

Colombia's top prosecutor grinds on

Attorney General Mario Iguarán has been praised for his willingness to uncover the war-torn country's grisly past. But how far will he go?

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BOGOTÁ, COLOMBIA - Whether he's scouring a legal text, arguing before a judge, or watching as experts unearth mass graves, Colombia's chief prosecutor Mario Iguarán is constantly aware of the crucial role he plays in the country's attempt to uncover – and move beyond – its grisly past.

Mr. Iguarán is overseeing a difficult process to prosecute the gruesome crimes of Colombia's right-wing paramilitary groups and the network of politicians and military officers that supported and collaborated with them.

"It is Colombia's moment of truth," says Iguarán, perched on the edge of a distressed leather chair in his office.

Iguarán is not just a coincidental player in this historic moment, he helped create it. As deputy minister for justice during President Álvaro Uribe's first term, Iguarán drafted the initial version of the "Peace and Justice" law in 2005 that offered demobilized paramilitaries reduced sentences for confessing their crimes and compensating their victims. Since then, more than 31,000 paramilitary fighters have demobilized.

More recently, 14 senators and congressmen, and dozens of local and regional politicians, have been jailed on charges of colluding with paramilitaries, earning Iguarán the respect of human rights workers and average Colombians who had lost virtually all trust in the country's commitment to justice.

But as the "parapolitics" scandal moves ever closer to the heart of Mr. Uribe's administration, some question whether Iguarán can maintain his independence.

A controversial new government scheme aims to grant the jailed politicians – nearly all supporters of Uribe – pardons or reduced sentences. Ever prudent, Iguarán says the proposal is "political" and that the legal implications are still unclear.

But the proposal is already raising eyebrows in Washington, where Uribe traveled this week, lobbying for approval of a free-trade deal and continued US aid to Colombia. Both issues are bogged down in Congress in part because of skepticism over Uribe's commitment to bring paramilitaries and their cronies to justice.

Nearly 50,000 victims have come forward to report crimes blamed on paramilitary fighters. The prosecutor's office can hardly keep up. "We are overwhelmed," says Iguarán. But despite the enormous pressure, Iguarán does not fluster easily. When faced with a tough problem, colleagues say, he takes a deep breath, calmly weighs the options, then decides what course to take.

Iguarán was raised by his maternal grandparents in the small southern city of Buga, near Cali. His father abandoned the family when he was a small child and his mother was away most of the time, studying and then practicing law in the capital, Bogotá. From the time he was about 14, he knew he, too, would study law.

It became his passion, and after several stints as a municipal judge, he left to study at the University of Bonn in Germany and returned in 1990, soon to be named deputy magistrate for the country's first Constitutional Court.

He was just back from Germany and was "full of fresh ideas on human rights law," says Antonio Barrera Carbonell, the magistrate he worked under. "It occurred to me then that he would one day become justice minister or chief prosecutor."

Many Colombians had lost faith in the chief prosecutor's office in the past decade, seeing that thousands of reported cases of disappearances, murders, and forced displacements went uninvestigated.

Iguarán is dusting off many of those cases and giving his prosecutors the freedom to pursue the investigations. "Before, a lot of times we were told to close cases when the investigations were just starting" says one prosecutor, who asked not to be named. "This chief prosecutor is allowing us to follow through at least."

Human rights groups that had been critical of Iguarán's predecessor have applauded many of Iguarán's stances. But because he was a member of Uribe's first administration, many people wonder whether Iguarán can maintain his independence from the government if investigations become too uncomfortable for the president.

A case in point is Jorge Noguera, Uribe's former top internal intelligence chief, who was jailed on charges of colluding with paramilitaries then freed on a technicality. Now, by court order, Iguarán himself is prosecuting the case, but critics say he is moving too slowly and sharing privileged information with the government.

"We liked him a lot at first but we don't know if he'll go the distance," says one human rights activist who asked to remain anonymous.

Iguarán cannot comment on the Noguera case and says only that the government is "respectful" of his office's independence.

Despite certain misgivings, Iguarán enjoys respect in Washington, where he traveled recently to seek financial and moral support for his office. "He appears to be a serious person who is showing a degree of independence not seen before in that office," says Tim Rieser, a staffer for Sen. Patrick Leahy (D) of Vermont who follows events in Colombia closely. "He is taking on cases that would not have been pursued before."

In spite of his line of work, Iguarán says he believes people are inherently good. Friends say it is a reflection of his own integrity. His critics, however, call it naiveté.

He admits that his faith in people has led him to make some mistakes as chief prosecutor. Last year he was caught up in an embarrassing scandal over the privileges his office had granted to a local psychic who had befriended him.

He also wavered on taking action against a member of his staff when it became clear she had leaked to the government information that 69 soldiers were under investigation in a 2005 massacre of peasants. She was eventually fired after significant international pressure.

"Sometimes disloyalty disappoints me, but I still believe in people," he says.

When he feels disheartened, Iguarán knows a quick game of soccer can change his mood. Sometimes he joins regular games organized by the parents at his son's school.

He misses his private life, and being able to spend more time with his wife, Lucero, and their two children. He also misses academia. Officially, he teaches a law class for two hours a week at his alma mater, the Universidad Externado's law school, though his responsibilities as prosecutor often get in the way. "Sometimes I do actually get a chance to teach the class," he says with a smile. "That's where I'm happy."

