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Takedown of a Candidate, Bogotá Style

Politics as usual in Colombia spills into the U.S. in the case of Andrés Felipe Arias.

By Mary Anastasia O'Grady

The story of Andrés Felipe Arias is a grim reminder of the political kneecapping that often passes for justice in Colombia, and his detention last month in the U.S. is an attempt to finish the job.

Mr. Arias was Colombian minister of agriculture until February 2009, when he resigned to run for the Conservative Party nomination for president in 2010. The UCLA-trained economist was widely viewed as outgoing President Álvaro Uribe's favorite to succeed him. That made his odds in the general election very good.

It wasn't to be. Mr. Arias was taken out of the running by trumped-up corruption charges, first in the media and later pressed by two notoriously hard-left attorneys general. He spent three years in the Kafkaesque Colombian judicial system fighting those charges, which were heard by the Supreme Court. In 2014 he fled to the U.S. to request asylum. Colombia's high court subsequently pronounced him guilty in absentia, fined him the equivalent of more than \$8 million and sentenced him to 17 years in prison.

Mr. Arias's asylum application is still pending but on Aug. 24, U.S. marshals in Miami detained him on a Colombian extradition request, despite the dubious process that led to his conviction. The Colombian Supreme Court vote was 8-1 against Mr. Arias, and the dissenter cited lack of due process.

The Revolutionary Armed Forces of Colombia (FARC) hates Mr. Uribe, and in 2009 a potential President Arias was not a welcome prospect for the terrorist group, the largest cocaine cartel in the hemisphere. The FARC was already influential behind the scenes in legal and political matters as I have outlined in earlier columns. But if he had been elected as Colombia's commander in chief, Mr. Arias likely would have continued the Uribe program of democratic security that had severely weakened the terrorists on the battlefield.

Juan Manuel Santos offered the FARC a better future. Though he had served as defense minister under Mr. Uribe, he was not committed to defeating the guerrillas. His leftist brother Enrique spells this out in a 2014 book (“This Is How It All Began”) about the Santos-FARC “peace” negotiations in Havana.

Enrique, who helped launch the talks, writes that from the day of his inauguration Juan Manuel sought a history-making deal with the FARC. If so, the new president had the kind of psychological profile that Cuban-trained agents dream of manipulating. But first Mr. Arias had to be taken down.

The trouble for Mr. Arias began in September 2009, when the Colombian magazine Cambio published allegations that a handful of wealthy families had committed fraud using an agricultural-subsidy program designed to help low-income farmers. According to press reports, Mr. Arias sought to clear his name by asking that he be investigated first in any criminal probe.

That didn’t happen. Instead, the drip, drip, drip of unsubstantiated allegations in the press continued and Mr. Arias’s campaign collapsed. Mr. Santos then launched his candidacy and—riding on Mr. Uribe’s legacy—won the 2010 presidential election.

In August 2011, Colombian Attorney General Viviane Morales—who was living with a former guerrilla—filed criminal charges against Mr. Arias. She alleged that he committed a crime when he signed a no-bid contract with a unit of the Organization of American States (OAS) that provided technical consultation and assistance to member countries on irrigation projects. Never mind that contracting with the OAS unit for this work had been standard practice in Colombia for decades.

She also pressed charges related to the fraud scheme that Cambio raised. She alleged that Mr. Arias received donations to his campaign from those who had defrauded the government. She further argued that he should be imprisoned so he could not bribe witnesses. He went to jail for two years until his lawyers won his release while the trial continued for another year.

In May 2014, an administrative tribunal ruled that the OAS contract was legal. In June 2014 Colombia’s inspector general, in a separate investigation, found Mr. Arias innocent of all charges. In the Supreme Court trial, the state produced no evidence of Arias fraud, kickbacks or personal enrichment. Rather, the real fraudsters were exposed for having cooked up a plot in order to destroy Mr. Arias.

In his recently released book “Prison or Exile,” Colombian journalist Plinio Apuleyo Mendoza reports that Juan Manuel Dávila, who had engaged in the fraud, admitted under oath in the trial

that he did not even know Mr. Arias or any other ministry official. Mr. Dávila did so after the revelation of a 2010 email he had written to his girlfriend in which he had stated that from the start, the scheme was “something purely political.” The “scandal” had “only one purpose,” he explained, “to F--- ANDRES (sic) FELIPE ARIAS.”

That much has been done, and the extradition effort furthers the same aim. Meanwhile, Mr. Santos is getting ready to hand unprecedented political power to the FARC.