIDATE CARLOS PIZARRO SHE ORDERED THE ARREST OF A TOP HENCHMAN OF NARCO KINGPIN PABLO ESCOBAR. JUDGE GONZALEZ THINKS THAT, IF HER SUCCESSOR IS WILLING TO AGGRESSIVELY CONTINUE THE INVESTIGATION, EVIDENCE SUFFICIENT TO CONVICT ESCOBAR HIMSELF MAY EVENTUALLY BE UNCOVERED.

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B1



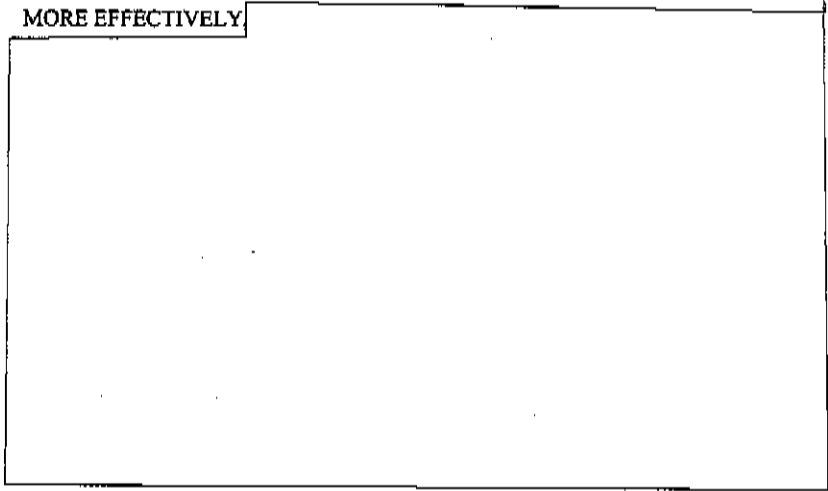
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5. COMMENT: IT IS DIFFICULT FOR US TO JUDGE THE IMPACT OF THIS MAJOR SHAKEUP. THERE WAS A PRESSING NEED TO REMOVE POOR JURISTS FROM THE BENCH--THE PUBLIC ORDER "SPECIAL JURISDICTION," WHICH WAS CREATED MORE THAN TWO YEARS AGO, HAS NOT BEEN VERY EFFECTIVE. THIS IS LARGELY BECAUSE OF THE POOR QUALITY OF MANY OF ITS JUDGES. IN THE COLOMBIAN SYSTEM HIGHER COURT JUDGES GENERALLY CHOOSE LOWER COURT JUDGES. INSTEAD OF RELYING PRIMARILY ON MERIT, HIGHER COURT JUDGES OFTEN NAME FRIENDS AND DISCIPLES TO THE LOWER COURTS. ALTHOUGH THE PRIME

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MOTIVATION OF THE RECENT SHAKEUP WAS UNDOUBTEDLY A DESIRE  
TO MAKE THIS VITAL PART OF THE JUDICIAL SYSTEM FUNCTION  
MORE EFFECTIVELY

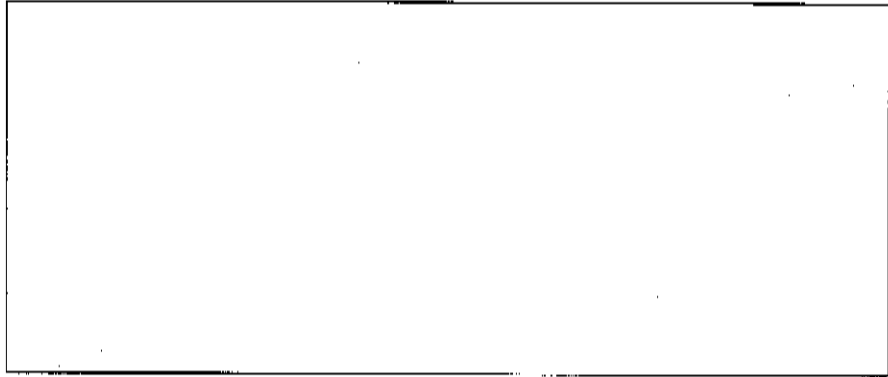


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CLASS: CONFIDENTIAL  
CONTROLS: CONFIDENTIAL BOGOTA 12292 STATE FOR ARA/PPC--FARMSTRONG, ARA/AND, L, HA, INM  
STATE PASS TO AID -- AA/LAC, LAC/DI JUSTICE ALSO FOR OIA, ICITAP, AST AG MRICHARDS SOUTHCOM FOR  
POLAD GUATEMALA ALSO FOR AID E.O. 12356: N/A  
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