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30683959

TITLE: SUBJECT: FORMER MINISTER OF JUSTICE LOSES TUTELA

ORIGDATE: 199302192308

SOURCE: STATE

DOCNO: BOGOTA 02792

TEXT:

TAGS: PGOV, KJUS, SNAR, CO

SUBJECT: FORMER MINISTER OF JUSTICE LOSES TUTELA

RELEASED IN PART B3 CIA
PERS/ORG

REF: 92 BOGOTA 17910

1. (U) THE SUPREME COURT OF JUSTICE OF COLOMBIA RULED AGAINST FORMER MINISTER OF JUSTICE FERNANDO CARRILLO'S TUTELA ACTION. IN HIS TUTELA, (AN ACTION FOR INJUNCTIVE RELIEF FOR BASIC CONSTITUTIONAL PROTECTION) CARRILLO CLAIMED THAT THE SENATE'S AD HOC COMMISSION INVESTIGATING THE JULY ESCAPE OF PABLO ESCOBAR VIOLATED CARRILLO'S CONSTITUTIONALLY GUARANTEED RIGHT OF DUE PROCESS.
2. (U) CARRILLO'S CLAIM THAT THE COMMISSION DID NOT ALLOW HIM TO PUT FORWARD A PROPER DEFENSE WAS DENIED BY THE COURT WHICH STATED THAT THERE WAS NOT A DEBATE CONCERNING CARRILLO "BEHIND HIS BACK." HOWEVER, THE COURT DID TAKE JUDICIAL NOTICE THAT IN CONGRESSIONAL HEARINGS OF THIS NATURE ALL CONSTITUTIONAL RIGHTS MUST BE RESPECTED. FURTHER, THOSE SUMMONED TO APPEAR BEFORE SUCH COMMISSIONS MUST BE GIVEN A FULL OPPORTUNITY TO STATE THEIR CASE.
3. (U) THE FINAL REPORT OF THE AD HOC COMMISSION, ALTHOUGH HIGHLY CRITICAL OF CARRILLO'S PERFORMANCE AS MINISTER OF JUSTICE, STOPPED SHORT OF HIS CENSURE (REFTEL). NO CRIMINAL CHARGES HAVE BEEN BROUGHT AGAINST CARRILLO RELATED TO ESCOBAR'S DEPARTURE FROM ENVIGADO NOR FOR ANY OTHER ACTIONS DURING HIS TENURE AS MINISTER AND NONE ARE NOW EXPECTED.
4. (C) COMMENT: CARRILLO'S ONCE-PROMISING POLITICAL CAREER IS STALEMATED. DESPITE THE EASY HAND OF THE

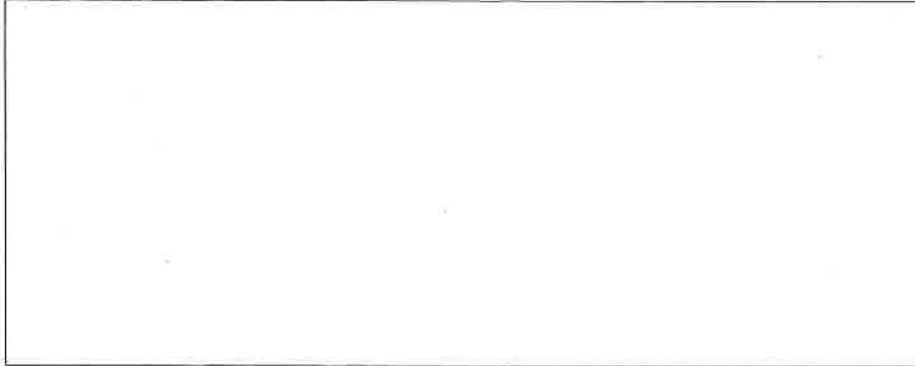
REVIEW AUTHORITY: James Cooper, Senior
Reviewer

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COMMISSION, HE BEARS THE BRUNT OF THE RESPONSIBILITY FOR THE FIASCO OF ENVIGADO. HIS MANAGEMENT STYLE AND LACK OF ATTENTION TO DETAIL WERE HIS DOWNFALL. EVEN WITH THE TUTELA ACTION NOW DECIDED, IT IS UNLIKELY THAT HE CAN PUT THIS WHOLE AFFAIR FAR ENOUGH BEHIND HIM. END COMMENT. BUSBY.

END OF MESSAGE UNCLASSIFIED



B3 CIA PERS/ORG

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<FROM>FM AMEMBASSY BOGOTA</FROM>
<TO>TO RUEHC/SECSTATE WASHDC 5232</TO>
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RUEHCV/AMEMBASSY CARACAS 1735
RUEHLP/AMEMBASSY LA PAZ 1398
RUEHQT/AMEMBASSY QUITO 1569
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TO: TO RUEHC/SECSTATE WASHDC 5232
TOR: 210900
XREFS: REF: 92 BOGOTA 17910

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