

BANANA REPUBLIC

The Sentencing Memorandum the government filed in the Chiquita case reveals something rather interesting. Chiquita was an equal opportunity terrorist supporter. You see, from 1989 to 1997, Chiquita paid protection money to FARC and ELN, left wing terrorist groups. Then, after FARC and FLN were declared terrorist groups in 1997, Chiquita switched sides, paying protection money to right wing terrorist group AUC instead. Of course, Chiquita got in trouble because, in 2001, after the US declared AUC a terrorist organization, Chiquita kept right on paying their protection money, presumably having no other side to flip to. I guess it's nice not to be bound by ideology in your support of terrorist organizations.

In spite of funding the AUC long after Chiquita became aware they were breaking the law, the government is recommending that Chiquita be able to keep half of its profits from doing business under the protection of a terrorist organization. They're recommending a fine of half their profits, when the maximum fine was twice their profits for the period.

We knew that that was the government's recommendation for a fine. What is new, though, is that the government has decided not to indict the well-connected Republican lawyer Roderick Hills for recommending his clients engage in ongoing criminal behavior. Perhaps Michael Chertoff had something to say about that decision. You see, Hills alleged that Michael Chertoff, the guy who's in charge of our Homeland Security, okayed Chiquita's ongoing payments to right wing terrorists. The government denies those allegations in its Sentencing Memorandum.

The Department of Justice never authorized defendant Chiquita to continue under any circumstances the Company's payments to the AUC—not at the meeting on April 24, 2003, nor at any

other point. To be sure, when first presented with this issue at the meeting on April 24th, Department of Justice officials acknowledged that the issue of continued payments was complicated. But this acknowledgment did not constitute an approval or authorization for defendant Chiquita to continue to break the law by paying a federally-designated Foreign Terrorist Organization.

But I guess they weren't confident enough in their own side of the story to take that to court.

And so it happens that another well-connected Republican with ties to funding terrorism gets off scot free.