COLOMBIA'S KILLER NETWORKS

The Military - Paramilitary Partnership and the United States

The junior and mid-level officers who tolerated, planned, directed, and even took part in paramilitary violence in Colombia in the 1980s now occupy senior positions in the Colombian military. To be sure, a few, linked to well-publicized cases, have been forced into retirement or dismissed, but many more have been awarded medals for distinguished service and lead Colombia's troops. As commanders, they have not only promoted, encouraged, and protected paramilitary groups, but have used them to provide intelligence and assassinate and massacre Colombians suspected of being guerrilla allies. In fact, many victims - community and peasant leaders, trade unionists, and human rights monitors among them - have no ties to guerrillas, but have been trapped in a conflict where few wear uniforms or admit their rank.

Human Rights Watch has obtained evidence, including the heretofore secret Colombian military intelligence reorganization plan called Order 200-05/91 and eyewitness testimony, that shows that in 1991, the military made civilians a key part of its intelligence-gathering apparatus. Working under the direct orders of the military high command, paramilitary forces incorporated into intelligence networks conducted surveillance of legal opposition political figures and groups, operated with military units, then executed attacks against targets chosen by their military commanders.

Human Rights Watch has also documented the disturbing role played by the United States in support of the Colombian military. Despite Colombia's disastrous human rights record, a U.S. Defense Department and Central Intelligence Agency team worked with Colombian military officers on the 1991 intelligence reorganization that resulted in the creation of killer networks that identified and killed civilians suspected of supporting guerrillas.

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This report is dedicated to the memory of Wilson Cáceres, a human rights activist forcibly disappeared in 1995.

GLOSSARY

ACC

Autodefensas Campesinas de Colombia, Peasant Self-Defense Groups of Colombia, a paramilitary organization.

ACCU

Autodefensas Campesinas de Córdoba y Urabá, Peasant Self-Defense Groups of Córdoba y Urabá, a paramilitary group led by the Castaño family in northern Colombia.

ACDEGAM

Asociación Campesina de Agricultores y Ganaderos del Magdalena Medio, Association of Peasants and Ranchers of the Middle Magdalena. ACDEGAM has been linked to paramilitary groups since the early 1980s.

ANUC

Asociación Nacional de Usuarios Campesinos, National Association of Peasant Small-holders.

BINCI

Batallón Único de Inteligencia y Contrainteligencia "Charry Solano," the army's Intelligence and Counterintelligence Battalion and military intelligence headquarters. It is also known as the Twentieth Brigade.

CINEP

Centro de Investigación y Educación Popular, Center for Investigation and Popular Education, a Colombian human rights group based in Santafé de Bogotá.

CREDHOS

Comité Regional para la Defensa de los Derechos Humanos, Regional Committee for the Defense of Human Rights, a Colombian human rights group that covers the Middle Magdalena region and is based in Barrancabermeja, in the department of Santander.

CTI

Cuerpo Técnico de Investigación, Technical Investigation Unit, investigators who work for the attorney general's office.

Consejería Presidencial para los Derechos Humanos

The Presidential Counselor for Human Rights is part of the executive branch and advises the president on human rights matters, The office also has a limited budget to assist victims of human rights abuses and families that have been internally displaced because of political violence. In 1996, the office began collecting information for a computerized network of reports of human rights abuses.

DAS

Departamento Administrativo de Seguridad, Administrative Security Department, an investigative police force that operates without uniforms and is administered by Colombia's executive branch. All other police units are administered by the Interior Ministry.

DIJIN

Dirección de Policía Judicial e Investigación, Judicial and Investigative Police, part of the National Police that prepares cases for trial.

Defensoría

The government's Public Ombudsman, responsible for protecting the citizenry against abuses of their constitutional rights. The Public Ombudsman oversees regional and local offices as well as Colombia's corps of public defenders.

ELN

Ejército de Liberación Nacional, National Liberation Army, a guerrilla group.

EPL

Ejército Popular de Liberación, the Popular Liberation Army, a guerrilla group active along Colombia's northern coast. The EPL split in 1991. One group accepted a government amnesty and demobilized. Many of those former militants then formed Esperanza, Paz y Libertad, the Hope, Peace, and Liberty Party. However, some remaining EPL militants continue in combat.

FARC

Fuerzas Armadas Revolucionarias de Colombia, Revolutionary Armed Forces of Colombia, Colombia's largest insurgency.

Fiscalía

The attorney general (Fiscal de la Nación) and the Fiscalía, Colombia's corp of prosecutors, are responsible for investigating and prosecuting violations of Colombia's criminal code. Within the Fiscalía, the Human Rights Unit investigates human rights crimes, including those carried out by paramilitaries or guerrillas. In practice, cases in which members of the security forces are implicated are usually turned over to the military justice system following a military jurisdictional challenge, closing the case to civilian investigators.

INDUMIL

Industria Militar, Military Industry. INDUMIL, part of the military, is the only entity authorized to manufacture firearms in Colombia.

M-19

Movimiento 19 de Abril, April 19th Movement, a guerrilla group named for the election date they believed was invalidated by fraud in 1970. The M-19 accepted a government amnesty in 1990 and was demobilized.

MAS

Muerte a Secuestradores, Death to Kidnappers. MAS was formed by drug traffickers in 1981. The name was also adopted by army-organized paramilitaries in the Middle Magdalena region, some of which later allied with drug traffickers. The name is now generic and is used throughout Colombia by paramilitary groups.

MINGA

Asociación para la Promoción Social Alternativa, Association for Alternative Social Development, a Colombian human rights group. Minga is a Quechua term meaning collective work.

MORENA

Movimiento de Restoración Nacional, National Restoration Movement, a short-lived political party linked to paramilitaries in the Middle Magdalena region.

PCC

Partido Comunista Colombiano, Colombian Communist Party.

Paramilitary

In Colombia, paramilitary has come to mean a clandestine organization of armed individuals, which can include active duty and retired military officers, who work in close coordination with the security forces.

Procuraduría

The government's internal affairs agency, responsible for investigating reports of crimes by government employees and recommending administrative punishment like suspensions, fines, and dismissals. Within the agency, specific divisions are responsible for investigating the abuses of various branches of government. They include the Procuraduría Delegate for the Armed Forces and the Procuraduría Delegate for the Police Forces. The Procuraduría Delegate for Human Rights investigates reports linking state agents to forced disappearance, torture, and massacres, defined as the killings of four or more people by the same individuals and at the same time. However, the Procuraduría can only recommend sanctions and does not impose them.

UNASE

Unidad Anti-Secuestro y Extorsión, Anti-Extortion and Kidnapping Unit. Staffed by officers drawn from the police, DAS, and the military, UNASEs are run through army brigades and divisions.

UP

Unión Patriótica, Patriotic Union Party. Formed as a result of peace negotiations between the government and the FARC in 1984, the UP has been a leading target of attacks by paramilitary groups allied with the military.

USO

Unión Sindical Obrero, Oil Workers' Union.

USSOUTHCOM

U.S. Southern Command, responsible for all U.S. military activities in Central America, South America, and the Caribbean.

I. SUMMARY AND RECOMMENDATIONS

Before dawn on April 6, 1995, Wilson José Cáceres set out from his home in Sabana de Torres, a municipality in Colombia's Magdalena River valley. Cáceres, a community leader, founding member of the Sabana de Torres Community Movement, and human rights activist, was a candidate for mayor on the ticket of the Popular Peasant Worker Movement, a local political group. Along with eleven others, Cáceres had been included on a death list then reported to be circulated in the name of the Peasant Self-Defense Group of Colombia (Autodefensas Campesinas de Colombia, ACC), a paramilitary group. In Colombia, paramilitary has come to mean a clandestine organization of armed men, which can include active duty and retired military officers, who work in partnership with the security forces. Like Cáceres, several of those reportedly named had been active in promoting human rights.

Despite the threat, Cáceres continued his campaign and human rights advocacy, and had volunteered to help contact local people who could give testimony to the Human Rights Watch mission that began our work on this report. Driving his white motorcycle and wearing a red cap, Cáceres stopped that afternoon at his family's farm, where he worked It was the last time anyone is known to have seen him alive. His cap was later found on the Panamerican highway.

Wilson Cáceres remains missing.

In 1989, Human Rights Watch wrote that although we could not prove that Colombia's military high command directly ordered paramilitaries to commit atrocities, it should be obvious that their response to these atrocities - "to close ranks and avoid - and frequently to obstruct - any serious investigation" - compromised their obligation to uphold the rule of law. We concluded that the failure to investigate and prosecute military officers who have joined with paramilitaries to commit murders and mass murder indicated, at the very least, that their superiors had chosen to tolerate these crimes.

Today, however, we can say much more. Far from being punished, the junior and mid-level officers who tolerated, planned, directed, and even took part in paramilitary violence in Colombia in the 1980s have been promoted and rewarded and now occupy the highest positions in the Colombian army. To be sure, a few, linked to well-publicized cases, have been forced into retirement or dismissed. But many more have been awarded medals for distinguished service and lead Colombia's troops.

As commanders, they have not only promoted, encouraged, and protected paramilitary groups, but have used them to provide intelligence and assassinate and massacre Colombians suspected of being guerrilla allies. In fact, many victims - community and peasant leaders, trade unionists, and human rights monitors among them - have no ties to guerrillas, but have been trapped in a conflict where few wear uniforms or admit their rank.

Human Rights Watch has chosen to use the word "paramilitary" deliberately, to mean armed civilians and civilian groups working for or in partnership with the military. Over the past two

decades, paramilitaries have been tied to thousands of forced disappearances, murders, cases of torture, and death threats. In 1995, almost half of all acts of political violence where a perpetrator was identified were attributed to paramilitaries.

Human Rights Watch has obtained evidence, including the heretofore secret Colombian military intelligence reorganization plan called Order 200-05/91 and eyewitness testimony, that shows that in 1991, the military institutionalized the key role of civilians in its intelligence - gathering apparatus. This report devotes special attention to this reorganization, which in essence adopted the military - paramilitary model developed in Colombia's Middle Magdalena region. Working under the direct orders of the military high command, paramilitary forces incorporated into intelligence networks conducted surveillance of legal opposition political figures and groups, operated with military units, then executed attacks against targets chosen by their military commanders. This report details how an intelligence network organized by the navy in compliance with Order 200-05/91 was responsible for dozens of extrajudicial executions in Barrancabermeja.

The military-paramilitary partnership is a fact of life throughout Colombia. Human Rights Watch has learned that collaboration between military intelligence, division, brigade, and battalion commanders, and paramilitaries continues, as laid out in Order 200-05/91. Based on our interviews with witnesses and former participants, the government's own investigations, and abundant material collected by human rights groups and journalists, we believe that the military high command continues to organize, encourage, and deploy paramilitaries to fight a covert war against those it suspects of support for guerrillas.

In our case study on the northern Magdalena region, we show how the military has armed and equipped paramilitaries and patrolled with them. In some cases, the military has apparently moved paramilitaries around the country to carry out political killings. Although the army denies conducting surveillance of political parties and elected officials, we present evidence demonstrating that the surveillance of legal political groups appears to be among the prime duties assigned to military intelligence, which has apparently used paramilitaries to gather information and later act on it by threatening and killing people. In one interview, a retired army major described paramilitaries as the "principal source" of army intelligence. "These people live in the region and have contacts with both their own side and with the enemy," he told us. "In fact the principal action of the paramilitaries is [to collect] intelligence, in addition to serving as an extermination group."

Even though government investigators have repeatedly identified paramilitary training camps, they continue to function even when they are close to military bases. When fully armed and equipped paramilitaries pass these same bases, rather than arresting them or seizing their illegal weapons, the Colombian military routinely lets them pass, acting only when it is time to collect the bodies left behind.

But these activities represent only half of the military - paramilitary partnership in Colombia. Fundamental is what we call the "strategy of impunity": how the deeds of officers who ally with paramilitaries, brought to light again and again by the government's civilian investigators, are systematically covered up by the military justice system, allowing these same officers to return to the field and continue their work of organizing, directing, and deploying paramilitary groups. The military high command is complicit in paramilitary atrocities and should be held accountable for them.

Human Rights Watch has also documented the disturbing role played by the United States in the military - paramilitary partnership. Despite Colombia's disastrous human rights record, a U.S. Defense Department and Central Intelligence Agency (CIA) team worked with Colombian military officers on the 1991 intelligence reorganization that resulted in the creation of killer networks that identified and killed civilians suspected of supporting guerrillas. Eyewitnesses have linked the new network run by the Colombian navy to the murders of at least fifty-seven people in and around the city of Barrancabermeja in 1992 and 1993, in incidents documented here.

In addition, U.S. military authorities have provided weapons ostensibly to fight drugs to Colombian military units with a record of serious and continuing human rights violations and have failed to establish appropriate screening mechanisms to ensure that U.S. aid is not used to commit these violations. According to a U.S. government report, U.S. military aid has gone to the First, Third, Fifth, Thirteenth, and Fourteenth Brigades, Mobile Brigades One and Two, and the Tarqui, José Hilario López, Numancia, Luciano D'Elhuyar, Ricuarte, Palacé, and La Popa Battalions. All are implicated in serious human rights violations, including violations associated with paramilitaries, some described in this report.

Another U.S. government report revealed that in 1994 U.S. training and equipment went to Mobile Brigade One and the Fourth Division in Meta; the Third Brigade in Cali; the Fourth Brigade in Medellin; the Sixth Brigade in lbague; the Eighth Brigade in Armenia, Valle; the Ninth Brigade in Neiva; the Eleventh Brigade in Antioquia; the Sixteenth Brigade in Yopal and Arauca; and three Special Forces units. All of these units are primarily devoted to fighting guerrillas and most have been implicated in human rights violations.

Since 1990, the year a U.S. commission of advisors drafted recommendations for Colombia's military intelligence reorganization, U.S. weaponry provided to the Colombian army and navy has included 2,020 M9 pistols, 426 M16A2 rifles, 945 M60E3 machine guns, and 255 shotguns, as well as various military vehicles and communication equipment. The year 1991, when the Colombian military's intelligence reorganization plan was implemented, was a banner one for U.S. arms shipments to Colombia: 10,000 M14 rifles, 700 M16 rifles, 623 M79 grenade launchers, 325 M60 machine guns, 26,000 60mm rifle grenades, 20,000 40mm rifle grenades, 37,000 hand grenades, 3,000 Claymore mines, and about fifteen million rounds of rifle ammunition.

Massacres committed by just one of the units that received U.S. military aid, the Palacé Battalion, took the lives of at least 120 people since 1990, killings that remain largely unpunished. All told, at least twenty-four Colombian army units comprising a significant percentage of total troop strength have received U.S. weaponry ostensibly to fight drugs.

The potential abuse of U.S. military aid and weaponry by security force units that violate human rights has long been a concern shared by Human Rights Watch and other national and international groups. Congress sought in 1994 to separate U.S. assistance from Colombia's notoriously abusive counterinsurgency effort by limiting military aid to units that engage "primarily" in counternarcotics operations. Congressional advocates of the 1994 restrictions had hoped to build a wall between counternarcotics units and units engaged in abusive counterinsurgency operations. In fact, the Colombian military does not have such counternarcotics units. Moreover, U.S. military assistance officials have made a virtue of their failure to distinguish between countemarcotics and counterinsurgency support by designating

Colombia's insurgents across the board as "narco-guerrillas" (other drug targets in Colombia are termed "narcotraffickers"). U.S. officials pointed to the "narco-guerrilia" phenomenon as vitiating the distinction between counterinsurgency and counternarcotics objectives, in so doing neatly sidestepping the intent of Congress to insulate the United States from Colombia's dirty war.

Notwithstanding the efforts to blur Colombia's countemarcotics and counterinsurgency efforts, the U.S. Military Advisory Group's 1994 End-Use Monitoring Report - published after the investigations identifying units implicated in human rights violations that had received U.S. aid - certified that Colombia was in compliance with U.S. legislation limiting weapons sales and that "US assistance is being effectively employed against narcotics activities."

Such inspections clearly fail to ensure that aid is not being used to commit human rights violations or by the units that commit them. They also fail to clearly show that the Colombian military does not transfer weapons provided by the United States to paramilitary forces. Nor have the U.S. teams that conduct these inspections made any measurable effort to inquire about ongoing human rights cases when visiting bases of publicly reported paramilitary activity.

Indeed, U.S. arms grants and sales to Colombia not only continue unimpeded, but are expected to reach a record level. The Pentagon estimates sales in FY 1996 at $84 million and in FY 1997 at $123 million - the highest level ever.

Also, Colombian officers trained by the U.S. and employed as military instructors have been implicated in serious human rights violations, including massacres committed by combined military - paramilitary groups. In 1996, the United States deployed at least two teams of fifty-two U.S. Army Special Forces personnel to Colombia for two-month missions. Out of forty-nine deployments involving a total of 231 U.S. military and intelligence advisors scheduled for 1996, thirty-two deployments involving ninety-seven advisors were in support of the navy. They included the stationing of a U.S. navy intelligence officer with the Colombian navy in Santafé de Bogotá. The CIA Directorate of operations has also sponsored training for Colombian Special Forces units.

Not all paramilitaries are intimate partners with the military. Clearly, others in Colombia - including wealthy landowners and drug traffickers - fund and direct private armies, which also commit acts of criminal and political violence. However, the military has not only created and deployed many paramilitary groups, but also allows virtually all of them to carry out political killings when it serves a common purpose, ridding the country of perceived guerrilla support.

Colombia's military and paramilitaries are not the only forces that commit acts of political violence. In 1995, three guerrilla insurgencies were linked to over 300 political killings as well as kidnappings, indiscriminate attacks, and death threats. Although all of Colombia's guerrillas have issued proclamations in support of international humanitarian law, in practice, none have consistently applied these standards, even when it comes to measures that would protect non-combatants. Human Rights Watch continues to condemn these violations and has called on the guerrillas to adopt measures to protect non-combatants.

It is time to clear the smokescreen of official denial and identify the military-paramilitary partnership for what it is: a sophisticated mechanism, in part supported by years of advice, training, weaponry, and official silence by the United States, that allows the Colombian military to fight a dirty war and Colombian officialdom to deny it. The price: thousands of dead, disappeared, maimed, and terrorized Colombians.

Based upon the findings of this report, Human Rights Watch makes a number of recommendations to the Colombian government, the U.S. government, and the international community. Colombian President Ernesto Samper should exercise his power to immediately suspend high-ranking officers implicated in the military-paramilitary partnership and convene a special team headed by the attorney general (Fiscal de la Nación) to investigate them. The Defense Ministry should fully cooperate by making these officers available for questioning. If merit is found to the accusations against them, these officers should be suspended from active duty pending the resolution of their cases and remanded immediately to civilian courts for prosecution.

In addition, the president should invite the attorney general to chair a joint government-non-governmental commission to investigate army units implicated in a pattern of organizing and promoting paramilitaries, including the Panther Task Force No. 27, Special Plan No. 7, the Bomboná, Bárbula, Rafael Reyes, Nariño, Voltígeros, Palacé, José Hilario López, Ricuarte, and Luciano D'Elhuyar Battalions, the Fifth, Seventh, Ninth, Tenth, Eleventh, and Fourteenth Brigades, the First and Second Mobile Brigades, and the Fourth Division. Officers implicated in the military paramilitary partnership should be suspended pending the results of the investigation. Measures designed to prevent future military-paramilitary activity should also be adopted. These should include a strict accounting of weapons, equipment (including radios), and supplies to certify that they are not being diverted to paramilitaries; clear and public directives prohibiting the recruitment, support, or collaboration with paramilitaries; a prohibition of using paramilitaries or individuals with a history of paramilitary activity as intelligence agents or informants; and quick, effective, and public punishment when military personnel violate these rules. We have also called on President Samper to convoke a special commission within the cabinet and including the presidential human rights counselor and a representative from the office of the High Commissioner on Peace to review all military manuals currently in use and revise them in a way that promotes a respect for human rights and the protection of non-combatants. These manuals should also be reviewed to ensure that they explicitly and clearly bar human rights violations and collaboration with paramilitaries.

In order to prevent this lethal pattern from repeating, President Samper should forward to Congress a reform of the military justice system that includes a narrow interpretation of the concept of "act of service," preventing military tribunals from gaining jurisdiction over human rights violations like extrajudicial execution, forced disappearance, and torture. Because of their evident partiality and the absence of due process guarantees, these tribunals should be limited to cases involving infractions of military discipline. President Samper should also present to Congress and fully support legislation that would make the act of forcible disappearance, defined as an unacknowledged arrest by the security forces, a crime punishable by law.

At the same time, the executive should clearly and forcefully resist military-backed attempts in Colombia's Congress to reform the constitution to end civilian oversight of the armed forces. We also believe that the government can protect judges and fortify the courts without

recurring to the curbs on due process that are part of the "public order system." The public order system should be reformed to empower justices to aggressively pursue drug traffickers, guerrillas, paramilitaries, and military officers who commit human rights crimes, while safeguarding those individuals' right to a fair trial. Finally, the government should increase funding to the attorney general's witness protection program, to allow prosecutors not only to protect those who testify against suspected drug traffickers and guerrillas, but also those whose testimony implicates security force members and paramilitaries accused of human rights violations.

Human Rights Watch also calls on the United States to immediately suspend all military aid, arms sales, and military training to Colombia since it is clear that aid has supplied units implicated in gross human rights violations.

In particular, the United States should suspend the pending delivery of $169 million in Black Hawk helicopters, M60 machine guns, and ammunition sold to Colombia as well as the $40 million in helicopters, communications gear, and equipment provided free of charge under the special drawdown authority of Section 506 (a) of the Foreign Assistance Act. In addition, we urge the U.S. government to immediately suspend the visas of Colombian officers implicated in human rights abuses, including those stemming from the military-paramilitary partnership, pending the results of an impartial and public investigation by the Colombian attorney general.

Aid should not be resumed until the longstanding practices of gross and persistent violations of human rights by the Colombian armed forces and their paramilitary partners have ceased. At a minimum, the resumption of aid should be conditioned on the willingness of the Colombian government to implement effective measures to eliminate and prevent any form of support, cooperation, or collaboration between the military and paramilitary forces. Paramilitary forces should be dismantled and disarmed. The Colombian government must demonstrate the effectiveness of its legal mechanisms for investigating and disciplining, including through criminal sanctions, members of the military responsible for human rights abuses.

Specifically, the Colombian government must conduct full and public investigations and effective prosecutions on key cases, including the Trujillo massacre, the Barrancabermeja navy intelligence network, threats and attacks against human rights monitors in Meta, the Puerto Patiño and Segovia massacres, and military-paramilitary activity in the Chucurí region.

The Colombian government must also conduct a full review of the armed forces' progress on stopping human rights abuses, in particular the appropriate punishment of officers found responsible for violations. Any review must pay special attention to the units listed above and implicated in this report in a serious and continuing pattern of human rights abuses.

With the U.S. government considering significant increases in assistance to Latin American drug law enforcement efforts, it must commit itself to making protection of human rights an integral component of those efforts before resuming military aid to Colombia. It must ensure that U.S. counternarcotics funds, training, equipment, intelligence sharing, and other support do not contribute to or underwrite human rights abuses in the recipient countries. The U.S. should immediately adopt safeguards to ensure that any future aid, for whatever declared

purpose, is not channeled to forces responsible for patterns of gross human rights abuse or otherwise contributes to the violation of human rights.

Current U.S. legislation on military assistance, including counternarcotics assistance, falls far short of the minimum standard necessary to protect human rights. U.S. legislators can no longer claim that limiting military aid and training to security force units engaged "primarily" in counternarcotics activities helps diminish support to abusive forces. If the Clinton Administration is serious about defending and promoting human rights, it must take immediate steps to ensure that no assistance goes to forces engaged in a systematic pattern of abuses.

Recognizing that this report raises many questions about CIA and U.S. military support for the reorganization of Colombia's intelligence services and subsequent assistance to the Colombian armed forces, Human Rights Watch urges the U.S. to conduct an immediate, comprehensive investigation of security assistance since 1990 to Colombia. This would include an investigation of the U.S. military and CIA role in advising Colombia's intelligence services; the extent to which U.S. officials had knowledge of or failed to pursue information on possible human rights violations by Colombian military and intelligence personnel and their paramilitary partners; and possible complicity in shielding military-paramilitary links from public scrutiny, thus shoring up the impunity that has allowed abuses to continue unabated. This investigation should include not just the human rights record of the military, but also inquire into the larger human rights record of paramilitary forces attached or associated in any way to the Colombian armed forces.

Information obtained by the U.S. in the course of counternarcotics intelligence gathering or other activities that indicates the possibility of human rights abuses should be turned over to the appropriate national public authorities. When the U.S. and Colombian Attorneys General renegotiate their agreement to share information on suspected drug traffickers, we strongly urge that these institutions also discuss the sharing of information gathered by the United States in the course of its counternarcotics operations, but which pertain to human rights violations and the military paramilitary partnership.

All U.S. personnel overseas, including personnel with the U.S. military, Drug Enforcement Administration (DEA), and CIA, should be immediately directed to report to appropriate Colombian and U.S. authorities any human rights abuses by Colombian military units about which they have information, regardless of the identity of the victim or perpetrator.

The Clinton Administration should seek legislation authorizing the incorporation of a human rights assessment in its annual drug "certification" report to Congress. That assessment would review the human rights implications of each country's anti-drug programs and laws.

Finally, we urge the member states of the European Union to immediately suspend all military aid to Colombia, including training, services, and arms deliveries pending results of the measures and investigations detailed in our recommendations to the Colombian government, including the suspension of military officers implicated in crimes, the adoption of measures to end the military - paramilitary partnership, and investigations of specific units implicated in crimes. Human Rights Watch strongly supports the U.N. plan to set up a permanent office in Colombia under the auspices of the U.N. High Commissioner for Human Rights and urges this office to make full and public reports on the human rights situation in Colombia.

II. THE HISTORY OF THE MILITARY-PARAMILITARY PARTNERSHIP

The use of armed civilians by political parties, local bosses, the government, and the armed forces has a long history in Colombia. A series of clashes between the Liberal and Conservative parties in the 19th century established a pattern that would echo for another century: political differences, economic competition, and personal vendettas that escalate into violence either ignored or actively abetted by the central government.

In this century, La Violencia (1948-1965), the name given to the civil war between Liberals, Conservatives, and the emerging Communist Party, became one of the largest armed mobilizations of peasants in the hemisphere. To end La Violencia, Liberal and Conservative leaders negotiated a power-sharing agreement that lasted from 1958 until 1974. Called the National Front, the agreement established a presidency that would alternate between the Liberal and Conservative parties. 1

However, many Colombians felt shut out by this deal, including the Liberal and Communist guerrillas that had fought during La Violencia. By 1966, when the pro-Cuba Revolutionary Armed Forces of Colombia (Fuerzas Armadas Revolucionarias de Colombia, FARC), which remains Colombia's largest insurgency, was founded, La Violencia had made the transition from civil war to a government campaign against communist guerrillas and their perceived supporters in civil society. The previous year, the National Liberation Army (Ejército de Liberación Nacional, ELN) had carried out its first armed action in the department of Santander. 2

By then, the Colombian military had embarked on a new relationship with the U.S. military, eager to confront the communist threat to the south. 3 The Colombian military's readiness to use civilians against a perceived enemy, be they political rivals or guerrilla insurgencies and their suspected supporters, fit what was by the 1960s a well developed U.S. cold war strategy: provide U.S. military support and training to governments battling communist insurgencies and encourage them to make allies of at times unsavory but effective civilian irregulars, be they right wing Greek paramilitaries, Filipino vigilantes, or Nicaraguan *contras*. For U.S. theorists and practitioners, civilian irregulars were most effective when they included army reservists, retired officers predisposed to a fierce anticommunism, and men familiar with local residents, customs, and terrain. Organized into so-called "self-defense forces," these civilians would be armed and trained by the army and provide troops with intelligence and logistical help, like guides; assist in psychological operations; and even fight alongside regular soldiers. 4

Within the Colombian army, one of the main proponents of engaging the "internal enemy" of communism with these methods was Gen. Alberto Ruiz Novoa, whose cold war experience included a stint as the commander of the Colombia Battalion in Korea from 1952-1953. 5 Colombia was among the first Latin American countries to sign mutual defense agreements with the United States and set up the first counterguerrilla training center in Latin America, called the Lancero School. 6

General Ruiz became army commander in 1960. By 1962, he had brought in U.S. Special Forces to train Colombian officers in cold war counterinsurgency. Colombian officers also began training at U.S. bases. 7 That year, a U.S. Army Special Warfare team visited Colombia to help refine *Plan Lazo*, a new counterinsurgency strategy General Ruiz was drafting. 8 U.S. advisors proposed that the United States "select civilian and military personnel for clandestine training in resistance operations in case they are needed later." Led by Gen. William P. Yarborough, the team further recommended that this structure "be used to perform counter-agent and counter-propaganda functions and as necessary execute paramilitary, sabotage and/or terrorist activities against known communist proponents. It should be backed by the United States." 9

Judging by the events that followed, the U.S. recommendations were implemented enthusiastically through *Plan Lazo*, formally adopted by the Colombian military on July 1, 1962. 10 While the military presented *Plan Lazo* to the public as a "hearts-and-minds" campaign to win support through public works and campaigns to improve the conditions that they believed fed armed subversion, privately it incorporated the Yarborough team's principal recommendations. Armed civilians - called "civil defense," "self-defense," or "population organization operations," among other terms - were expected to work directly with troops. Although the "hearts-and minds" component of military operations would wax and wane in importance over the next three decades, the central importance of civilians as armed allies would remain. 11

Far from imposing limits on the military and its anticommunist campaign, the administration of President Guillermo León Valencia (1962-1966) essentially turned over to them the problem of what in Colombia continues to be called "public order," a division of labor that persists today. One of the main ways this is done is through the declaration of a "state of siege" (now called a "state of internal commotion"). Colombia has spent thirty-seven of the past forty-seven years either under states of siege or states of internal commotion. 12

During a state of siege, the executive implements decrees that abrogate rights by transferring broad judicial and political powers to the military, with no or restricted civilian oversight. Often, supposedly temporary decrees are subsequently converted into permanent legislation. For instance, Decree 1290, implemented in 1965, sent civilians accused of supporting or belonging to insurgencies to military court martials, where proceedings were secret and key rights were suspended. 13 The military's offensive against the so-called "independent republics" of communist sympathizers in the departments (states) of Tolima and Cauca prompted President Valencia to declare a state of siege in May of 1965. Subsequently, Decree 3398 laid the legal foundation for the active involvement of civilians in the war from 1965 until 1989. Decree 3398 defined the defense of the nation as "the organization and tasking of all of the residents of the country and its natural resources ... to guarantee National Independence and institutional stability," and temporarily legalized the arming by the Defense Ministry of civilians. 14

However, in 1968, Law 48 converted Decree 3398 into permanent legislation. 15 Law 48 authorized the executive to create civil patrols by decree and for the Defense Ministry to provide them with "weapons restricted to the exclusive use of the armed forces." Although few civil patrols were ever formally created by the president, the military frequently cited Law 48 as the legal foundation for their support for all paramilitaries. 16

Since 1968, the Colombian military has published a series of combat manuals that build on the strategy first embodied in *Plan Lazo*. While some were made available to public scrutiny, others were marked "restricted" and kept virtually secret. 17 In the "Manual of Civil Military Cooperation," for instance, published in 1986 and marked public, army commanders are urged to perform such useful tasks as assessing the adequacy of classrooms and supplies available in local schools. 18

Other manuals, however, contained a more disturbing message. Among the most influential was Regulations for Counterguerrilla Combat (*Reglamento de Combate de Contraguerrillas*), which includes five U.S. Army Field Manuals and three U.S. Army Special Texts in its bibliography, several of which were focused on the organization of civilian forces. 19 In the Regulations, field commanders are instructed on how to "organize the civilian population militarily so that they may defend themselves against guerrilla actions and assist combat operations." These 11 self-defense committees" (*juntas de autodefensa*), the Regulations stress, should include individuals specially selected, trained, and equipped by the military and should be deployed as necessary with troops. 20

"This self-defense network," the manual stresses, "is a powerful tool to defend the nation against attacks from outside and within. That is why its control should remain in military hands at all times." For that purpose, the manual states that a single officer be assigned the task of organizing, training, equipping, and deploying self-defense groups. 21

The manual stresses the importance of recruiting reserve officers with proven loyalties and training them and other leaders in "combat technique ... .. tactics of defense in the region," and "psychological indoctrination." Weapons, including those restricted to military use, are to be provided to self-defense groups for "search, control, and destructive operations." According to the manual, the essential mission of self-defense is the "violent rejection of guerrilla actions in their region." 22

Another secret manual instructs field commanders to dress some soldiers in civilian clothes, allowing them "to enter houses as workers, visitors, to carry out special missions." Civic actions are seen not only as ways to win the loyalty of the civilian population, but also to test their reaction to troops. If it is indifferent or negative, those civilians are to be targeted as suspected subversives. When it is necessary to "test" individual civilians, officers are told to "send clandestine agents, who pretend to be carrying out bandit missions or belong to a guerrilla unit and later return with the military patrol." Those who fail the test are put on a "black list." Those whose loyalties remain under suspicion go on the "grey list." According to the manual, both should receive "*boleteos*" - anonymous, written threats to "frighten them and make them believe that they have been compromised and must abandon the area. 23

The dual publishing track of "public" vs. "uItra- secret" ensures that the armed forces appear to obey strict standards of conduct through public documents while allowing them to continue systematic, covert operations regulated by secret manuals.

By the 1970s, the Colombian Communist Party (Partido Comunista Colombiano, PCC had gained a political foothold in some areas, including the Middle Magdalena region and the departments of Meta and Cundinamarca. Meanwhile, the FARC grew rapidly, and in some areas adjudicated disputes, oversaw public works, and carried out some police functions. 24

For the military, civic action, like building roads and health clinics, became only one too] to halt the guerrilla advance. Paramilitaries were an integral part of their counterattack on guerrillas as well as what the U.S. Yarborough team identified as "known communist proponents." 25 However, in Colombia, that came to mean both real and suspected guerrilla supporters, including government critics, trade unionists, community organizers, opposition politicians, civic leaders, and human rights activists. Even nonviolent protest-for land, education, human rights, better wages, health care, public services, and clean water - was described in terms of a government battling communist agitators. Social protest, claimed Gen. Luis Carlos Camacho Leyva, defense minister from 1978-1982, was simply "the unarmed branch of subversion." 26

A more elegant version of the same belief was given by Gen. Fernando Landazábal, who served as Defense Minister under President Belisario Betancur (1982-1986). "As important as finding the subversives is finding their political leaders.... There is nothing more harmful for the development of counterrevolutionary operations than to dedicate all efforts to combat and the repression of the enemy's armed forces, leaving untouched the movement's political leaders, free to continue their activities." 27

One of the ways the military sought to control these political leaders was by supporting the authoritarian measures imposed by President Julio César Turbay (1978-1982), among them Decree 1923, called the "Security Statute." Decree 1923 loosely defined new crimes, like "disturbing public order," implemented press censorship, and gave police judicial powers. 28 At the time, some Colombians publicly opposed the Security Statute as a virtual "occupation" of civilian life by the military. As historian Francisco Leal Buitrago has noted, the Security Statute allowed the military "to expand its autonomy in matters of public order to unprecedented levels." 29

Political violence in Colombia took a dramatic turn on December 3, 198 1, when a helicopter flying over the city of Cali dropped leaflets announcing the formation of a new group, Death to Kidnappers (Muerte a Secuestradores, MAS). According to its founders, MAS was set up by 223 drug traffickers to retaliate for the kidnapping by the M-19 of Martha Nieves Ochoa, whose brothers were members of the Medellin Cartel. Some Colombians outside the drug trade shared the traffickers' anger at guerrillas. In the Middle Magdalena region, where people with land or businesses faced increased demands for so-called "war taxes," supplies, and food from the FARC, and were plagued by kidnapping for ransom, the MAS model represented a violent, yet effective means for fighting back. 30

The MAS model was adopted by the Bárbula Battalion, in Santander's Puerto Boyacá, and the town's military mayor, Capt. Oscar de Jesús Echandía. In 1982, Echandía convened a meeting of local people, including local Liberal and Conservative party leaders, businessmen, ranchers, and representatives from the Texas Petroleum Company. They found that their goal went far beyond protecting the population from guerrilla demands. They wanted to "cleanse" (*limpiar*) the region of subversives. To do so, they agreed to gather guns, clothing, food, and a fund to pay young men to fight. Money came from businessmen and ranchers, while the military committed tactical support. In essence, the army authorized and actively encouraged civilians to pursue and kill suspected guerrillas. Before ending the meeting, they chose a name for their new group: MAS, the same used by drug traffickers. 31

The original goal - to rid the area of guerrillas - quickly expanded to include anyone who opposed MAS, including a Puerto Boyacá council member, a political activist, and a doctor, all members of the progressive wing of the Liberal Party and all of whom were killed. 32 By 1983, MAS was taking part in joint operations with the army. At the time, local peasants reported numerous cases of troops accompanied by MAS members carrying out extrajudicial executions and destroying farms. 33

MAS also received support from the Bomboná Battalion in nearby Puerto Berrío. Among the men trained by Bomboná officers and employed as guides in 1981 were the Castaño brothers, sons of an Antioquia rancher kidnapped and killed by the FARC. The eldest, Fidel, vowed revenge. In the mid-1980s, the Castaños formed the Peasant Self Defense Groups of Córdoba and Urabá (Autodefensas Campesinas de Córdoba y Urabá, ACCU), a paramilitary force in northeastern Antioquia and Córdoba, departments where the family owns land. By the end of the decade, Fidel Castaño, known as "Rambo," was a top paramilitary leader as well as an influential drug trafficker. 34

After authorities registered 240 killings attributed to MAS, newly inaugurated President Belisario Betancur (1982 1986) ordered the Procuraduría, the government agency responsible for investigating reports of abuses by government employees, to open an investigation. 35 On February 20, 1983, Procurador Carlos Jiménez Gómez announced the results. Of the 163 individuals found to have links to MAS, fifty-nine were active duty police and military officers, including the commanders of the Bárbula and Bomboná Battalions. 36 Jiménez described them as "officials who go overboard when faced with the temptation to multiply their ability to act and take advantage of private agents, whom they begin to use as 'guides' and 'informants,' collaborators and assistants in general, and whom they end up using as a hidden weapon so that, with this plan of hired killers, they can do officiously what they cannot do officially." 37

Although Jimenez attempted to launch a broader investigation, the Disciplinary Tribunal, then in charge of resolving some jurisdictional disputes between military tribunals and civilian courts, ruled that the case belonged to the military, which dismissed all charges. At the time, Defense Minister Gen. Fernando Landazábal ordered members of the armed forces to contribute from their salaries to the legal defense of the accused. 38 Influential officers publicly defended paramilitaries by describing them as civilians who were simply defending themselves against guerrillas. None of the officers named were ever charged for their involvement with MAS. 39

The U.S. government's reaction to the report was negligible. The career of Colonel Ramón Emilio Gil Bermudez, commander of the Comando Operativo No. 10, in Cimitarra, department of Santander, serves as a disturbing example. Named in Jimenez's list, Gil was a highly decorated officer sent to Cimitarra in 1981, immediately after completing a training course in "combined strategic intelligence" in Washington, D.C. When the Procuraduría list was published, Gil had returned to Washington as the military attaché to the Colombian Embassy. Even as he was being investigated for creating, directing, and protecting MAS and personally ordering the murders of suspected guerrilla supporters, he was promoted and returned to the United States for additional course work. Gil retired with honors in 1994 after serving as commander of the armed forces, the country's top military post. 40

Despite this damning report, the military-paramilitary partnership continued. To counter the Procuraduría report, MAS set up a public entity to carry out civic improvements and aid peasants who joined their fight: the Association of Peasants and Ranchers of the Middle Magdalena (Asociación Campesina de Agricultores y Ganaderos del Magdalena Medio, ACDEGAM). Like the military's own counterinsurgency strategy, ACDEGAM operated on two levels: public statements against communism and in favor of a legalization of so-called "self-defense groups" paired with covert attacks, assassinations, and death threats through MAS and in league with the military. 41

Meanwhile, President Betancur had embarked on an ambitious plan to negotiate a cease-fire and eventual peace with guerrillas. Although the negotiation was plagued with problems, by 1984, the FARC had signed a cease-fire and was negotiating the creation of a new political party, the Patriotic Union (Unión Patriótica, UP), meant to represent Colombians who did not belong to traditional political parties as well as former guerrillas. 42 However, these efforts were bitterly opposed by the military and their civilian allies, including paramilitaries. Many guerrillas who took part in government negotiations were killed. Also targeted were UP members, trade unionists, human rights leaders, and community activists, killed by paramilitaries working with the open support of the military. 43

By 1985, ACDEGAM had powerful new members: drug traffickers who bought land in the Middle Magdalena. The financial support of king pins dramatically improved the quantity and quality of the group's weapons, intelligence gathering ability, and range of action. In 1987 and 1988, ACDEGAM even sponsored training centers with foreign instructors from Israel and Great Britain. 44 Foreign instructors also worked at Las Tangas, a Castaño ranch. 45 At the time, a goal of the drug-linked paramilitaries became "to attack Patriotic Union members and government representatives or political parties that oppose drug trafficking." 46

Years later, details of the lethal alliance between the military, paramilitaries, and drug traffickers were revealed in the testimony of former MAS member Diego Viáfara to government investigators. Viáfara, a medical student, had been attempting to join an M-19 unit in the Middle Magdalena when he was detected by MAS and captured. His life threatened, he accepted a government amnesty in 1983 and was taken into custody by the commander of the Barbula Battalion, Maj. Diego Velandia. Velandia returned him to MAS, where Viáfara was kept a virtual prisoner. Over time, he gained the confidence of MAS leaders and became their doctor. Until agreeing to cooperate with civilian authorities in 1988, Viáfara witnessed the close collaboration in MAS between army commanders, drug traffickers, and paramilitary leaders, among them Pablo Escobar, Gonzalo Rodríguez Gacha, known as "The Mexican," Fidel Castañ o, and Víctor Carranza, an emerald dealer and reputed drug trafficker with ranches in the Middle Magdalena and the department of Meta. 47

At the time, paramilitaries using the name MAS maintained organizations in at least eight of Colombia's thirty-two departments, including Antioquia, Boyacá, Caquetá, Córdoba, Cundinamarca, Meta, Putumayo, and Santander. Among the weapons they used were R-15 rifles, AKMs, Galils, FALs, and G-3 rifles, all prohibited for civilian use. Weapons and munitions were obtained from private sales as well as the military and Military Industry (Industria Militar, INDUMIL), the military-run weapons manufacturer and the only entity authorized to produce, store, and distribute firearms in Colombia. 48

Shortly after Viáfara confessed, police captured Luis Antonio Meneses Báez, a former army lieutenant who became a paramilitary leader. Meneses, known by the war name of "Ariel Otero," told authorities that paramilitaries maintained close relations with military intelligence, which controlled them and issued them orders. Although he said that the army, navy, and some local law enforcement agencies had relations with paramilitary groups, the army was closest. According to Meneses, regional army intelligence sections under the control of the "Charry Solano" Intelligence Battalion worked through local tactical units to develop paramilitary activities. 49

In 1986, Meneses said, the "Charry Solano" Intelligence Battalion organized a meeting of regional paramilitary leaders in order to forge a united front. 50 At the time, the battalion was under the command of Lt. Col. Alvaro Hernán Velandia (for more on this officer, see Impunity section). A second meeting took place in 1987, this time in Santander, "to create laws, norms, and structures for the organization." At the time, Meneses reported twenty-two socalled self defense groups in seventeen departments, all interconnected by radio and linked to the army by a designated liaison. 51

The year 1988 proved a crucial one. The Center for Investigation and Popular Education (Centro de Investigación y Educación Popular, CINEP), a human rights group, recorded 108 massacres that year (defined as the killing of four or more people for political reasons), the worst of the decade. Not only were paramilitaries increasingly active in the regions where their members were based; with the active coordination and support of the military, paramilitaries were also sent across country to kill supposed guerrilla collaborators. 52

For instance, in the case of the massacre on the La Honduras and La Negra farms, described more fully in the Impunity section of this report, over preceding weeks the army had arrested some of the eventual victims, taken their pictures, and detained others who were tortured into giving information. This information was then provided to the killers. Before the massacre, the killers were put up at a Medellin hotel by Maj. Luis Becerra Bohórquez, a member of the intelligence division of the Tenth Brigade. Becerra paid the bill with his Diner's Club card. 53

For civil authorities, the final straw came on January 18, 1989, when Middle Magdalena paramilitaries killed two judges and ten investigators near La Rochela, department of Santander. The team had been investigating killings in the area linked to military-backed paramilitaries. Government investigations later linked the massacre to a group working under the command of Lt. Luis Andrade Ortiz, the commander of the nearby Rafael Reyes Battalion, part of the Fourteenth Brigade. Andrade was eventually sentenced by a public order court to a five-year prison term for "assisting terrorist activities." However, a higher court overturned the decision and Andrade mysteriously escaped from a military prison in 1990. In 1994, a civil court in Santander ruled against the government and in favor of the family of murdered Judge Mariela Morales, awarding them damages of 1,000 rams of gold. In its decision, the court wrote that "members of the security forces knew of the activity of guerrillas and paramilitaries in the area ... and nevertheless, the commission was not protected. To the contrary, [the security forces] organized the massacre." 54

In April 1989, President Virgilio Barco (1986-1990) spoke out against paramilitaries, calling them "terrorist organizations.... In reality, the majority of their victims are not guerrillas. They are men, women, and even children, who have not taken up arms against institutions. They are peaceful Colombians." 55 The government moved to arrest paramilitary leaders and outlaw

further activity. Two military officers - Maj. Diego Velandia, commander of the Bárbula Battalion, and Lt. Col. Luis A. Bohórquez, commander of the Puerto Boyacá base - were relieved of their commands. Some training centers were dismantled, a special police unit was organized to hunt paramilitaries, and former paramilitaries testified to government investigators about their activities. 56

President Barco also issued the first of several decrees aimed at curbing paramilitary violence. 57 Among them was Decree 815, which reasserted that the sole power to create "self-defense" groups lay with the president, with additional approval required from the Defense and Government (now Interior) Ministries. On May 25, 1989, the Colombian Supreme Court overturned the provisions in Law 48 that allowed the army to distribute restricted weapons to civilians. Decree 1194, issued in June, established criminal penalties for civilians and members of the armed forces who recruit, train, promote, finance, organize, lead, or belong to "the armed groups, misnamed paramilitary groups, that have been formed into death squads, bands of hired assassins, self-defense groups, or groups that carry out their own justice." 58

To counter this legal barrage, ACDEGAM created a political party called the National Restoration Movement (Movimiento de Restoración Nacional, MORENA). However, after an investigation by the Administrative Security Department (Departamento Administrativo de Seguridad, DAS), an investigative force under the authority of the president, authorities issued arrest warrants for MORENA leaders on charges of murder, terrorism, and illegal weapons possession. 59

Even after these decrees were implemented, however, military leaders continued to work with paramilitaries, defending themselves by arguing that paramilitaries had been effective against guerrillas until drug traffickers induced them to work on behalf of what former Defense Minister Oscar Botero Restrepo termed "perverse interests." 60 In the Middle Magdalena, where the government had collected the most information about the military - paramilitary partnership, the army continued to openly support MAS, even patrolling with them and helping distribute pro-paramilitary propaganda. 61 According to former paramilitary commander Meneses, army intelligence even held a meeting with paramilitary leaders in the department of Caquetá after the Barco decrees, where they discussed ideology and operations planning. 62

By decade's end, Colombia had more paramilitaries than ever. The statistics kept on political violence confirm the deadly results of the military - paramilitary partnership. In the 1970s, human rights groups recorded 1,053 political killings. In the 1980s, that figure leapt to 12,859. 63 Looking back, Rafael Pardo, appointed Colombia's first civilian defense minister in 1991, concluded that by 1989, "Paramilitary groups engaged in organized violence posed the biggest threat to the country's institutional stability." 64

Footnotes:

1 Although exact figures are difficult to establish, historians believe that over 200.000 people were killed during La Violencia and two million became internally displaced. Jenny Pearce, *Colombia: Inside the Labyrinth* (London: Latin America Bureau, 1990), pp. 49-66.

2 By 1980, Colombia had eight guerrilla groups. Along with the FARC and ELN were the April 19 Movement (Movimiento 19 de Abril, M-19), named after the election date they believed was invalidated by fraud in 1970; the Popular Liberation Army (Ejército Popular de Liberación, EPL), active along the northern coast; the Quintín Lame, an indigenous group based in Cauca; the Revolutionary Workers Party (Partido Revolucionario de Trabajadores, PRT); Workers' Self-Defense (Autodefensa Obrera, ADO); and the Independent Revolutionary Movement - Free Homeland (Movimiento Independiente Revolucionario - Patria Libre, MIR-PL). Only the FARC, ELN. and a faction of the EPL remain active.

3 Before World War II, the Colombian army had been modelled on the Prussian army. After it, the United States became both weapons supplier and an ideological and structural model. For a history of the Colombian armed forces. see Elsa Blair Trujillo, *Las Fuerzas Armadas: Una Mirada Civil* (Santafé de Bogotá: CINEP. 1993).

4 The U.S. drew on diverse sources to create this strategy, including the practices of the German and Japanese armies during World War II. Michael McClintock, *Instruments of Statecraft: U.S. Guerrilla Warfare, Counterinsurgency, and Counterterrorism, 1940-1990* (New York: Pantheon Books. 1992), pp. 11 -17, 53-54, 59-68, 82-93.

5 Colombia was the only Latin American country to send troops there. Francisco Leal Buitrago, *El Oficio de la Guerra* (Santafé de Bogotá: Tercer Mundo/Instituto de Estudios Políticos y Relaciones Internacionales, 1994), pp. 47. 69.

6 The Lancero School began training young officers in 1955. Leal, *El Oficio de la Guerra*, p. 46; and Pearce, *Colombia: Inside the Labyrinth*, p. 63.

7 McClintock, *Instruments of Statecraft*, p. 187. Most of the officers who now advance to the highest ranks receive U.S. training. A partial listing is included in the section on U.S. policy.

8 Leal, *El oficio de la guerra*, p. 84.

9 Headquarters, U.S. Army Special Warfare School, "Subject: Visit to Colombia, South America, by a team from Special Warfare Center, Fort Bragg, North Carolina, 26 February 1962." Kennedy Library, Box 319, National Security Files, Special Group; Fort Bragg Team; Visit to Colombia; 3/62. As quoted in McClintock, *Instruments of Statecraft*, p. 222.

10 Richard Maullin, *Soldiers, Guerrillas, and Politics in Colombia* (Lexington, Massachusetts: Lexington Books, 1973), p. 69.

11 Leal, *El oficio de la guerra*, pp. 80-87, 100-101.

12 This accounting is based on a review of declarations through mid-1996.

13 The decree was overturned by the Supreme Court in 1987. In 1996, a bill introduced in the Colombian congress would return Colombians charged with rebellion to military tribunals. Ibid., pp. 73, 120; and Human Rights Watch telephone interview, Colombian Commission of Jurists (hereafter CCJ), September 12, 1996.

14 Leal, *El oficio de la guerra*, pp. 86-87.

15 For a more detailed description of this period, see Americas Watch, *The "Drug War" in Colombia: The Neglected Tragedy of Political Violence* (New York: Human Rights Watch, October 1990), pp. 11-18.

16 Americas Watch, *The Killings in Colombia* (New York: Human Rights Watch, April, 1989), pp. 50-51.

17 Colombian military classifications run from public to top secret as follows: publico (public), restringido (restricted), confidencial (confidential), reservado (reserved), secreto (secret), and ultra-secreto (top secret).

18 República de Colombia, Comando General de las Fuerzas Militares, *Reglamento de Cooperación Civil Militar* (Primera ed., Reglamento FF. MM. 5-1 público), 1986, pp. 33, 40-44, 68, 72.

19 McClintock, *Instruments of Statecraft*, pp. 223-224.

20 Translations by Human Rights Watch. Comando del Ejército, *Reglamento de Combate de Contraguerrillas*, EJC 3-10 Reserved, 1969 (and periodically updated).

21 Ibid.

22 Ibid.

23 Translations by Human Rights Watch. Fuerzas Militares de Colombia, *Instrucciones Generales para Operaciones de Contra-guerrillas* (no date).

24 Carlos Medina Gallego and Mireya Téllez Ardila. *La Violencia Parainstitucional, Paramilitary Parapolicial en Colombia* (Santafé de Bogotá: Rodriguez Quito Editores, 1994), pp. 86-88.

25 Headquarters, U.S. Army Special Warfare School, "Subject: Visit to Colombia," as quoted in McClintock, *Instruments of Statecraft*, p. 222.

26 Translation by Human Rights Watch. Blair, *Las Fuerzas Armadas*, p. 134.

27 Translation by Human Rights Watch. Gen. Fernando Landazábal Reyes, *La subversión y el conflicto social* (Santafé de Bogotá: Ediciones Tercer Mundo, 1980), p. 175.

28 Blair, *Las Fuerzas Armadas*, pp. 132, 137.

29 Leal, *El Oficio de la guerra*, pp. 55. 104.

30 Carlos Medina Gallego, *Autodefensas, Paramilitares y Narcotráfico en Colombia* (Santafé de Bogotá: Editorial Documentos Periodisticos, 1990), pp. 142-143, 170-177.

31 Medina and Téllez, *La violencia parainstitucional en Colombia*, pp. 88-89.

32 Department of Administrative Security (Departamento Administrativo de Seguridad. DAS) report on confessions of Maj. (ret.) Oscar de Jesús Echandía Sánchez, approximately 1989.

33 Medina, *Autodefensas, Paramilitares y Narcotráfico en Colombia*, pp. 178-182.

34 In a press interview, Fidel Castaño said he had formed a group known as "People Persecuted by Pablo Escobar, PEPES," credited with hunting down the fugitive drug lord in 1993. Castaño said he broke with Escobar after learning that he had delivered weapons to the ELN and ordered a personal friend of Castaño's killed. For more on the Castaño family, see the La Honduras / La Negra case in the Impunity section. "Yo fui el creador de los Pepes," *Semana*, May 31, 1994, pp. 38-46.

35 DAS report on confessions of Maj. (ret.) Oscar de Jesús Echandía Sánchez, approximately 1989.

36 Many of these officers would be repeatedly implicated in military - paramilitary atrocities over the following decade. Among them were Captain Echandía, commander of the Bárbula Battalion in Puerto Boyacá: Col. Alvaro Velandia, commander of the Patriotas de Honda Battalion, in Honda, department of Tolima: and Colonel Ramón Emilio Gil Bermúdez, commander of the Comando Operativo No. 10, in Cimitarra, department of Santander.

37 Translation by Human Rights Watch. Carlos Jiménez Gómez, *Una Procuraduría de Opinión Informe al Congreso y al País* (Santafé de Bogotá: Editorial Printer Colombiana Ltda. 1986), pp. 118-119.

38 Ibid., p. 121.

39 Americas Watch, *The Killings in Colombia*, pp. 55, 70.

40 Organización Mundial Contra la Tortura (OMCT). Asociación Americana de Juristas, Federación Latinoamericana de Asociaciones de Familiares de Desaparecidos, Pax Christi Internacional, Commission of the Churches on International Affairs, Rechtvaardigheid en Vrede, Commission Justice et Paix, Centre National de Cooperation au Developpement, Nationaal Centrurn Voor Ontwikkelingssamenwerking, Servicio Paz y Justicia America Latina (hereafter OMCT and others), *El Terrorismo de Estado en Colombia* (Brussels: Ediciones NCOS, 1992), pp. 146-147.

41 Medina and Téllez, *La violencia parainstitucional en Colombia*, pp. 96-97.

42 The M-19, EPL, and ADO also signed limited agreements. Only the ADO, however, was demobilized at the time.

43 Americas Watch, *The Killings in Colombia*, pp. 50-55.

44 Medina, *Autodefensas, Paramilitares y Narcotráfico en Colombia*, pp. 366-382.

45 "Testimonio clave," *Semana*, September 28, 1993.

46 Translation by Human Rights Watch. Testimony of Diego Viáfara Salinas to the Procuraduría, February 22, 1989.

47 Testimony of Diego Viáfara Salinas to the DAS, May 10, 1988; and DAS, "Organización de Sicarios y Narcotraficantes en el Magdalena Medio," an intelligence report, July 21, 1988.

48 Ibid.

49 Report on the interrogation of Luis Antonio Meneses Báez. Judicial and Investigative Police (Dirección de Policía Judicial e investigación. DIJIN), Santafé de Bogotá, November 1989.

50 Ibid.

51 Ibid. Meneses was later murdered under mysterious circumstances on January 8, 1992.

52 Diego Pérez - La situación de los derechos humanos en Colombia durante 1991," in *Colombia: Análisis al Futuro* (Santafé de Bogotá: CINEP. 1992), p. 112.

53 For a more complete summary, see Liga Internacional por los Derechos y, la Liberación de los Pueblos, Camino de la Niebla, Vol. III (Santafé de Bogotá: Liga Internacional por los Derechos y la Liberación de los Pueblos, 1990), pp. 155-246.

54 Translation by Human Rights Watch. OMCT and others, *Terrorismo de Estado*, pp. 29-30; and "Otra condena por caso La Rochela," *Vanguardia Liberal*, July 15, 1994.

55 Translation by Human Rights Watch. *El Tiempo*, April 20, 1989.

56 Over the years many more paramilitary leaders have been killed as a result of internal feuds and drug-related disagreements than have been arrested and prosecuted. Human Rights Watch interview, attorney general's office, July 10, 1996.

57 For a broader discussion, see Americas Watch, *The "Drug War " in Colombia*, pp. 12-16.

58 Translation by Human Rights Watch, Decree 1194.

59 Charges were filed against Luis Alfredo Rubio Rojas, former Puerto Boyacá mayor; Henry and Gonzalo de Jesús Pérez, Nelson Lesmes, Iván Roberto Duque, Luis Arturo Ramírez, and Luis Meneses Báez (alias Ariel Otero). Several were arrested, but others remain at large as of the writing of this report. Internal document.

60 Translation by Human Rights Watch. "Una calumnia a las Fuerzas Armadas," *El Tiempo,* March 30, 1990, as quoted in Americas Watch, *The "Drug War" in Colombia*, p. 17.

61 Residents of the village of La Plazuela told human rights groups that units from the Nueva Granada and Luciano D'Elhuyar Battalions patrolled with known MAS members and distributed pamphlets for the "Peasant Self-Defense Movement of Colombia" in 1990. Letter to Human Rights Watch from Father Javier Giraldo, Intercongregational Commission for Justice and Peace (hereafter Justice and Peace), March 8, 1990.

62 Report on the interrogation of Luis Antonio Meneses Báez, Intelligence Section of the Judicial and Investigative Police. Santafé de Bogotá, November 1989.

63 Liga Internacional por los Derechos y, la Liberación de los Pueblos, *El Camino de la Niebla, Vol. II* (Santafé de Bogotá: Liga Internacional por los Derechos y la Liberación de los Pueblos, 1990), p. 15.

64 Speech by Rafael Pardo, in Latin American Program. "Colombia: Human Rights and the Peace Process," No. 212, Working Paper Series published by the Woodrow Wilson International Center for Scholars, Washington, D.C., April 4, 1995, p. 14.

III. THE INTELLIGENCE REORGANIZATION

The New Structure

While the administration of President César Gaviria (1990-1994) was seeking political reform in Colombia, the United States was making a priority of the drug war throughout the hemisphere. The Andean strategy, devised by the administration of President George Bush (1988-1992), was meant to fortify antidrug efforts in South America. It concentrated U.S. efforts on "source countries," where coca leaves are grown and processed into cocaine. By 1990, the U.S. Southern Command, responsible for all U.S. military activities in Latin America and the Caribbean, had declared counter-drug efforts its "number one priority." 65

The United States increased aid to the Colombian military as a way of incorporating it into the counter-drug effort. In a telephone interview with Human Rights Watch, Col. (ret.) James S. Roach, Jr., then the U.S. Military Attache and the Defense Intelligence Agency (DIA) country liaison in Bogotá, said, "There was a very big debate going on [about how to best allocate] money for counternarcotics operations in Colombia. The U.S. was looking for a way to try to help. But if you're not going to be combatants [yourselves], you have to find something to do." 66

One area where U.S. officials decided they could help was in intelligence. In 1990, the United States formed a team that included representatives of the U.S. Embassy's Military Group, U.S. Southern Command, the DIA, and the CIA according to Colonel Roach. 67 The fourteen-member team was led by a U.S. navy captain, and made recommendations to the Colombian Defense Ministry for the reorganization of their military intelligence networks. A March 17, 1996, Defense Department letter to Sen. Patrick J. Leahy (D-VT) confirms the Defense Department's role, which is explained as an attempt to make Colombia's military intelligence networks "more efficient and effective." 68

Nevertheless, these recommendations were given despite the fact that some of the U.S. officials who collaborated with the team knew of the Colombian military's record of human rights abuses and its ongoing relations with paramilitaries - a relationship Human Rights Watch has been documenting in its reports for years. "The intent was not to be associated with paramilitaries," Colonel Roach said. "But we knew from Colombian news reports and [even] from Colombian military reports that they were still working with paramilitaries." 69

In an interview with Human Rights Watch, former Defense Minister Rafael Pardo said that in addition to recommendations received from the United States, the Defense Ministry solicited opinions from British and Israeli military intelligence. Pardo, who took office three months after the reorganization began, noted that Colombia favored the U.S. plan since it had the most points of convergence with what the Colombian military wanted. 70

The result was Order 200-05/91, issued by the Colombian Defense Ministry in May 1991 (see Appendix A). Human Rights Watch is making Order 200-05/91 public for the first time.

Contrary to the stated objectives of the Andean strategy, however, Order 200-05/91 has little if anything to do with combating drugs. Indeed, throughout its sixteen pages and corresponding appendices, the order, marked "reserved," makes no mention of drugs. Instead, the Colombian military, "based on the recommendations made by a commission of advisors from the U.S. Armed Forces," presented a plan to better combat what they call "escalating terrorism by armed subversion." 71

As we demonstrate in the next section, devoted to the naval intelligence network set up in Barrancabermeja, Order 200-05/91 laid the groundwork for continuing an illegal, covert partnership between the military and paramilitaries and demonstrates that this partnership was promoted by the military high command in violation of Decree 1194, which prohibits such contact. Although the term "paramilitaries" is not used in the order, the document lays out a system similar to the one present under the name of MAS and its military patrons in the Middle Magdalena.

Pardo told Human Rights Watch that this structure was not intended to incorporate illegal groups or to carry out illegal activities. Regardless of his caveat, however, the order provided a blueprint for just that: a secret network that relied on paramilitaries not only for intelligence, but to carry out murder.

Order 200-05/91, which Pardo acknowledged as authentic, instructs the army, navy, and air force to establish intelligence networks that will take orders from and provide intelligence to the military high command. 72 As laid out in Order 200-05/91, the job of supervising the reorganization went to the chair of the Joint Chiefs of Staff, Colombia's second-highest military post (the highest is the commander in chief of the Armed Forces). Once the new networks were established, they were to be coordinated by the "D-2" Department, the military intelligence division at central command in Santafé de Bogotá. All payments for services were to be made by the high command to the various branches of service.

Order 200-05/91 authorized the army to set up thirty networks divided evenly between urban and rural areas. The navy was to establish four networks in and around the country's major sea and river ports. The order provided for the air force to set up seven networks. Each network was expected not only to supply the high command with intelligence and act on its orders, but also coordinate closely with other military units in their regions. The order provided for each network to be supplied with a staff and administered by "an active-duty officer with great knowledge of the region and its problems, who can easily interact with people of the zone in order to maintain his front." In turn, this officer was to be assisted by "an officer or non-commissioned officer, retired or in active service, who has resources including a false identity and history, a vehicle, and a pre-established system of communications. He should have easy access to the target area.... He may also be a trustworthy civilian with training and influence." We do not know how many of the authorized networks were in fact established.

Under this employee were "control agents," "civilians or retired non-commissioned officers with sufficient experience and status." In turn, Order 200-05/91 provided for each network to hire from twenty-five to fifty "intelligence agents," who "must be, if possible, retired non-commissioned officers, trained to handle informants and process information." The informants, the order stressed, should be required to "maintain the highest degree of reserve before the people with whom they live." Order 200-05/91 instructs division and brigade commanders to select candidates "whether civilians or retired military personnel, for

integration into the network's cadre," but fails to make any mention of Decree 1194 or exclude paramilitaries from the ranks of the new intelligence networks. Order 200-05/91 does include, however, an urgent warning: the entire chain of command as well as the networks themselves must remain secret:

The study, selection, instruction, training, location and organization of these networks, urban as well as rural, will be covert and under the responsibility of the Division or Brigade Commanders, or their equivalents in other forces, and the Network Commanders.

All written material was to be removed once the process is completed. Open contacts and interaction with military installations "must be avoided." There "must be no written contracts with informants or civilian members of the network; everything must be agreed to orally." And the handling of the networks themselves "will be covert and compartmentalized, allowing for the necessary flexibility to cover targets of interest."

The Barrancabermeja Network

One of the networks that resulted from the reorganization was based in Barrancabermeja and run by the navy. The site of Colombia's largest oil refinery and a port on the Magdalena River, Barrancabermeja holds strategic importance for both the Colombian military and ELN. Naval intelligence, coordinating with MAS, had been implicated in killings before 1991, including the murder of trade unionist Manuel Gustavo Chacón, gunned down by a navy enlisted man on January 15, 1988. 73 But Order 200-05/91 gave new life to what had been since 1989 an illegal partnership. In partnership with MAS, the navy intelligence network set up in Barrancabermeja adopted as its goal not only the elimination of anyone perceived as supporting the guerrillas, but also members of the political opposition, journalists, trade unionists, and human rights workers, particularly if they investigated or criticized their terror tactics.

In an interview with Human Rights Watch, former intelligence agent Saulo Segura Palacios described the network and how it functioned in and around Barrancabermeja. A former non-commissioned navy officer, Segura said he was recruited by Navy Capt. Juan Carlos Alvarez Gutiérrez in October 1991. Alvarez had been appointed to command Naval Intelligence Network No. 07 by Lt. Col. Rodrigo Quiñones Cárdenas, chief of Naval Intelligence. Segura owned a retail clothing store, and said his main job was to provide cover for the network by renting office space, buying furniture, and cashing checks. 74

Alvarez appointed an active-duty non-commissioned naval officer, Carlos David López, to run the network's daily affairs. For his part, López directed three control agents including Ancizar Castaño Buitrago and ex-naval serviceman Miguel Durán. They managed at least seven intelligence agents, including Milton Martínez Plata, and oversaw dozens of informants and hit men, who were ordered to follow and attack targets throughout the zone. In a letter sent to the attorney general's office, López confessed his participation and corroborated Segura's story. 75

According to Segura, Alvarez and Quiñones would identify the targets, which included the membership and leaders of the Oil Workers' Union (Unión Sindical Obrero, USO), the San

Silvestre Transportation Workers' Union, the Regional Committee for the Defense of Human Rights (Comité Regional para la Defensa de los Derechos Humanos, CREDHOS) and the UP. 76 These were the same groups included in a death threat circulated in the name of the "Ariel Otero" Command, a paramilitary group, in January of 1992, vowing to retaliate for every guerrilla action by murdering someone. 77

Segura said network operatives and hit men also coordinated activities with the army's Nueva Granada Battalion, based in Barrancabermeja. 78 According to another witness, reserve officer Felipe Gómez, Nueva Granada Battalion commander Colonel Hurtado and Major Lee (first names unknown) identified additional targets. 79 According to the four witnesses who eventually confessed to authorities, Quiñones was the officer who evaluated intelligence and made the decision on how to respond. 80 One witness, former hit man Carlos Vergara Amaya, told prosecutors:

Col. (sic) Rodrigo Quiñones was told everything about the operations, I mean the investigations. And according to what was being investigated, he would speak with Capt. Juan Carlos Alvarez, alias "The Engineer," giving the green light if the operation was o.k. or not, in other words to kill people or not. After that, Capt. Juan Carlos Alvarez would communicate directly with [network administrator] Carlos David López and [control agent] Miguel Durán, who told us what to do. If it was by phone, they used the following codes: "There are some broken motors. I need you to repair them. They are in such and such a place." And they would give the address. "Take good mechanics and good tools." Mechanics meant *sicarios* [hitmen], good tools meant good weapons, and the motors meant the victims. 81

Following the model set out in Order 200-05/91, there were few written orders or contracts; most operations were arranged verbally. Although informants knew they were working for the navy, Segura told prosecutors, "they could have no formal or legal tie to the Defense Ministry." 82

However, one network employee, Felipe Gómez, who chose to collaborate with civilian authorities in exchange for a lowered sentence, told the attorney general's office that he had signed a contract with the Defense Ministry and Armed Forces. A reserve officer and former soldier, Gómez said one of his tasks was to help equip, direct, and encourage paramilitaries in the region. Gómez told authorities he was responsible for organizing paramilitaries in the towns of San Rafael de Chucurí, Las Montoyas, Campo Capote, Bocas del Carare, Puerto Gaitán, and La Ganadera. Gómez says he received weapons and equipment from the navy, including bolt-action rifles, M16 rifles, Galil rifles, revolvers, pistols, submachine guns, fragmentation grenades, military instruction texts, and high-frequency two-way radios to communicate with the navy and army. Gómez said another network employee, hit man Alexander Trujillo, boasted of a private arsenal authorized by the navy, including revolvers, pistols, grenades, rifles, machine guns, bullet-proof jackets, and abundant munitions. 83

Most of these weapons are expressly banned for civilian use and are classified as "for the exclusive use of the armed forces" (*uso privativo de las FFMM*). Weapons considered defensive, like .38 caliber pistols, must be properly licensed by the Defense Ministry. Nevertheless, both banned and restricted weapons are commonly used by paramilitaries. By law, the security forces are obligated to seize these weapons when found in the hands of civilians, check for proper licensing, and detain civilians for investigation and prosecution if

the weapons are illegal. However, in the case of Naval Intelligence Network 07, the law was clearly flaunted. 84

With Gómez, paramilitaries went to area settlements to demand collaboration, informing residents that they were a legal group supported by the government. Gómez says Captain Alvarez gave special orders to him to convince local ranchers to stop paying the guerrilla "war tax," and instead pay each paramilitary a monthly salary, a proposal he says was accepted. Other payments came directly from the Nueva Granada Battalion, where paramilitaries had a right to supplies, including toiletries. 85

Gómez apparently paid a high price for his participation. He told authorities that his wife had been shot four times in one non-fatal incident by unknown assailants. Two of her brothers were killed, and Gómez requested protection from the attorney general in exchange for his confession. 86 Despite repeated inquiries, Human Rights Watch has not been able to determine the fate of Gómez, López, or Vergara, witnesses who testified about the Navy Intelligence network in Barrancabermeja.

Throughout 1991 and 1992, paramilitaries also patrolled the nearby Chucurí region with soldiers from the Luciano D'Elhuyar Battalion, detaining and killing suspects and threatening those they accused of harboring sympathies for guerrillas. Farmers who resisted joining the patrols risked being labelled guerrilla supporters. Families paid paramilitaries a "war tax," funds that often went back to the army in weapons purchases. 87

Among the network's first victims in 1992 was Blanca Cecilia Valero, a member of CREDHOS and the secretary of attorney Jorge Gómez Lizarazo (no relation to Felipe), a CREDHOS founding member. On January 28, Jorge Gómez wrote an opinion piece in the *New York Times* entitled "Colombian Blood, U.S. Guns." In the article, widely circulated in Colombia, Gómez wrote, "The violence will continue until military and police complicity is fully understood and addressed." 88 The next day, Valero was gunned down outside the CREDHOS office. 89 Across the street, two policemen observed the murder and made no effort to follow the assailants, carrying automatic weapons and travelling on a motorcycle. 90 Gómez has since been forced to flee Colombia.

Over the next five months, dozens more were murdered in the region, including the vice-president and treasurer of the San Silvestre Transportation Workers' Union, USO members, and local peasants. 91 In his confession, López linked twenty-six murders and four massacres, with twenty more victims, to the network during that period. 92

The rash of murders attracted the attention of Ismael Jaimes, the editor and owner of *La Opinión*, a local newspaper. For his work, Jaimes became a target. Carlos David López later told authorities that Jaimes was targeted because "he published newspaper columns always accusing the security forces and state intelligence." On May 6, López told prosecutors, a navy hit man murdered Jaimes as he dropped off one of his children at school, a daily routine. 93

Not only those reporting on the military-paramilitary partnership were targeted. Civilian authorities who attempted to investigate or arrest alleged paramilitaries were also threatened. On March 29, a combined team of DAS, police, and judicial authorities travelled by helicopter to nearby El Carmen de Chucurí to arrest twenty-five alleged paramilitaries. Far

from assisting the official commission, army officers urged local residents to impede the arrests. Only one suspect was eventually placed in custody. 94

In Barrancabermeja, the killing continued. On June 28, López said, CREDHOS member Julio César Berrío was killed by navy gunmen as he left an ice cream parlor. A month later, navy operatives gunned down another CREDHOS member as she sat in the La Shanon Restaurant with the president of the San Silvestre Transportation Workers' Union and a member of the National Association of Peasant Small-holders (Asociación Nacional de Usuarios Campesinos, ANUC). All were killed. 95

According to Segura, the network's operatives also engaged the services of a gang of hit men led by José Alirio Ulloa. He told prosecutors that Ulloa did jobs for both the navy and army. Other hit men included Gerardo Alvarez, Diego López, and the four Cataño brothers, Luis, Rafael, Eliecer, and Hugo. 96 Their names appeared on the navy payroll as informants. López told authorities:

This group was paid, from the beginning, in the following way. The payment for information was overvalued. In other words, if there was good intelligence, for example the location of a subversive group in the Barrancabermeja area, the receipt was for 700,000 pesos. But really, the informant was only paid 100,000. The other 600,000 was used to pay the group of hit men. 97

According to Segura, "They would pay a group of hit men to do their thing, and then claim that these people were intelligence agents in order to justify the payments." 98

Even as the navy intelligence network was targeting supposed enemies, army intelligence units in league with MAS were threatening residents of a shelter set up for families forced to flee violence in rural areas. This lethal nexus was revealed on May 16, 1992, after Elvia María Córdoba, who had pretended to be a displaced person, confessed to the organizers of the Peasant Albergue (shelter) that MAS had given her the job of collecting intelligence on shelter residents. Several months earlier, MAS members had forced their way into the shelter and threatened the families living there at gun point. According to Córdoba, MAS had coordinated the action with the Fourteenth Brigade, which gave them a truck to travel from Puerto Berrío, where the brigade is located, to the shelter. Two days after leaving the shelter, Córdoba's body was found in a garbage dump on the city outskirts. As a result of her information, the shelter was temporarily closed for the safety of the workers and guests. 99

Human Rights Watch has also collected evidence indicating that the military in other areas operated in much the same way as in Barrancabermeja. "Lucas," a control agent we interviewed in the department of Putumayo in 1992, told us that he had been hired by the army to collect information, guard strategic installations, and do illicit jobs on command. A former professional soldier, "Lucas" considered himself a specialist in intelligence and carried an army issued .38 revolver. Local residents added that "Lucas" also worked with the local branch of the MAS, called the Masetos. 100 One of the "illicit jobs" Lucas said he had been given by the local army commander was to kill Adalberto Narváez, a local doctor and candidate for mayor:

Major Jairo Solano said this to me and to another guy, Juan [a control agent]. He asked if we knew a Mr. Adalberto, a doctor. Major Solano said, "This guy hands out medicine to the guerrillas. He treats them. He's helping them. He must be killed." 101

In Putumayo, communication between police, the army, and the Masetos was constant and fluid. The alliance was so public, local residents told us, that even police referred to the Masetos as "the law" and characterized MAS members as "employed by MAS headquarters in Puerto Boyacá." As in Barrancabermeja, where navy hit men also took part in robberies, the military's clandestine network ensured that not only could paramilitaries carry illegal weapons without fear of arrest, but also threaten, bully, terrorize, and even kill civilians for their own purposes. 102

Far from actively pursuing and arresting known navy hit men, the Barrancabermeja police also appear to have had a key role in covering up their crimes and ensuring that operatives remained free to carry out orders. One incident from Barrancabermeja dramatically illustrates how the security forces cooperated. On May 13, 1992, hit men José Ulloa and Diego Cataño killed two men, apparently on orders from the Nueva Granada Battalion. A warrant was issued for their arrests, and the two suspects along with two other navy hit men were later arrested at a roadblock set up by the army's Fourteenth Brigade. Brig. Gen. Marino Gutiérrez Isaza, the Fourteenth Brigade commander, later included José Ulloa's statement in a report:

[H]e said he had to kill two people, following the orders of a unit of the Nueva Granada Battalion for whom he worked, and he showed an officer a card identifying him as an employee of S-2 [intelligence section] of this Tactical Unit. He also said that if he knew the troops were going to detain him, they would have opened fire, preferring to have gone down fighting. 103

On June 1, the four men were turned over to police and intelligence authorities. But instead of being charged for the May 13 murders, all four vanished. 104 They may have been executed to prevent them from saying more. 105

Far from diminishing violence, the military intelligence network appears to have dramatically increased it. By the end of 1992, Barrancabermeja's murder rate had jumped by 49 percent over the figure recorded for 1990, the year before the reorganization. 106

Beginning in 1993, former members of the naval intelligence network, including Segura, began to testify against their superiors. According to Segura, he did so because his superiors wanted to kill him. Increased scrutiny apparently convinced Quiñones to remove some of his agents and transfer the network commander, Captain Alvarez, to Cartagena. He also transferred Segura to Bahía Solano, in the department of Chocó, where another naval intelligence network was operating. There, Segura told authorities he refused to follow Quiñones's orders to kill six men who worked in a local fishing cooperative. 107

"I told him that as a result of my investigations, I had managed to establish that the men I had been ordered to kill weren't guerrillas or even collaborators, drug traffickers, or arms traffickers. To the contrary, they were very beloved in the area because they are among the few who give people work." For this, Segura apparently went from executioner to target. 108

A few months later, Segura was shot twice but survived. Conversations between hit men that were surreptitiously recorded, then leaked to the press strongly suggest that Quiñones ordered Segura "separated from the business," a code for killed. 109 Carlos Vergara, a member of Ulloa's gang of hit men, testified to authorities that others had been promised 45,000,000 pesos apiece, the equivalent of $40,000, to kill the four who had agreed to testify. 110

Both Segura and López fled to Panama in February 1994. 111 There, Segura said they were approached by Colombian authorities and told to retract their accusations, with the promise that they would only be held in prison two months, then acquitted and released. 112 Both retracted their statements and were returned to Colombia. 113 However, at the time Human Rights Watch interviewed Segura, he had been in prison for sixteen months and fully confirmed his original statements.

Based largely on the testimony of Segura and López, along with Vergara and Gómez (who never contradicted their original statements), an investigation by the Special Investigations office of the Procuraduría has tied the network to fifty-seven murders in and around Barrancabermeja. 114 The case was then forwarded to the Procuraduría Delegate for Human Rights, who treated the case as a single crime and concluded that officers conspired "to form or collaborate with armed groups, as defined and prohibited by Decree 1194." 115

From prison, Segura told government investigators and Human Rights Watch that he thought he would be killed. On December 24, 1995, inside the Modelo's maximum-security wing, Segura was fatally shot. His murder remains unsolved.

Despite the strong case against Lt. Col. Quiñones and seven other implicated soldiers, a military tribunal ruled on December 15, 1994, that they should remain free pending trial. In his decision, Military Superior Tribunal Judge Alfonso Ospina Bonilla used the covert and compartmentalized system set up in Order 200-05/91 not to implicate Quiñones, but to absolve him of responsibility. In an astonishing defiance of the evidence before him, Ospina wrote that since neither Segura, Vergara, nor any of the network agents had reported direct contact with Quiñones, "there is no reason to impute [their] illicit activities to him." 116 Quiñones was later acquitted by a military tribunal and remains on active duty. 117

Reports of military - paramilitary collaboration in the region continue. Near Sabana de Torres, an hour from Barrancabermeja, local residents gave municipal authorities garbage collected from a camp occupied by the Peasant Self-Defense Group of Colombia (Autodefensas Campesinas de Colombia, ACC) in March 1995. Among the leavings were wrappings from army ration packets. 118 Once villages or individuals have apparently been identified as sympathetic to guerrillas, the military and paramilitaries work together to spread terror and force people to leave or face death. In Sabana de Torres, for example, local residents reported that soldiers told them that paramilitaries follow in their wake and would kill anyone who helped the guerrillas. Paramilitaries in the region go by the names "The Chainsaws," "Black Shadow," and the ACC, which has adopted uniforms with red armbands bearing the initials ACC. One witness interviewed by Human Rights Watch recounted how the soldiers' threat came true: "The ACC came about fifteen days later, asking about the guerrillas. That's when I left, because to stay meant being killed for sure." 119

Footnotes:

65 Chuck Call, *Clear and Present Danger: The U.S. Military and the War on Drugs in the Andes* (Washington, D.C.: Washington Office on Latin America, WOLA, October 1991), p. 1.

66 Human Rights Watch telephone interview, March 16, 1996.

67 Ibid.

68 Letter from Acting Assistant Secretary, of Defense Frederick Smith to Senator Patrick J. Leahy, March 17, 1996. (See Appendix D).

69 Human Rights Watch telephone interview, March 16, 1996.

70 Human Rights Watch interview, Washington, D.C., February 8, 1996.

71 All translations in this section by Human Rights Watch.

72 Human Rights Watch interview, Washington, D.C., February 8, 1996.

73 Former navy serviceman Pablo Francisco Pérez Cabrera received a sixteen-year sentence for the murder. However, no other officers were investigated for the crime. Other witnesses who apparently wanted to testify subsequently vanished. "USO pide garantías para testigos contra la Armada," *El Espectador*, January 6. 1994.

74 Human Rights Watch interview, Modelo Prison, Santafé de Bogotá, September 18, 1995

75 Letter from Carlos David Lopez to the Attorney General, December 7, 1993.

76 Letter from Saulo Segura Palacios to the Attorney General, December 7, 1993.

77 CREDHOS, "Informe Violencia en el Magdalena Medio, 1991-1992."

78 Letter from Saulo Segura to the Attorney General, December 7, 1993.

79 Letter from Felipe Gómez to the Attorney General, November 29, 1994. According to local human rights groups, Maj. Walter Javier Hurtado, apparently the same one and assigned to the Nueva Granada Battalion, had established a reputation as particularly aggressive. In 1993, when a government official and member of CREDHOS tried to locate a detainee at the base, Major Hurtado attacked the CREDHOS representative physically, accusing him of "working for the bandits [guerriIlas]." Far from reprimanding his officer, base commander Lt. Col. Luis García Chávez also insulted the human rights workers, calling them "the defenders of the guerrillas." CREDHOS S.O.S., July 1993.

80 Colonel Quiñones has denied these charges. Letter from Lt. Col. Rodrigo Quiñones Cárdenas Maj. Jairo Osorio Morales, and Maj. Rafael Colón Torres to Orlando Vásquez Velásquez, Procurador, October 28, 1994.

81 Testimony of Carlos Alberto Vergara Amaya to the attorney general 's office, February 11, 1994.

82 Letter from Saulo Segura Palacios to the Attorney General, December 7, 1993.

83 Letter from Felipe Gómez to the attorney general's office, November 29, 1994.

84 After the ban on arming paramilitaries in 1989, Decree 2535, implemented on December 17, 1993, added further detail to Colombia's already strict weapons restrictions by naming specific arms restricted solely for

military use, including pistols above .38 caliber, semiautomatic rifles above .22 caliber, all automatic weapons, weapons that have been modified after fabrication to increase their power, and accessories like silencers and infrared scopes. Andrés Soto, Paulina Zuleta. and Paula Peña, *Las armas de fuego ligeras en Colombia: alcances, diversidad y control* (Santafé de Bogotá: Centro de Estudios Internacionales, Jan.-March, 1994), pp. 18-20.

85 Letter from Felipe Gómez to the attorney general's office, November 29, 1994: and his testimony to the Attorney General, February 8, 1995.

86 Ibid.

87 For a summary of military - paramilitary collaboration in the region, see Justice and Peace, *El Proyecto Paramilitar en la Región de Chucurí* (Santafé de Bogotá: Justice and Peace, August 1992).

88 Jorge Gómez Lizarazo, "Colombian Blood, U.S. Guns," *New York Times*, January 28, 1992.

89 The previous year, CREDHOS members Alvaro Bustos Castro and Humberto Hernández were murdered in circumstances that suggest the involvement of the security forces. CREDHOS, "Informe Violencia en el Magdalena Medio, 1991-1992."

90 "Los derechos humanos en el Magdalena Medio de Colombia," *Reporte de Derechos Humanos*, Instituto Latinoamericano de Servicios Legales Alternativos, Vol. 1, No. 3, April 1992.

91 Ibid.

92 Letter from Carlos David López to the attorney general, December 7, 1993.

93 Ibid.

94 Human Rights Watch interview with "Enrique," a member of the team, Santafé de Bogotá, June 13, 1992.

95 Letter from Carlos David López to the attorney general, December 7, 1993.

96 According to Segura, Gerardo Alvarez and the Cataño brothers were among the perpetrators of the La Rochela massacre in January 1989. Segura told Human Rights Watch that the Cataño brothers had previously been paramilitaries, and had boasted of training with foreign instructors. Human Rights Watch interview, Modelo Prison, Santafé de Bogotá, September 18, 1995.

97 Letter from Carlos David López to the attorney general, December 7, 1993.

98 Human Rights Watch interview, Modelo Prison, Santafé de Bogotá, September 18, 1995.

99 Human Rights Watch interview, Barrancabermeja, June 6, 1992.

100 Human Rights Watch interviews, Orito, Putumayo, June 1992.

101 Ibid. The murder was never carried out, and Narváez won the election only to discover the plot after his inauguration. "Lucas" was later killed in circumstances that remain unclear.

102 Human Rights Watch interviews in Putumayo, June 1992.

103 This quote is based on notes Human Rights Watch took on a copy of the report shown to us by General Gutiérrez titled Report No. 3728BR14-B2-263, "Asunto: Informe desaparición personas," addressed to the commander of the Second Division and dated June 2, 1992.

104 Ibid.

105 According to López, Ulloa's wife brought a civil suit against the state charging that her husband was killed by the army. Letter from Carlos David López to the Attorney General, December 7, 1993.

106 CREDHOS, "Informe Violencia en el Magdalena Medio, 1991-1992."

107 Letter from Saulo Segura Palacios to the Attorney General, December 7, 1993.

108 Translation by Human Rights Watch. Ibid.

109 Translation by Human Rights Watch. "Los casetes de la red," *La Prensa*, January 5, 1994.

110 Testimony of Carlos Alberto Vergara Amaya to the attorney general's office, February 11, 1994.

111 "Salen del país ex militares de la Armada," *El Tiempo*, February 15, 1994.

112 Human Rights Watch interview, Modelo Prison, Santafé de Bogotá, September 18, 1995.

113 Declarations by Saulo Segura, July 1, 1994, and Carlos David López, July, 4, 1994, before Consul Jaime Santos Rodríguez, Panama.

114 "Inteligencia de la Armada habría permitido asesinatos," *El Tiempo*, August 4, 1994.

115 Human Rights Watch interview, July 11, 1996.

116 Decision of Alfonso Ospina Bonilla, Tribunal Superior Militar, December 15, 1994.

117 Human Rights Watch interview, attorney general's office, Santafé de Bogotá, July 9, 1996.

118 Human Rights Watch interviews, Sabana de Torres, April 9, 1995.

119 Ibid.

IV. THE CONTINUING PARTNERSHIP

Human Rights Watch has learned that, far from ending with the discovery of the naval intelligence network in Barrancabermeja and its partnership with paramilitaries, collaboration between military intelligence, division, brigade, and battalion commanders, and paramilitaries continues, as laid out in Order 200-05/91. Based on our interviews with witnesses and former participants, the government's own investigations, and abundant material collected by human rights groups and journalists, we believe that military high command continues to organize, encourage, and deploy paramilitaries to fight a covert war against those it suspects of support for guerrillas.

In this report, we are not suggesting that all paramilitaries are intimate partners with the military. Clearly, others in Colombia - including wealthy landowners and drug traffickers - fund and direct private armies, which also commit acts of criminal and political violence. However, the military has not only created and taken advantage of paramilitary groups, but also allows all of these groups to operate when it serves their common purpose, ridding the area of perceived guerrilla support, political opposition, or critics of their tactics, including human rights monitors.

Indeed, human rights groups have noted a marked increase in paramilitary activity nationally. In part due to continuing political crisis, paramilitaries appear to be consolidating their control of key areas in collaboration with the military. Increasingly, paramilitaries present themselves as a coordinated entity, with a national presence, agenda, and strategy. 120 According to the Colombian Commission of Jurists, close to half of all political killings committed in 1995 where a perpetrator is identified can be attributed to paramilitaries. 121

In 1994 alone, two new national paramilitary groups were announced with high-profile assassinations. One, calling itself Death to Communists and Guerrillas (Muerte a Comunistas y Guerrilleros, MACOGUE), was credited with responsibility for the August 9 murder of UP Sen. Manuel Cepeda and death threats to twenty-five other leaders, including two bishops, politicians, and amnestied guerrillas. 122 The formation of another, Colombia Without Guerrillas (Colombia Sin Guerrillas, COLSINGUE), was announced on July 28, after the murder of three union leaders in Antioquia. 123

That year, journalists received a document called "First Summit of Colombian Self-Defense Groups," a fifty-seven page manuscript drafted following a November 1994 meeting in Cimitarra, department of Santander, and written by paramilitaries. 124 The document contains a history of paramilitary groups, and recognizes that "self-defense groups were [originally] regulated by the army through its Combat Intelligence Manuals." The document underscores that the paramilitary movement will continue to consider "the political and trade union ranks of the extreme left" to be "military targets," as long as the guerrillas "continue to assassinate military and civilian personnel outside of combat, and to attack the relatives of self-defense group members." It ends by describing paramilitaries as a legitimate political project that has "always been allied with the state." 125

For his part, President Ernesto Samper, elected in 1994, has begun to rely increasingly on the military for support and has delayed action on many of the measures he promised to improve human rights protections, end the militaryparamilitary partnership, and curb impunity. We welcome the periodic initiatives announced by the government to locate and arrest paramilitary leaders, like the special commission reactivated in 1995 by Interior Minister Horacio Serpa to coordinate the investigation and search for paramilitary leaders, originally set up in 1989. 126 Serpa reiterated his condemnation of paramilitary groups in November, qualifying their behavior as "criminal.... They are fostering violence, just as guerrillas do, and causing a lot of harm and violence in our country." 127 But so far, results have been few.

To the contrary, President Samper has appeared increasingly hostile to human rights and measures that would end the military-paramilitary partnership. Among the most obvious signs of this was his decision to authorize civilians to set up "rural security cooperatives" with the stated intention of providing troops with intelligence on their regions. 128 Called CONVIVIR, they differ little in organization from the paramilitary units organized by the military in the 1980s. To the public, CONVIVIR are presented as associations of ranchers linked by radio and able to call on a privately-funded security detail if a guerrilla unit is detected in the area. However, human rights groups have expressed serious reservations about CONVIVIR. As in the MAS model, CONVIVIR groups maintain a close working relationship with police and army commanders, are funded by wealthy ranchers, and depend on a hired crew of young men, often former soldiers, to collect intelligence and ostensibly fend off guerrilla attack. The identities of CONVIVIR members and their employees are secret. Although the government says it does not arm CONVIVIR members, those who apply for weapons licenses through normal channels can receive them. 129 One of the newest CONVIVIR was reportedly inaugurated in April near San Vicente de Chucurí, a well-known paramilitary stronghold. 130 According to the government, these groups now number over fifty. 131

President Samper has also made statements that ignore the disastrous record compiled by the security forces, their intelligence networks, and the military-paramilitary partnership. In an address to officers at the War College in May 1996, President Samper stressed his government's commitment to setting up new "specialized intelligence groups both in the air force and navy." In addition, he showed little inclination to punish those who commit abuses and vowed to "prevent (soldiers) from having to constantly appear before court to respond to unfounded charges ... by other enemies instead of carrying out their duties for the benefit of the country," a reference to Procuraduría human rights investigations, a statement he has made repeatedly. 132

The government has also begun to rely on the declaration of states of siege, now called a state of "internal commotion," to govern. 133 After President Samper declared a state of internal commotion on August 16, 1995, following a series of massacres in the Urabá region, national human rights groups withdrew from a joint government NGO commission to study ways to improve human rights protections. In a joint statement, the groups described the government's attitude as an "180-degree turn ... previous government statements in support of human rights have been put off or subordinated to policies stemming from the state of commotion." 134 In a decision that surprised many, the Constitutional Court, a new institution formed as a result of the 1991 constitutional reform, struck down the decree as unconstitutional since, the court argued, the government had failed to prove that the violence was out of the ordinary and

therefore merited extraordinary measures. 135 Subsequently, several magistrates reported receiving death threats related to their decision. 136

On November 2, 1995, President Samper declared the second state of internal commotion of his presidency, in response to the assassination of Conservative leader Alvaro Gómez. 137 Apparently chastened, the Constitutional Court upheld its constitutionality. 138 Nevertheless, in what was considered a public rebuke of the Court, in July 1996, President Samper introduced to congress a bill that would reform the constitution and bar the court from reviewing the reasons behind a state of internal commotion in the future. 139 The state of internal commotion was prolonged twice by a Senate vote and remained in effect through October 1996. 140

One of the measures implemented as a result was Decree 0717, which bypasses civil authorities and allows military commanders to petition the executive to declare "special public order zones" and suspend key rights, like the right to travel and the right to live in some areas. 141 The first was declared in Urabá in May following a massacre of nine people attributed to the FARC. 142

Within a week, over one third of the country-including the departments of Vaupes, Caquetá, Meta, Guaviare, Vichada, and the Antioquia municipalities of Segovia and Remedios-were declared "special public order zones" under Decree 0871. 143 In the case of Guaviare, the department governor publicly criticized authorities for failing to notify him after the Fourth Division commander based in Villavicencio successfully petitioned for a "special public order zone." 144

In the following section, we illustrate the continuing partnership between the military and paramilitaries with a case study on the northern Magdalena region. In it, we focus on key areas of collaboration, including the collection of intelligence; the targeting of legal political groups, municipal offices, and individuals and the actions taken against them; and the transfer of weapons and supplies. Additional information on these ties is included in the key cases that are part of the Impunity section.

The Northern Magdalena: A Case Study

In 1995, Human Rights Watch carried out an in-depth investigation of the military-paramilitary partnership in the northern Magdalena region. Although we documented coordination between the military and paramilitaries in other regions, the northern Magdalena is a particularly revealing case study for two reasons. First, there is abundant evidence that the military and paramilitaries work together according to the MAS model tested in the 1980s and reformulated by military high command in Order 200-05/91. As importantly, the most compelling evidence we have collected comes from the government itself, and demonstrates that it is possible to identify the perpetrators of attacks and develop strong legal cases against them. All that is lacking is the political will to aggressively prosecute the military sponsors of paramilitary atrocities and bring them to justice.

Made up of parts of the departments of Cesar, Norte de Santander, and Bolivar, the northern Magdalena is primarily agricultural, with large cattle ranches interspersed with smaller family farms growing produce for local markets. Narrowed by two mountain ranges and bordering

Venezuela, it combines humid river valleys with and plateaus and thickly forested mountains. 145

Law enforcement investigators identify three groups engaged in violence here: the FARC and ELN; a handful of ranching families and drug traffickers who have organized paramilitary groups; and the military. Although violence has a long history here, the most recent increase dates from the early 1990s, as the military-paramilitary alliance based in Puerto Boyacá and Puerto Berrío began to push north in pursuit of suspected "subversives." By 1993, when Mobile Brigade 2 was active in the area, human rights groups were flooded with reports of serious human rights abuses. 146

In Ocaña, paramilitaries appeared publicly with their weapons. A uniformed police agent told Human Rights Watch in 1995, "We work with them. They help us with the guerrillas." Paramilitary leaders there use two-way radios to communicate directly with the army, said one witness who observed these communications from inside Ocaña's Santander Battalion. Said another witness, "The paramilitaries even have an office in town with computers." 147

In a letter to the Public Ombudsman (Defensoría) in Bogotá, the regional ombudsman identified a group calling itself the "Peasant Self-Defense Group" (Autodefensas Campesinas) as responsible for the July 30, 1994, massacre of six people. He reported that despite abundant evidence, Gen. Ricardo Cifuentes, commander of the Fifth Brigade and the officer responsible for the area, claimed "not to be aware of self-defense groups in the area." At the same time, civil authorities described themselves as "overwhelmed" with reports of such groups. 148

In 1995, a police investigation determined that local paramilitaries were organized by Maj. Jorge Alberto Lázaro Vergel, the Aguachica military commander. 149 According to the testimony of the Aguachica police commander, Major Lázaro had told him that he would "put bullets" in guerrillas active in Aguachica, named on his secret blacklist. Major Lázaro boasted of the support he received from the DAS, the Anti-Kidnapping Unit (Unidad Anti-Secuestro y Extorsión, UNASE), and local ranchers, including the Prada family, who had identified the police commander as a potential threat for failing "to collaborate with the work of the paramilitaries ... and hand[ing] over captured paramilitaries to prosecutors. 150

A later police investigation identified brothers Roberto, Juancho, and Martiniano Prada as paramilitary leaders. Among others was Fidel Medina, a foreman working for another rancher. Calling themselves "Los Masetos," the group consisted of approximately forty men armed with short- and long-range automatic weapons. 151 Witnesses told Human Rights Watch that paramilitaries in this area use .38 caliber revolvers, 9mm semi-automatic pistols and 9mm Uzi automatic sub-machine guns, Galil and G3 automatic rifles and AR-15 semiautomatic rifles, most illegal for civilian use. 152

To support them, local ranchers and farmers were obligated to pay monthly or quarterly protection fees. Among other things, fees go to purchase weapons, either from the military or on Colombia's thriving black market. 153 Those who failed to pay had to leave the zone or risk assassination. The Aguachica police commander described one meeting with Major Lázaro:

He wanted me to tell him who I was with, with them or with who. He said what I had to do was close my eyes and keep the police inside when they were doing an operation.... He told

me that no one could operate here without my order and I tell them yes or no, they are under my command and that we're not going to leave dead people around, we are going to grab people and disappear them because the dead make a lot of noise. 154

On January 15, 1995, paramilitaries under the command of Major Lázaro apparently carried out the most aggressive operation to date in the region: the Puerto Patiño massacre. Unlike in other cases we are aware of, a credible investigation was done by police. Human Rights Watch obtained an internal report on the massacre prepared by a special unit of the Judicial and Investigation Police (Dirección de Policía Judicial e Investigación de la Policía Nacional, DIJIN), part of Colombia's National Police. The report, included here as Appendix B, concludes that military officers, "in clear abuse of their authority, have failed to comply with state and institutional laws and directives [by] making alliances with armed groups." 155

This police investigation demonstrates two crucial points. Timely, independent investigations can identify the perpetrators of violence; and the failure to prosecute those perpetrators stems primarily from a lack of political will.

Puerto Patiño is a town north of Aguachica. A police investigation begun six days after the massacre established the following sequence of events. At approximately 5:00 a.m., forty heavily armed men, some wearing military uniforrns, entered two brothels called La Guapachosa and Los Charcos. There, they ordered everyone to lie face-down. After identifying those present, they took nine people. 156

Hours later, one of the nine returned and told family members "not to worry as nothing was going to happen to the boys and they would later be freed." Police suspected that the lone survivor was actually a paramilitary informant. After the massacre, soldiers detained him, then released him without making him available to testify to investigators. Despite the man's assurances, a search began. Two corpses were found in the morning; the remaining six were found that afternoon. Although the armed men had accused all present of being guerrilla collaborators, the police concluded that only two or three may have had ties to guerrillas, either by giving them shelter in their homes or transporting them in their canoes along the Patiño river. According to police, "The rest, it seems, were eliminated in order to have a psychological impact on the population, and thereby compel them to pay the protection money." 157

Some Puerto Patiño residents, well aware of the retribution they faced if they testified to police, were reluctant to cooperate. 158 Even as police investigators were preparing their report, a death list reportedly prepared by a regional DAS office collaborating with the military and containing the names of twelve we known civic leaders was being circulated. 159 The month of Lázaro's arrest, an armed group wearing army uniforms and armbands identifying them as the ACC broke into a meeting of local farmers on the Tokio ranch, captured four men and a woman, and executed them. The meeting had been called to discuss how to divide up the ranch, which had been peacefully occupied by poor farmers, then bought by the state to be deeded to them. 160

Lázaro was arrested by the Barranquilla branch of the attorney general's office on March 17, 1995, and held in the Fifth Brigade. 161 Nevertheless, Maj. Gen. Rodolfo Torrado Quintero, then army inspector general, denied to Human Rights Watch any army involvement. "The

major didn't participate in any massacre, and the military isn't involved in any way," he maintained. 162

In an interview with Human Rights Watch at the Aguachica base, Lt. Col. José Domingo García García, Lázaro's replacement, also denied that his forces ally with paramilitary groups. "The guerrillas are the ones who are outside the law. They are the delinquents. The only problem here is the guerrillas." 163 A day before the Human Rights Watch visit, García had defended the paramilitary presence on local television. "There is a conflict between the subversion and these groups who are trying to defend themselves," he told reporters. "These groups, the cattle ranchers and agricultural producers, are tired of the subversion." 164

Soldiers under his command who were interviewed by Human Rights Watch denied knowing about local paramilitaries. One, Private Rivera, who wore the uniform of an elite counter-guerrilla unit called Panther Task Force No. 27 (Fuerza de Tarea No. 27 Pantera), said he also didn't know what a Nazi swastika meant, or how one came to be tattooed on his arm. 165

However, Human Rights Watch has obtained a computer printout prepared by Panther Task Force No. 27 called "Latest Information on the Enemy" and dated July 11, 1995, that adds further evidence of the military-paramilitary partnership, threats against legal political groups, and political killings. Based on army intelligence, the list names dozens of people active in public life as alleged subversives, including "Libardo (sic) Galvis," a member of the local Communal Action Movement (Movimiento de Acción Comunitaria, MAC). 166 "Latest Information on the Enemy" describes MAC as a "political branch of the ELN [guerrillas]." According to army intelligence, Galvis and a colleague, Francisco Morato, had told peasants in a July 2 meeting "their objectives and how they hope to achieve them as a movement." 167

However, nothing is particularly suspect about that statement given that MAC is a legal political group organized in 1991. It represents an independent political movement supported by neighborhood committees, trade unions, and community activists. In Colombia's 1992 municipal elections, MAC members Manuel Claro Santiago and Elibardo Galvis were elected to the mayor's office and a seat on the municipal council (1992-1994), respectively. However, since the party's inception, MAC members have been persecuted by the army and local paramilitaries. 168

In 1994, Claro resigned from his post after receiving numerous death threats. His replacement, Patricia Rojas, lasted only six months before being replaced by a military mayor. 169 During her tenure, MAC member and municipal employee Erminson Sepúlveda Sarabia was shot and killed by five men who were identified by witnesses as using a vehicle belonging to UNASE to leave the scene. Sepúlveda had previously reported to the authorities threats from Major Lázaro and UNASE. 170

On July 31, 1994, President Cesar Gaviria appointed army Maj. John Carlos Vigoya mayor of Aguachica after civil authorities resigned due to threats and a rising climate of violence. 171 Far from restoring order, military control led to a virtual reign of terror by paramilitaries. Trade unionists, community activists, farmers, and local politicians all became targets. 172

Two months after the meeting attended by Galvis that was reported by army intelligence, on September 24, 1995, armed men, some wearing civilian clothes and others wearing uniforms with the insignia of the Panther Task Force No. 27, detained Jesús Emilio and Luis Tiberio

Galvis Barrera, Elibardo's brothers and fellow MAC members, at a roadblock. According to the Association for Alternative Social Development (Asociación para la Promoción Social Altemativa, MINGA), a human rights group active in the area, the men's bodies were later found decapitated and with their fingers burned. After leaving the roadblock, the armed men reportedly went to the nearby village of Morena, where they ransacked a community store and ordered people to lie face-down on the floor. Among them was Morena's Police Inspector, Emelda Ruiz, who was then assassinated in front of the community. The perpetrators announced that they would be back for other people whose names they had on their lists. 173

The surviving Galvis brother, Elibardo, has since received death threats, and has been forced to leave the area. 174 In less than four years as a political movement, three MAC leaders were killed in circumstances that strongly suggest military-paramilitary collaboration. Other movement members and sympathizers have also been killed, forcing MAC to disband. 175

In fact, the surveillance of legal political groups appears to be among the prime duties assigned to military intelligence, which has apparently used paramilitaries to gather information and later act on it by threatening and attacking political leaders. 176 In an interview with Human Rights Watch, one retired army major described paramilitaries as the "principal source" of army intelligence. "These people live in the region and have contacts with both their own side and with the enemy," he told us. "In fact the principal action of the paramilitaries is [to collect] intelligence, in addition to serving as an extermination group." 177

When asked, Gen. Harold Bedoya, then army commander and since promoted to commander of Colombia's armed forces, acknowledged that army high command identifies intelligence targets, but categorically denied that these targets include leftist political parties or movements, trade unions, or similar groups:

We don't have anything to do with intelligence on political activity. We are the arm of the state. Our function is clearly constitutional. We do intelligence on terrorist groups, subversives, armed groups. But if we get information that someone is linked with subversive action, we pass it on to the attorney general to investigate. We don't have the capability to do anything else. 178

Human Rights Watch posed the same question to Maj. Gen. Manuel José Bonett Locarno, at the time commander of the Second Division, which covers Aguachica and the northern Magdalena region. Bonett, who has since been promoted and is now commander of the army, claimed that the military "(doesn't) even have an investigative capability. We only collect intelligence for combat." 179 However, Human Rights Watch has obtained army intelligence documents that directly contradict these assertions. One, classified reserved and dated July 24, 1995, is signed by General Bonett himself. A division-wide order, it provides a seemingly dispassionate rationale for including all municipal governments as targets of army surveillance. It ends by suggesting that any project that benefits the local population is suspicious and potentially subversive:

It is well-known that the enemy is displacing the center of gravity of its strategic forces to the urban area. Taking into account national and international circumstances, [the enemy] does not now consider the overthrow of the state feasible. For this reason, they are focusing on small and medium municipalities to try and control their mayors, town councils, and, in

general, local authorities and their corresponding bureaucracies. Through this method, the goal is to manipulate the budget to further their political goals, order public works that would benefit the population, remove resources for themselves, and in general manipulate the municipal situation. To prevent this requires permanent surveillance of the municipalities and the way in which they are managing their funds.

The order goes on to say that such surveillance has led to investigations of town "mayors in Aguachica, San Alberto, Sabana de Torres, San Vicente [de Chucurí]" and even "some [state] governors." 180

A related military intelligence document, marked reserved and dated March 15, 1995, asserts that "subversives" have infiltrated an estimated 800 locally elected municipal governments nationwide and an unknown number of non-governmental organizations. In doing so, the document explicitly ties advocacy for human rights to a guerrilla-led campaign:

The subversion, directly or indirectly, has relations with non-governmental organizations (NGOs), especially leftist ones. They support public forums in apparent coordination with leftist groups, and have launched an offensive against the State and Colombian Military Forces, accusing them of being recurrent violators of human rights. 181

This document goes on to say that NGOs "in Colombia, the United States, Canada, Europe, Latin America and the Caribbean" have as part of their political objectives "the overcoming of impunity ... .. the vigilant and effective monitoring of human rights," and "the construction of a process of peace" - all, in the language of the analysis, elements of a guerrilla strategy. The order was sent from the Fifth Brigade to the army's Luciano D'Elhuyar commander at San Vicente de Chucurí.

Such surveillance of political groups is, in fact, military policy nationwide. At the army's Fourth Division headquarters in Villavicencio, Meta, officers - apparently unaware of any need for secrecy - freely showed Human Rights Watch the Weekly Intelligence Summary (Resumen Semanal de Inteligencia, RESIN). It features the categories for "traditional political parties" and "leftist political parties" and includes categories for "government" and "trade unions," suggesting that belonging to such groups may be considered an indication of guerrilla sympathies. One intelligence officer explained: "The idea is to establish who is a member of a subversive cell." 182

Given that such policies are implemented at the highest levels of the Colombian military, it is not surprising that Major Lázaro's 1995 arrest alone has not halted the killings in the northern Magdalena region. 183 To date, the Colombian government has failed to take the strong measures needed to halt violence stemming from the military-paramilitary partnership. In a letter to Colombia's interior minister, Aguachica mayor Luis Fernando Rincón reported a continuing high level of paramilitary activity. "In San Alberto so far this year, for example, three members of the town council, three alternates, and four local party leaders have been assassinated, among nearly 100 assassinations overall. Most of these murders have been attributed to paramilitaries. Likewise, in San Martín, it is commonly known that paramilitaries move with complete freedom." 184

Of the twenty-five civilians with outstanding arrest warrants for their alleged participation in paramilitary groups, Human Rights Watch is aware of only two arrests, including that of

Roberto Prada. 185 In Pelaya, north of Aguachica, witnesses told Human Rights Watch that paramilitaries continued to patrol openly months after the arrests of Prada and Major Lázaro. "Look, in Pelaya there is a restaurant that is diagonally across the street from the police and military outposts, and that's where the paramilitaries go to eat lunch," said one. "There's even a billiard hall next door where they both [soldiers and paramilitaries] hang out." 186 Further north, in Pailitas, a paramilitary group detained over sixty people at an afternoon roadblock on May 8, 1996, tortured two bus drivers with a whip that had a bullet tied to its tip, then executed them. 187

Unconvincing Denials

The military continues to deny that it sets up, sponsors, or tolerates paramilitary groups. In a series of interviews with Human Rights Watch, army commanders repeatedly claimed to be doing all they could to combat paramilitary groups. General Bedoya, at the time commander of Colombia's army, told us that the Colombian military has severed all ties and has pursued paramilitaries who refuse to disarm. "The army has nothing to do with groups on the margin of the law. It is a policy of the government and the army not to get involved with these groups, which are illegal. Our mission is to confront delinquents." 188

For his part, Maj. Gen. Marino Gutiérrez Isaza, commander of the Fourth Division based in Villavicencio, department of Meta, told us, "The paramilitaries? Nobody has given me any information about where they are, or I'd go capture them." 189 Gen. Gutiérrez was apparently unaware that a 1994 police investigation concluded that Víctor Carranza, a well-known emerald dealer and reputed drug trafficker, controls a so-called "private justice group" in his jurisdiction that is armed with guns licensed by the Defense Ministry. 190

Similarly, Major General Bonett, then the army's Second Division commander and responsible for the northern Magdalena region, said: "Training bases for paramilitaries? If we knew of one, we'd go there and capture them." 191

In fact, the locations of paramilitary training centers in both Meta and the northern Magdalena region are well known. Human Rights Watch has obtained reports written during Colombian law enforcement investigations identifying paramilitary training centers in Valencia, department of Córdoba; Quipama, Otanche, Borbur, and Puerto Boyacá, department of Boyacá; Cimitarra, El Carmen, San Vicente de Chucurí, and Puerto Parra, department of Santander; Puerto Nare and Puerto Berrío, department of Antioquia; La Azulita, department of Putumayo; Puerto López and Puerto Gaitán, department of Meta; Yacopi, department of Cundinamarca; Trujillo, Tuluá, and Cartago, department of Valle; and the Urabá region. In addition, the investigations describe the department of Cesar, where Aguachica is located, and the department of Casanare as paramilitary "areas of influence." 192

Among the paramilitary leaders who reportedly maintain training bases is Victor Carranza. One government report lists land bought by Victor Carranza in the northern Magdalena region in 1994 and used for training:

[Near] San Martín there were, in addition to a "command post" operating in the urban center, two places that were being used as "paramilitary bases." One is the Hacienda El Tesoro, located behind the Morrison Base, and the other is the El Barro farm, located near the army's

base in Torcoroma. According to witnesses, armed men often leave these [paramilitary bases] in [four-wheel drive] vehicles with polarized windows ... What is highly disturbing is that, according to certain information, the army has not acted on these suspicious movements. 193

Witnesses from the region told Human Rights Watch that Hacienda El Tesoro is normally guarded by about forty armed men. 194 Witnesses reported that one army lieutenant from the Morrison base forced his soldiers to turn over their camouflage uniforms to the paramilitaries based at El Tesoro farm. 195

In the face of credible reports from civilian investigators, high-ranking officers have closed ranks and charged that evidence of the military-paramilitary partnership is merely guerrilla propaganda - with a chilling effect on any attempt at serious inquiry. For example, Gen. Rito Alejo Del Río Rojas, who has been linked to support for paramilitaries in the Middle Magdalena and at the time of our interview was the commander of the Seventeenth Brigade, told the press in 1996 that such allegations are "manipulations by the FARC." 196 In an interview with Human Rights Watch, General Del Río, who commands an area where the Castaño family's ACCU has a highly visible presence, complete with uniformed members and frequent roadblocks along heavily-travelled roads, acknowledged their existence, but claimed that because paramilitaries "never attack" the security forces, they are virtually impossible to locate and capture. 197

Accusations that reports of paramilitary activity are guerrilla propaganda are not new, nor do they always remain at the level of statements to the press. Human rights groups that publish credible reports, including information about the military-paramilitary partnership, and call for investigations have been drawn into court by military commanders claiming slander (*calumnia*). Although Colombian courts have so far ruled against the military in such cases, the litigation has a chilling effect. 198

For instance, in 1996, General Bedoya filed slander charges against Father Javier Giraldo, the director of Justice and Peace, a leading Colombian human rights group, for its reporting on the military-paramilitary partnership in the Chucurí. 199 Three years earlier, Bedoya accused sixty-one human rights leaders of slander for publicly characterizing the arrest by troops under his command of a trade unionist as an arbitrary detention. Bedoya claimed that the statement threatened the military's "good name," but a judge ruled that the charge was unfounded. 200

Footnotes:

120 Human Rights Watch interviews, Santafé de Bogotá, June 25-30, 1996.

121 In 1993, paramilitaries were linked to 18 percent of such killings, rising to 35 percent in 1994 and 46 percent in 1995. CCJ, *Colombia, derechos humanos y derecho humanitario, 1995* (Santafé de Bogotá: CCJ, 1996), p. 5.

122 EFE, Foreign Broadcast Information Service (FBIS), Latin America, August 22, 1994.

123 They were Guillermo Marin, Efren Correa, and Jairo Leon Agudelo, *El Tiempo*, FBIS, July 31, 1994.

124 in an interview with Human Rights Watch on July 4, 1996, in the state of Córdova, Colombia, Carlos Castaño, the leader of the ACCU, stated that "First Summit of the Self-Defense Groups of Colombia" ("Primera Cumbre de las Autodefensas de Colombia") was written under his guidance.

125 Translation by Human Rights Watch. Ibid.

126 Human Rights Watch interview with Interior Minister Horacio Serpa Uribe, Santafé de Bogotá, November 7, 1995.

127 "Colombia: Colombian Government Condemns Paramilitary Groups," *Reuter*, November 7, 1996.

128 According to Decree 3567, issued on February 11, 1994, weapons licenses can also be issued by the government to "cooperatives, community associations, or communal businesses to operate a communal watch committee and private security in the area where the community is located. They can operate with or without weapons." Translation by Human Rights Watch.

129 Human Rights Watch visit to CONVIVIR, Rio Negro, Antioquia, July 4, 1996.

130 Convivir: Opción de Guerra por la paz," *El Espectador*, April 28, 1996.

131 Human Rights Watch interview, with Interior Minister Horacio Serpa, November 16, 1995.

132 "President Discusses Military Issues," Sanfafé de Bogotá Radiodifusora Nacional de Colombia, FBIS, May 10, 1996.

133 The state of internal commotion is part of Law 104, passed in 1993.

134 Translation by Human Rights Watch. Declaración de las ONG pertenecientes a la Comisión Mixta de Derechos Humanos creada por el D. 1533 de 1994.

135 Nelson Socha Masso, "No es el tiempo de la Corte," *Ciendías*, Jan-March 1996, pp. 12-14.

136 "Amenazas contra magistrados de la Corte Constitutional," *El Tiempo*, October 23, 1995.

137 "Colombia: Military Shuffle does not affect Esguerra," *El Espectador*, FBIS, May 21, 1996.

138 Diana Losada Castaño, "Habrá libre circulación en zonas de órden público," *El Colombiano*, July 6, 1996.

139 "Reducirán control de la Corte," *El Tiempo*, July 10, 1996.

140 "Samper solicita al Congreso prorrogar Estado de Conmoción," *El Tiempo*, April 16, 1996.

141 Translation by Human Rights Watch. Decree 0717, April 18, 1996.

142 "Colombia: FARC guerrillas kill 9 in Uraba 'Massacre'," Santafé de Bogotá Radio Cadena Nacional, FBIS, May 6, 1996.

143 "Cinco mil policías irán a zonas rojas," *El Tiempo*, May 17, 1996.

144 "Colombia: Defense Minister Discusses Border Issues," Santafé de Bogotá Emisoras Caracol, FBIS, May 22, 1996.

145 Colombians divide the Middle Magdalena into two "sub-regions": the southern portion, centering around the cities of Bucaramanga and Barrancabermeja and tied closely to oil production; and the northern portion. centering on the cities of Aguachica and Ocaña and primarily agricultural. For more, see CCJ, *Nordeste Antioqueño y Magdalena Medio* (Santafé de Bogotá: CCJ, 1993), pp. 74-86.

146 At the time. Gen. Agustín Ardila Uribe commanded Mobile Brigade 2. Letter from Father Javier Giraldo, Justice and Peace, to Carlos Vicente de Roux. Presidential Counselor for Human Rights, August 2, 1993.

147 Human Rights Watch interviews, Ocaña, April 1995.

148 Letter from Hernando Toro Parra, Defensor del Pueblo-Regional Magdalena Medio, to Jaime Córdoba Triviño, Defensor del Pueblo, July 2, 1994.

149 Previously. local activists and human rights monitors had identified other army officers attached to Aguachica - including Maj. Julio Jaramillo and Maj. Raúl Samuel Rodríguez Aguirre - believed to support paramilitaries and sponsor threats and attacks against local leaders. Aguachica includes the Aguas Claras base, in Aguachica, and the Morrison Base, in nearby San Martín.

150 UNASE is a combined force of police and military personnel, and in this area is run by the army's Fifth Brigade. Declaration by Aguachica police commander to the Judicial Police, February 6, 1995.

151 DIJIN, "'Report on the Investigation of the Puerto Patiño (Cesar) massacre, Santafé de Bogotá, February 13, 1995.

152 Human Rights Watch interviews, Magdalena region, April 1995.

153 Human Rights Watch interview, Santafé de Bogotá, September, 1995.

154 Translation by Human Rights Watch. Declaration by Aguachica police commander to the Judicial Police, February 6, 1995.

155 The following summary is based on the police report. DIJIN. "Report on the Investigation of the Puerto Patiño (Cesar) massacre. Santaf&etilde; de Bogotá, February 13, 1995.

156 Ibid.

157 Ibid.

158 Ibid.

159 Association for Alternative Social Development (*Asociación para la Promoción Social Alternativa*, MINGA) Urgent Action, January 30, 1995.

160 Investigation by San Alberto police, Oficio 084, April 22, 1995, and related correspondence to DIJIN.

161 "Trasladado capitán de policía en Aguachica," *El Tiempo*, April 11, 1995.

162 Human Rights Watch interview, Villavicencio, October 9, 1995.

163 Human Rights Watch interview, Aguachica, October 14, 1995.

164 Television interview, Aguachica local broadcast, October 13, 1995.

165 Human Rights Watch interview, Aguachica, October 13, 1995.

166 Fuerza de Tarea No. 27 Pantera, Ultimas Informaciones del Enemigo, April 8-July 11, 1995.

167 Ibid. This characterization is especially ironic given that MAC has also been the target of guerrilla violence. Soon after it was founded, a MAC member travelling with Galvis was detained and later murdered by the ELN according to MAC members interviewed in Aguachica by Human Rights Watch in April 1995.

168 MAC Urgent Action (no date), referring to attacks and threats between 1991-1993.

169 MINGA Urgent Action, "Political Genocide Continues in Aguachica, Cesar," January 29, 1994.

170 Letter to Human Rights Watch from Justice and Peace and MINGA, February 1, 1994.

171 Patricia Rojas replaced Manuel Claro after he resigned due to death threats. In turn, she resigned after threats from paramilitaries and the ELN. Enrique Santos Calderón, "Tara vencer el miedo," *El Tiempo*, April 20, 1995; and "Alcalde militar en Aguachica," *El Espectador*, June 1, 1994.

172 Human Rights Watch interviews, Ocaña, April 1995.

173 MINGA Urgent Action, "Political Genocide Continues in Aguachica, Cesar," Santafé de Bogotá, September 25, 1995.

174 Human Rights Watch interview with Elibardo Galvis, October 4, 1995.

175 Human Rights Watch interview, Aguachica, April 14, 1995.

176 Human Rights Watch interviews with non-commissioned officers in Villavicencio, Meta, October 9-10, 1995; San Vicente de Chucurí, Santander, October 11-12, 1995, Aguachica, Cesar, October 12-13, 1995.

177 Human Rights Watch interview, Santafé de Bogotá, September 8, 1995.

178 Human Rights Watch interview, Santafé de Bogotá, October 20, 1995.

179 Human Rights Watch interview, Bucaramanga, October 12, 1995.

180 Translation by Human Rights Watch. Asunto: Examinación de la Estrategia Divisionaria, reserved, signed by Maj. Gen. Manuel José Bonet Locarno, Second Division commander, July 24, 1995.

181 Translation by Human Rights Watch. Asunto: Apreciación Coyuntural Situación Nacional 02 Marzo 1995, Atención San Vicente de Chucurí, Combate Batallón de Infantería No. 40 Luciano D'El Huyar (sic); (signed) Tnte. Cor. José Domingo García García, Segunda Comandante y JEM [Jefe del Estado Mayor] Quinta Brigada.

182 Human Rights Watch interviews, army Fourth Division, Villavicencio, October 9-10, 1995.

183 Despite repeated requests to the Defense Ministry on May 7 and July 26 and in person on June 24, 1996, for information on the whereabouts and legal status of Major Lázaro, we have not received a reply.

184 Translation by Human Rights Watch. Letter from Aguachica Mayor Luis Fernando Rincón to Colombian Interior Minister Horacio Serpa Uribe, October 3, 1995.

185 Letter from Father Javier Giraldo to Human Rights Watch, October 18, 1996.

186 Human Rights Watch interview with witnesses from southern Cesar, September 1995.

187 The victims were Luis Uribe and Luis Fuentes Marqués, who drove the route between Pailitas and the villages of El Terror and Caño Arenas. Amnesty International Urgent Action 260/95, Further information, July 1, 1996.

188 Human Rights Watch interview, Santafé de Bogotá, October 20, 1995.

189 As a brigadier general. Gutiérrez commanded the army's Fourteenth Brigade in Puerto Berrío, a known paramilitary center. Human Rights Watch interview with Maj. Gen. Marino Gutiérrez Isaza, Villavicencio, October 10, 1995.

190 Official Response number 2970, reserved, November 24, 1994, DIJIN Intelligence Section, Villavicencio, Meta.

191 Human Rights Watch interview, Bucaramanga, October 12, 1995.

192 Colombian law enforcement agency, "Private Justice Groups in Colombia," Santafé de Bogotá, July 1995. Our source agreement prevents us from further identification.

193 "Informe Sobre La Situación del Sur del Cesar y el Magdalena Medio Santandereano," Consejería para la Defensa, Protección y Promoción de los Derechos Especiales, Octubre de 1994.

194 Human Rights Watch interviews, April 1995.

195 Human Rights Watch interview with witnesses from southern Cesar, September 1995.

196 As a lieutenant colonel, Del Río was linked to a shipment of automatic weapons to paramilitaries in Puerto Boyacá in 1985. Although the DAS collected testimony from a former paramilitary implicating Del Rio, no investigation was ever conducted. OMCT and others, *Terrorismo de Estado*, p. 109.

197 Human Rights Watch interview, Carepa, July 6, 1996.

198 Human Rights Watch telephone interview, CCJ, September 12, 1996.

199 Human Rights Watch interview, Justice and Peace, Santafé de Bogotá, June 25, 1996.

200 "Denuncia penal a Comité de Derechos Humanos," *El Tiempo*, September 14, 1993; and Letter to Human Rights Watch from CCJ, September 21, 1993.

V. IMPUNITY

The Strategy of Impunity

From their inception in the 1960s, paramilitaries and their military patrons have enjoyed an impunity that is nothing short of breathtaking. While successive elected leaders have publicly condemned paramilitaries and have vowed to end their reign of terror and root out compromised officers, none can yet claim success. To the contrary, as this report shows, the military-paramilitary partnership is stronger and more lethal than ever.

Impunity remains a prime foundation. Paramilitary forces provide the military with additional strength, but also a means to evade accountability for tactics that violate the law and trample human rights. Supposedly "phantom" paramilitaries that the military claims it can neither identify, locate, nor control take the blame for massacres and forced disappearances, allowing the military to evade responsibility. In fact, paramilitaries take the brunt of criticism for tactics taught, employed, and supported by the armed forces, but which they do not openly endorse.

To the impunity of evasion and denial is added the additional barrier of impunity from prosecution: the military shields from prosecution their officers whose direct involvement in extrajudicial executions and the paramilitary partnership are obvious and egregious. The government's failure to aggressively investigate and prosecute those responsible for organizing, directing, and tolerating paramilitaries has contributed to the consolidation of the tie between the military and paramilitaries and represents a virtual guarantee that such activity will continue to be tolerated.

The only statistic more shocking than the number of identified paramilitary leaders active in Colombia is the number of security force officers implicated in massacres, murder, and torture in league with paramilitaries who remain uninvestigated, unpunished, or on active duty. Although the military frequently complains about the "Procuraduría syndrome" - the fear among officers that they will be unfairly hounded for spurious abuses or allegations fabricated by guerrillas - in fact, the evidence is overwhelming that officers suffer few if any serious consequences even when there are well-documented accusations against them.

When members of the security forces are initially implicated in a crime, several institutions begin simultaneous investigations: the Procuraduría, the attorney general, and the security forces themselves. The Procuraduría focuses on government agents while the attorney general can investigate all involved. Once the attorney general issues an arrest warrant, an investigative judge also intervenes. While the final result is rarely a successful prosecution, this initial phase has in many cases exposed the nexus between the security forces and paramilitaries.

The Procuraduría has met less success than the attorney general's office. In an interview with Human Rights Watch in November of 1995, Procurador Orlando Vásquez Velásquez said that out of their estimated 2,000 cases involving military human rights abuses investigated over

the past decade, only a few dozen had concluded with a punishment. These were limited to fines and temporary suspensions. None of the cases resulted in criminal penalties. 201

Although the cases detailed in this section are unique, they reflect a consistent pattern involving the military chain of command in what we consider a strategy of impunity. The military strategy begins with denials that they commit any human rights violations paired with the active and energetic obstruction of outside investigation. 202 For instance, the military routinely denies investigators access to troop orders or records. The military has also shielded implicated officers from questioning and often moves slowly to detain them. In some cases, officers have been immediately transferred and their new postings kept secret, forcing investigators to spend precious months tracking them down. Human rights groups, lawyers, family members, and eyewitnesses have reported harassment and threats from the security forces. Government investigators have reported to Human Rights Watch that they are watched closely by the intelligence services, have their telephones tapped, or warned to limit their inquiries. 203

Equally common is an unwillingness among some investigators to aggressively investigate allegations of human rights abuses based in part on a fear of retaliation if powerful paramilitaries and their military patrons are involved. Such fear is not unfounded. As we describe later in this report, the judge who identified the military masterminds of the La Honduras/La Negra massacre was later forced to leave the country for her safety and her father was subsequently murdered, apparently in retaliation for her investigation. Armed gunmen also killed the judge's replacement along with her bodyguards.

Not only judges are at risk. Anyone who reports on evidence of ties between the military and paramilitaries risks threats or murder. Colombians, including human rights monitors, who investigate or report on ties between the military and paramilitaries are prime targets for attack. In 1995, three human rights activists were killed in Colombia and dozens more were threatened or forced to leave the country because of threats. 204

On June 20, 1996, armed men shot and killed Pedro Malagón, a UP congressman who had campaigned for the respect for human rights and the dismantling of paramilitary groups operating in the department of Meta. Malagón, who survived a similar attack in March, was at home with his seventeen-year-old daughter, who was also killed. Previously, Malagón had reported that Colombian army intelligence agents had promised one of his bodyguards $10,000 to facilitate his murder. 205

Four months later, on October 13, Josué Giraldo, a founding member of the Meta Civic Committee for Human Rights, was also killed by a gunman who attacked him as he played with his daughters in front of his Villavicencio home. Like Malagón, Giraldo had reported to the authorities that a bounty had been offered for his life. 206

But obstruction by the military is not the only problem. Particularly weak has been the record of the office of the Procuraduría Delegate for the Armed Forces, which often appears to have been coopted by the military it is charged with investigating. 207 As we noted in a 1994 report, the investigations of this office are long delayed, superficial, and often are suspended after little effort is made to locate either the victims or the alleged perpetrators. 208

For example, after human rights groups reported two murders, twelve forced disappearances, and a series of threats and attacks on human rights activists by the army in Meta between July and September of 1992, the Procuraduría opened case No. 022-134.872. After a lapse of almost a year, an investigation was finally begun by the Procuraduría Delegate for the Armed Forces. However, its investigators made little effort to find victims or eyewitnesses, often living hours away from city centers or too frightened to talk. Eyewitnesses were notified too late to testify. For its part, the military initially denied that troops had been mobilized at that time and refused to give information on their activities. Finally, almost two years after the incidents, an officer who confirmed that a military operation had taken place allowed a Procuraduría investigator to take notes only on selected pages of the written order. Subsequently, the case was closed. 209

A stronger record of investigations has been compiled by the Procuraduría Delegate for Human Rights. In 1995, Procuraduría Delegate Hernando Valencia Villa successfully completed an investigation of Gen. Alvaro Hernán Velandia Hurtado and issued a decision requesting his dismissal. In 1987, Valencia concluded, Velandia knew and approved of his subordinates' plans to forcibly disappear and kill captured guerrilla Nydia Erika Bautista, a crime he also failed to investigate. Other government investigations have linked Velandia to the paramilitary structure in the Middle Magdalena region. Nevertheless, Velandia had been promoted normally and by 1995 commanded Cali's Third Brigade. 210

The administration of President Samper did little to support the conclusions of Valencia, a respected jurist who performed his duty with integrity and courage. A month after the Procuraduría requested his dismissal, Velandia, still on active duty, received a military medal for distinguished service. President Samper finally cashiered Velandia on September 9. However, eight days earlier, investigator Valencia was forced to flee the country out of fear for his life. On October 30, Velandia was invited by army commander General Bedoya to take part in the ceremony welcoming his successor at the Third Brigade, widely interpreted as an act of defiance by the military. To date, Velandia is the highest ranking officer ever to be dismissed for a human rights crime. 211

Colombia's public order courts have successfully prosecuted some paramilitaries, although the cases have been rare and the due process violations inherent in the system troubling. Since 1989, Human Rights Watch has reported on the development and record of the special civilian courts established to hear cases involving drug trafficking and terrorism, which would include jurisdiction over paramilitaries. Using anonymous judges, secret witnesses, and with severe restrictions on the right to a defense, these courts violate the right to a fair trial and due process. 212 However, it is also clear that far from dealing primarily with supposedly dangerous drug king pins, guerrilla leaders, and paramilitaries, public order courts have devoted most of their time to low-level traffickers and guerrillas, peasants captured in conflict areas, and even non-violent activists. As the Colombian Commission of Jurists has pointed out, "The judge's identity, secret or not, has never been an obstacle against an attack against them by the truly terrorist groups, which easily overcome these artificial barriers." 213

Even while denying complicity in human rights violations, the military almost always files a *colisión de competencia*, a jurisdictional challenge, with Colombia's Superior Judicial Council (Consejo Superior de la Judicatura) when cases are filed. 214 The council then rules on who should take responsibility for the case, a civilian court or a military tribunal. Among judicial, law enforcement, and human rights groups interviewed by Human Rights Watch, there is a

widely shared consensus that the council favors the military in such disputes and rules based on an overbroad interpretation of what constitutes the constitutional definition of an "act of service." 215

Currently, the council's rulings demonstrate that virtually any infraction committed by an officer, even when it is clearly criminal in nature, is considered an "act of service." This includes open support for paramilitary groups. For example, in a 1996 decision, the council ruled that military officers who armed and uniformed paramilitaries who helped carry out the 1991 massacre of seventeen people near Los Uvos, department of Cauca, should be prosecuted by military tribunals since such equipment was provided, the council concluded, as part of the officers' normal duty. 216

The military has also argued that its tribunals are tougher and more efficient than civilian courts. To support this contention, General Bedoya provided Human Rights Watch with a summary of appeals received by the Supreme Military Tribunal (Tribunal Superior Militar) between January of 1993 and August of 1995. Of a total of 9,232 cases, 52 percent resulted in convictions while 39 percent ended either in acquittals or were shelved. However, this accounting makes no distinction between trials for military infractions - like insubordination - and human rights violations, like murder. In fact, according to the Procuraduría, military tribunals are diligent and severe when it comes to infractions of military discipline while most acquittals correspond to human rights violations. 217 To date, the Colombian military has not provided Human Rights Watch with any reports to demonstrate that officers investigated and prosecuted for human rights violations by military tribunals are convicted and punished.

General Bedoya has also faulted civilian courts for releasing individuals captured by the army as suspected guerrillas. However, in a clash that reached the Colombian press, Defense Minister Juan Carlos Esguerra admitted that many of these releases stem not from lax judicial procedures, but lack of evidence. 218

Once a case reaches a military tribunal, impunity is usually the result, including for crimes carried out in coordination with paramilitary groups. Since the decree outlawing contact between the security forces and paramilitaries was implemented in 1989, Human Rights Watch is aware of only a handful of cases where an officer was cashiered for involvement with paramilitaries. Often, implicated officers, especially if they are high-ranking, are not even suspended from active duty. Although the military claims that its tribunals are "tougher" than civilian courts, in the case of human rights abuses, the opposite is clearly the case. 219

Assuming that tribunals are staffed with competent officers who investigate the cases brought before them, the record of impunity for the sponsors of the military-paramilitary partnership appears to be the conscious and deliberate result of a strategy to keep this partnership in place and to shield the military's reliance upon extralegal methods.

Once the military wins jurisdiction, a veil of secrecy drops over the investigation, trial, and often the tribunal's ultimate ruling. In the past, the military has argued that secrecy is essential in order to protect the institution. However, secrecy has clearly served not to strengthen the military, but to cover up abuses, including military-paramilitary partnership.

Based on the information available to Human Rights Watch, it is clear that military tribunals are neither impartial nor particularly interested in the details of what happened when officers

are alleged to be involved in abuses. Many allegations are dismissed out of hand, with little to no investigation. For instance, in the Los Uvos case mentioned above, the Procuraduría ended up filing formal charges against three officers, including a retired general, who investigated the massacre for the 19th Military Court. According to the investigation, the officers had failed to initiate a serious inquiry, instead simply blaming the killing on guerrillas. 220

Often, officers mysteriously disappear or escape from maximum security facilities. The few officers who do go to trial are investigated by their own superiors, who may have been the ones who ordered them to commit crimes. Usually, officers brought to trial are either acquitted or sent back to active duty with little more than a slap on the wrist. In one case reported to the Inter-American Commission on Human Rights, the same officer who ordered the 1987 killing of Irma Vera Peña, a pregnant seventeen-year-old in the department of Norte de Santander, was the investigative judge for the case, and acquitted himself and his men. 221

One way to measure impunity in military tribunals is to compare acquittals or light sanctions in key cases with the results of civil suits filed by family members on the same evidence. For instance, even though eyewitnesses linked the 1987 murder of Sabana de Torres mayor Alvaro Garcés Parra to Brig. Gen. Luis Bernardo Urbina Sánchez, at the time head of the Fifth Brigade's intelligence unit, Urbina was never investigated. For his part, Maj. Oscar de Jesús Echandía, a MAS founder who helped plan the killing, took one of the gunmen injured in the attack to the hospital, and paid for his treatment from the battalion budget, was acquitted by a military court. 222

Nevertheless, Garcés's family eventually won a civil suit against the Defense Ministry and were awarded damages. 223 According to the government, in 1995 Colombia's civil courts ordered the Defense Ministry to pay over $6 million in damages to victims of human rights abuse and their families. 224

Few of the hundreds of recommendations on ending impunity submitted to the Colombian government by national and international human rights organizations as well as United Nations Special Rapporteurs and Working Groups have been adopted. 225 Among the few initiatives taken to address impunity was President Samper's convocation of a commission to recommend reforms to the military penal code. Including civilian officials and active-duty officers, the commission was able to agree on some points, including the importance of allowing victims' lawyers to take part in military trials, stopping the use of field command officers as judges of their own men, and codifying crimes that correspond to violations of international humanitarian law. There was also agreement on modifying Article 91 of the constitution, which allows officers to plead "due obedience," eluding responsibility for crimes by arguing that they were simply following orders. However, the commission was not able to agree on other fundamental points, most importantly the military's broad interpretation of "acts of service." 226

As of the writing of this report, however, the Samper Administration has not forwarded a reform bill to congress. It is unclear what position the government will take on issues that remain highly controversial, like the interpretation of acts of service. For its part, the Constitutional Court ruled in March 1995 that the military penal code, which allowed active-duty officers to sit on military tribunals, was unconstitutional. 227 That decision was later neutralized by the passage of a bill in congress that reformed Article 221 of the constitution

by adding the phrase "[military tribunals] will be made up of either active duty or retired members of the armed forces." 228

Another important government initiative was the creation of a human rights unit within the attorney general's office. Staffed by twenty-five prosecutors and ten agents from the Technical Investigation Corps (Cuerpo Técnico de Investigación, CTI), the unit is currently handling one hundred cases, among them some of the most important human rights and international humanitarian law cases in Colombia. Initially, the unit was sharply criticized by General Bedoya, who characterized it as "infiltrated by guerrillas," an opinion echoed by many army officers interviewed by Human Rights Watch. In one particularly delicate case involving the Chucurí region, human rights unit prosecutors have not been able to visit the area to interview witnesses, because of threats against their lives and the army's refusal to guarantee their safety. 229 Although tangible results, like convictions, have so far been few, the Human Rights Unit has carried out credible investigations, several detailed in the following pages.

However, progress by the Samper Administration in some areas was met by inaction or open defiance in others. For example, in May and again in September, forty pro-military senators presented to congress six bills that would reform the constitution and substantially increase the military's power, including one that would cede exclusive jurisdiction over investigations and disciplinary sanctions for human rights abuses to the military, ending the role of the Procuraduría, and another that would bar the attorney general from investigating military officers implicated in human rights crimes. 230 The former bill was described by its supporters, including top-ranking officers, as an antidote to the "Procuraduría syndrome." 231

A close examination of the following cases, grim milestones to the development of the military-paramilitary partnership, demonstrates how impunity works to keep the system functioning. Our summary of these cases also includes evidence we collected demonstrating that the military continues to foster its partnership with paramilitaries.

Impunity in Cases of Military-Paramilitary Actions

1. Segovia: On November 11, 1988, a dozen men driving jeeps arrived in Segovia, in the department of Antioquia, and began going house to house looking for individuals by name. The men executed those seized, then attacked a public bus, killing seventeen people. Within an hour, forty-three people were dead and fifty-six injured. The attack followed a series of threats and bombings against members of the UP and local residents. The killings were later claimed in the name of "Death to Revolutionaries in Northeastern Antioquia" (Muerte a Revolucionarios del Noroeste antioqueño, MRN). Despite the fact that the heavily armed assailants passed the Bomboná Battalion twice as they entered and left Segovia, they were not stopped. 232

Simultaneous investigations by the Procuraduría and civilian courts implicated three army officers, two police officers, and four civilians believed to belong to paramilitary groups. According to the government, on December 29, 1994, formal charges of conspiracy to commit terrorism, murder, and assault were filed by a regional court in Bogotá against Lt. Col Alejandro Londoño Tamayo, Lt. Edgardo Hernández Navarro, Maj. Marco Báez Garzón and seven others. 233

As of the writing of this report, however, Human Rights Watch has received conflicting information about whether or not the army officers are currently detained. While the government says they are in a military prison, others dispute the claim. Repeated inquiries to the Defense Ministry to clarify the officers' status have gone unanswered. 234

Violence continues to plague Segovia. On March 3, 1995, after the ELN successfully stole a shipment of dynamite from the nearby Frontino gold mine, soldiers from the Bomboná Battalion apparently simulated a guerrilla attack that same day to cover up their negligence in allowing guerrillas to escape. According to CINEP, a guerrilla who remained behind after the theft was captured and executed by soldiers. Witnesses told CINEP that soldiers also killed a civilian with a grenade, wounded four children with random gunfire, and fired on the local elementary school while the children were inside. 235 After winning a jurisdictional challenge, a military tribunal asserted that the guerrilla attack had been real, contradicting eyewitness testimony, and the troops "were in a clear state of necessity." 236

On April 17, members of the police and the Bomboná Battalion reportedly again simulated a guerrilla attack by firing off shots and deploying units through town, forcing residents to take refuge in their homes. With the streets deserted and the military in control, leaflets were posted on homes and shops in Segovia threatening the inhabitants, shopkeepers, and transportation workers with death if they participated in a strike called by guerrillas for the next day. The leaflets were signed in the name of Dignity for Colombia. 237 Five days later, a group of heavily armed men executed fourteen people, including two children, and injured fifteen. The killers left town without incident after passing the Segovia Military Base, the La Trampa Military Base in the Cambambolo sector, and the Remedios Police Station checkpoint. 238

An investigation by the attorney general's human rights unit led to the arrest of Capt. Rodrigo Cañas, the commander of a unit of the Bomboná Battalion known as "Special Plan No. 7." According to eyewitness testimonies, Captain Cañas met six hit men flown in from Medellín at a nearby airport, then escorted them to a military base. Later, the six men were reportedly taken to the Bomboná headquarters in Segovia, where they left to carry out the massacre. 239 Captain Cañas has denied responsibility, and accuses the local human rights groups who provided investigators with information of being guerrillas. 240

Once an arrest warrant was issued, the military filed a jurisdictional challenge with the Superior Judicial Council. However, apparently due in part to pressure from national and international human rights groups, the council ruled in August 1996 that the case should be heard in civilian court, a positive step. 241

Despite evidence directly implicating the military in repeated attacks and murders in Segovia, Antioquia Governor Alvaro Uribe declared the adjoining municipalities of Segovia and Remedios "special public order zones" in May, ceding control of the area to the Fourteenth Brigade and the Bomboná Battalion through the end of October. 242 A curfew was imposed, allowing only the security forces to move about at night. Nevertheless, on the evening of July 15, residents awoke to find walls in the main streets painted with slogans signed in the name of "Death to Communists and Guerrillas" (Muerte a Comunistas y Guerrilleros, MACOGUE). 243

2. La Honduras/La Negra: At midnight on March 4, 1988, a group of about fifteen armed men entered the La Honduras farm in the Urabá region, department of Antioquia, searched out seventeen workers, and killed them. Afterwards, three more workers were killed on the neighboring La Negra farm. All were members of the local banana workers union, SINTAGRO, which the military and local landowners accused of being allied to the EPL. 244

A three-month investigation led by a public order judge revealed that the massacre had been carried out in a highly coordinated manner and with the collusion of Middle Magdalena cattle ranchers allied in ACDEGAM; the army's Tenth Brigade, including its intelligence unit under the command of Maj. Luis Felipe Becerra Bohórquez; the army's Fifth, Eleventh, and Fourteenth Brigades, and Lt. Pedro Vicente Bermúdez Lozano, of the Voltígeros Battalion. Major Becerra had even paid the Medellín hotel bill of some of the assassins, brought in from Puerto Boyacá, with his Diner's Club credit card. Tenth Brigade Capt. Gustavo Parada Parra was identified by an eyewitness as having taken part in the massacre and was the first officer to arrive at La Honduras after the massacre was reported.

In September of 1988, public order judge Martha Lucia Gonzáles ordered the arrests of Major Becerra, Lieutenant Bermúdez paramilitary leader Fidel Castaño, and others. Her requests to take depositions from key military personnel were consistently frustrated, and only lower level officers were made available. A week after issuing the arrest warrants, Judge González received death threats and fled the country. In May 1989, her father was murdered in Bogotá, apparently in retaliation for her investigation. Two months later, González's replacement was killed along with her two bodyguards. 245

None of the principals in the case, including Becerra, were ever punished for their role. When a government official tried to notify Becerra of a judicial decision in 1989, he was told that the officer was not available since he was in the United States taking a course necessary for his promotion to lieutenant colonel. 246 Becerra was later sent to the War College in Bogotá, then became army press secretary. Although abundant evidence implicated Becerra, the Procuraduría eventually closed the case against him. Until the end of his military career, Becerra was promoted normally despite the outstanding arrest warrant against him. 247 For his part, Bermudez was promoted to captain and later awarded a "distinguished service" medal in 1991. 248

Just months after the Procuraduría closed its investigation in 1993, Becerra took part in another combined military-paramilitary massacre (see Riofrío). Within a month, the executive issued the decree that retired him. 249

None of the division or brigade-level commanders were ever investigated for their complicity in planning and directing the massacres. Among them is Gen. Raúl Rojas Cubillos, then commander of the Fourteenth Brigade and a graduate of the Fort Leavenworth Command and Staff Officer School (1980-1981). He is currently the Army Inspector General, responsible for investigating alleged abuses. 250

One of the implicated civilians, Fidel Castaño, was sentenced *in absentia* to twenty years on June 19, 1991. 251 Since La Honduras/La Negra, Castaño has been linked to at least four additional massacres: Mejor Esquina (twenty-eight people on March 4, 1988), Pueblo Bello (forty-two people in 1988), El Tomate (fifteen people on August 30, 1988), and Pueblo Bello (forty-three people on January 13, 1990). A raid of combined military and police troops on

two Castaño ranches in 1990 resulted in the exhumation of at least twenty-four bodies, some of which were those of peasants kidnapped weeks earlier in Pueblo Bello. 252 Castaño, apparently notified of the raid, eluded capture. 253

In 1994, the Supreme Court upheld Castaño's sentence for his role in planning the La Honduras/La Negra and Punta Coquitos massacres. The following year, the attorney general issued a warrant for his arrest for his role in the kidnapping and later murder of Conservative Senator Alfonso Ospina Ospina in 1988. 254 Castaño himself has admitted taking part in planning the 1990 murder of UP presidential candidate Bernardo Jaramillo. The murder was apparently planned with fellow Medellín Cartel member Gonzalo Rodríguez Gacha ("El Mexicano") and his allies in MAS. 255

Nevertheless, he continues to remain at large. Instead of arresting him, the government enlisted his help in negotiating an amnesty with the EPL in 1990. The Castaño family donated land to demobilized EPL guerrillas and, as head of their own foundation, donated funds for former guerrillas to start businesses. 256 In 1994, Castaño wrote to Interior Minister Serpa and offered to negotiate his surrender in exchange for political status, a bid to be treated not as criminals but the same as a guerrilla group operating for political reasons. Calling his men "*autodefensas*," Castaño referred to the role the army had played in "recruiting and training" them and asserted that "we will never use (violent) methods to pressure the legitimate government because we are with you." 257

Meanwhile, his group - which, under the command of his brother, Carlos, has an increasingly public presence as the Peasant Self-Defense Group of Córdoba and Urabá (Autodefensas Campesinas de Córdoba y Urabá, ACCU) - continues to carry out massacres, murders, and death threats in northern Colombia. 258

3. Trujillo: The murders of 107 people in and around Trujillo, department of Valle del Cauca, in separate attacks by a combined military-paramilitary death squad between 1989 and 1991 has become one of the most well-known cases in Colombia. 259 Eyewitnesses linked the killings to a paramilitary death squad operating in coordination with the army's Palacé Artillery Battalion No. 3 under the command of Maj. Alirio Antonio Urueña Jaramillo. Among the men who took part in the killings was Henry Loaiza, known as El Alacrán (The Scorpion), a member of the Cali drug cartel. During the prolonged investigation and court proceedings, a key eyewitness was forcibly disappeared and others were threatened into withdrawing. By 1994, when the case was handed over to a joint NGO-government commission convened under the auspices of the Inter-American Commission on Human Rights, a public order judge had acquitted the five men accused of the crimes, including two paramilitaries, two local landowners, and Major Urueña, a decision that was upheld on appeal. The military, which pursued its own investigation of Urueña, also acquitted him. 260 The joint commission was convened in an attempt to negotiate a satisfactory settlement between the victims' families and the government before taking the matter to the Inter-American Court.

The commission, which focused on the period between March 29 and April 23, 1990, found that at least sixty-three people had been killed by the combined action of paramilitaries and the military and that the proceedings in both the civilian and military courts had significant errors. In its report to President Samper, the commission concluded that the government, through the actions of Major Urueña and his men, had taken part in the killings. 261

President Samper accepted the commission's conclusions, promised prompt action, and ordered Urueña, since promoted to colonel, dismissed, a move that provoked a public disagreement between the Defense Ministry and the military high command. 262 To our knowledge, however, Urueña has never been punished for his acts other than by this dismissal.

In 1995, the attorney general's office arrested eight men accused of belonging to a paramilitary group still active in the Trujillo area. In a 1996 letter to the Inter-American Commission on Human Rights, Father Javier Giraldo, who has represented the Trujillo victims in negotiations with the government, reported that not a single state employee, including military and police officers, has yet been sentenced for their role. Investigations against the judicial officials who had failed to prosecute those accused of involvement have also been shelved. Other institutions, including the Procuraduría, have so far failed to aggressively investigate the case, calling into question President Samper's promise to "take all of the actions necessary to honor the recommendations contained in the Trujillo report." To the contrary, as Father Giraldo notes, "Impunity appears to consolidate itself more and more as the months pass. 263

The case was returned to the Commission in October 1996 after the attempt at a negotiated settlement failed. 264 A continuing investigation by Justice and Peace suggests that a total of over 200 people in and around Trujillo may have been murdered as a result of the military-paramilitary partnership between 1986 and 1993. 265

4. Riofrío: In December 1993, the Procuraduría Delegate for Human Rights charged Brig. Gen. Rafael Hernández López for helping cover up the deeds of the officers who had killed thirteen people on October 5, 1993, in Riofrío, department of Valle. As commander of the Third Brigade, Hernández not only had the Palacé Battalion under his command but was the original investigative judge and, according to government investigators, attempted to impede any investigation. 266

Among the implicated officers was Col. Luis Becerra Bohórquez, commander of the Palacé Battalion. Within a month of the massacre, Becerra was forced into retirement by an executive decree, as noted above. In 1994, a military tribunal issued an arrest warrant for him; however, we are not aware of any arrest. 267 In 1994, the attorney general's office issued arrest warrants for four other soldiers implicated in the massacre, including Maj. Eduardo Carrillo Delgado and Lt. Alfonso Vega Garzón. 268

Hernández is currently the commander of the Second Division.

5. Meta: Human Rights Watch has closely followed the human rights situation in the department of Meta since 1992, when we made the first of multiple visits to the area. 269 Especially in the *pie de monte* area between Villavicencio, the capital, and the Macarena Range, the military presence has gone hand in glove with increased paramilitary activity. Government authorities, municipal leaders, human rights groups, and community organizations all identify Victor Carranza as a paramilitary chieftain, with huge ranches in the area as well as a reputed dominance in the emerald and cocaine trades. Nevertheless, Carranza and his private army, dubbed "Los Carranceros," is reported to operate in close coordination with the military and enjoys virtual impunity for his criminal actions.

Although the government formed a "Diagnostic Commission" in 1995 to evaluate progress on over a hundred cases of murder, forced disappearance, and threats by the security forces acting in collaboration with paramilitaries in Meta, there has been little progress. Neither are we aware of arrests related to the 1992 slaying by suspected paramilitaries of El Castillo mayor William Ocampo, former mayor María Mercedes Méndez, and three others. 270 However, the local authority who helped investigate the case and had replaced an official murdered by suspected paramilitaries was himself murdered on November 6, 1995. 271

For many, reporting information on the identity of killers carries a high risk. One woman Human Rights Watch spoke to was forced to leave her Meta town as an internal refugee after she reported to authorities that a paramilitary recruited by the army had gunned down her husband, a member of the UP. Since moving to the capital, she says she has been followed by unidentified men who she believes are working for the security forces. "It's worse to report it than to remain silent," she told us. "That's what screws you in the end." 272

The military-paramilitary partnership has hit especially hard at human rights monitors. Evaristo Amaya Morales, the La Uribe municipal worker who was already under threat when he spoke with Human Rights Watch for *State of War*, our 1993 report on Army Mobile Brigades, was murdered on February 24, 1994, allegedly by "Los Carranceros." Amaya, a UP member, was among those reported to be on a death list then being circulated in the area. 273 Since it was formed in 1989, the Meta Civic Committee for Human Rights, which represents thirty-two local civic, religious, and trade union groups, had five members murdered and three members forcibly disappeared. Twenty-five members were forced to flee the area for their safety. 274

Among those forcibly disappeared was Delio Vargas, a government employee and founding member of the Civic Committee. On April 19, Vargas was grabbed off the street by heavily armed men. 275 In an investigation unusual for its speed and aggressiveness, the Procuraduría's Office of Special Investigations, which handles particularly delicate cases, and the Technical Investigation Corps (Cuerpo Técnico de Investigación, CTI), investigators attached to the attorney general's office, determined that retired army sergeant and intelligence agent Hernando Moreno had driven the abductors in a car. Since 1987, Moreno was reputed to have been a key operative in Carranza's paramilitary group. However, Moreno was the only individual convicted for his role in Vargas's disappearance. 276 In 1995, the Civic Committee closed its Villavicencio office after the remaining members received telephone and written death threats. 277

When Human Rights Watch asked Maj. Gen. Marino Gutiérrez Isaza, commander of the Fourth Division, about Carranza and his paramilitaries, he replied, "They say that he is the head of the paramilitaries, but there is no arrest warrant against him. So if I see him, I can't touch him." 278

In 1995, authorities captured Arnulfo Castillo Agudelo, known as "Razguño," reportedly a leader of Carranza's paramilitaries and the group calling itself Black Snake (*Serpiente Negra*). According to a Colombian law enforcement document, Razguño and nine other paramilitaries took orders from Carranza and operated in Villavicencio, Puerto López, Granada, San Martín, and Puerto Lleras as well as in the bordering department of Guaviare. Based on testimony given by one of the men, agents exhumed five bodies on Carranza's "La Sesenta" Ranch and identified them as individuals who had vanished in 1988. The informant also listed for

authorities six properties where Carranza allegedly stores weapons and ammunition. 279 Numerous Human Rights Watch interviews in Meta corroborated the contention that paramilitaries patrol openly there, carrying weapons restricted to military use. 280

However, there are currently no outstanding warrants for Carranza's arrest. As we noted in the section "Unconvincing Denials," a 1994 police investigation concluded that Carranza controls a private justice group armed with guns licensed by the Defense Ministry as necessary to protect him and his property. 281 Nevertheless, in May 1996, Carranza appeared at a public event in Bogotá with members of President Samper's cabinet. 282

6. El Carmen y San Vicente de Chucurí: In November 1992, the Procuraduría Delegate for the Armed Forces filed formal charges against Gen. Carlos Gil Colorado, Capt. Gilberto lbarra Mendoza, Capt. Germán Pataquiva, Capt. Orlando Pulido, Lt. Francisco Javier Corrales, Lt. Alberto Luis Mancilla, and Lt. Evert Aranda Contreras for their role in organizing paramilitaries in the Chucurí region, in the department of Santander. 283 Gil, as commander of the Fourteenth Brigade and Fifth Brigade, had been repeatedly implicated since 1989 in paramilitary activity. By the time charges were announced, Gil headed military intelligence. 284 Despite the charges, Gil was promoted normally and reached the rank of Major General and commander of the Fourth Division, based in Villavicencio and a paramilitary center of operations. Gil was killed in a FARC ambush on July 19, 1994. 285

On March 29, 1992, a team of prosecutors and judges joined by police and DAS agents travelled to El Carmen de Chucurí to arrest twenty-nine civilians accused of organizing paramilitary groups. However, when the local army commander realized the team's purpose, he ordered his men to defend local residents from arrest. 286 Subsequently, prosecutors returned a second time, arresting four. 287 However, prosecutors from the attorney general's human rights unit have been unable to execute the remaining warrants since the army refuses to guarantee their safety. 288 Captain lbarra has been promoted to the rank of major and now commands a base in Yarima, near San Vicente de Chucurí, where he continues to be linked to paramilitary activity. 289 Captain Pataquiva, now a major, works in the army's central human rights office. 290

Footnotes:

201 Vásquez was later dismissed from his post and arrested for allegedly taking money from drug traffickers for a congressional campaign. Human Rights Watch interview, Santafé de Bogotá, November 7, 1995.

202 Although the police are also implicated in human rights violations, they have been more willing to investigate and dismiss officers who commit abuses. Human Rights Watch interview, Public Ombudsman's office, Santafé de Bogotá, July 11, 1996.

203 Human Rights Watch interviews, Santafé de Bogotá, July 10, 1996.

204 The three were Ernesto Fernández Fester, a member of the state teachers' union, killed by three unidentified gunmen in Pailitas, department of Cesar; Oscar García Solis, a UP member killed by a gunman in Envigado, department of Antioquia; and Javier Alberto Barriga Vergel, a human rights lawyer killed by two gunmen in Cúcuta, department of Norte de Santander. CCJ, *Colombia: derechos humanos y derecho humanitario: 1995*, p. 11.

205 Human rights activist Sylvio Salazar was also killed in 1996. Salazar, who worked to stem violence between gangs, police, and guerrilla-backed militias in the city of Medellín, was killed by armed men as he left his office on January 11. Amnesty International Urgent Action 295/94, Further information, June 28, 1996; and Justice and Peace, *Boletín*, Jan.-March, 1996, p. 9.

206 Human Rights Watch telephone interview, October 13, 1996.

207 In an attempt to fortify civilian jurisdiction over the military, President Barco appointed a civilian to head the office of the Procuraduría Delegate for the Armed Forces in 1987, the first time the post was not assigned to an active-duty officer. Since then, only civilians have occupied this post. Leal Buitrago, *El oficio de la guerra*, p. 120.

208 Human Rights Watch/Americas, *State of War: Political Violence and Counterinsurgency in Colombia* (New York: Human Rights Watch, 1993). pp. 109-112.

209 Letter to interior Minister Horacio Serpa et al. from Ignacio Perdomo Gómez, Justice and Peace, March 13, 1996.

210 CCJ, *Colombia, derechos humanos y derecho humanitario: 1995*, pp. 87-89.

211 Ibid.

212 For more on our concerns about public order courts, see Human Rights Watch/Americas, *State of War*, pp. 35-39.

213 Translation by Human Rights Watch. CCJ. *Colombia, derechos humanos y derecho humanitario: 1995*, p. 37.

214 Before the 1991 constitutional reform, jurisdictional disputes were settled by the Supreme Court and the Disciplinary Tribunal, the latter of which also usually ruled in favor of the military. However, there were a few exceptions. including the La Honduras/La Negra case. The Superior Judicial Council is divided into two sections: administrative and disciplinary. The disciplinary section, which decides jurisdictional disputes, is made up of seven members currently chosen by President César Gaviria and serving an eight-year term. When this term concludes, they will be replaced by a slate of candidates (*terna*) chosen by the executive and sent to congress for a final vote. The Council is made up of representatives from the Constitutional Court, the Supreme Court, and the State Council.

215 Article 221 states that "crimes committed by members of the Public Force in active service and in relation to their service will be judged by military courts or tribunals." Translation by Human Rights Watch. Human Rights Watch interviews, Santafé de Bogotá, Nov. 7-15, 1995.

216 Armas sin uso privativo," *El Espectador*, October 8. 1996.

217 Declaration by Hernando Valencia Villa, Procuraduría Delegate for Human Rights, to the Interamerican Court, San Jose, Costa Rica, November 28, 1994.

218 "Colombia: Defense Minister Says Mistakes by Military Found," *El Tiempo*, FBIS, June 10, 1996.

219 Human Rights Watch interview, Gen. Ramón Niebles Uscátegui, Santafé de Bogotá, November 7, 1995.

220 "Cargos a general (r) Arévalo Pinilla," *El Tiempo*, June 2, 1994.

221 After international protest, the Military Superior Court overturned the decision and reopened the case, which is apparently still in progress. Inter-American Commission on Human Rights, *Second Report on Human Rights in Colombia* (Washington, D.C.: Organization of American States, 1994), pp. 81-93.

222 OMCT and others, *Terrorismo de Estado*, pp. 38-39, 110-112.

223 Amnesty international, *Colombia: Political Violence, Myth, and Reality* (London: Amnesty International, 1994), p. 95.

224 República de Colombia, Comisión para el análisis y asesoramiento en la aplicación de las recomendaciones formuladas por los órganos internacionales derechos humanos, *Informe sobre el cumplimiento de las recomendaciones de los relatores temáticos y grupos de trabajo de la organización de las Naciones Unidas*, February 22, 1996, p. 19.

225 U.N.-related groups or individuals that have visited Colombia and made recommendations include the Working Group on Forced and Involuntary Disappearance (1988), the Special Rapporteur on Summary or Arbitrary Executions (1989, 1994), the Representative of the Secretary General for Forced Displacement (1994), and the Special Rapporteur on Torture (1994). Comisión para el análysis. *Informe*, pp. 1-2.

226 Human Rights Watch interview, Gen. Ramón Niebles Uscátegui, Santafé de Bogotá, November 7, 1995.

227 Constitutional Court decision C-141/95.

228 Translation by Human Rights Watch. CCJ, *Colombia, derechos humanos y derecho humanitario: 1995*, p. 102.

229 Human Rights Watch interview, Santafé de Bogotá, July 9, 1996.

230 The bill proposed the revision of Article 220 of the Colombian Constitution. Televisión Cadena 1, FBIS, May 17, 1996.

231 "Proposal Seeks Revision of Article, Security," *Semana*, FBIS, April 30, 1996.

232 This is a summary of the case description in Americas Watch, *The Killings in Colombia*, pp. 61-62.

233 Letter to Human Rights Watch from Dr. Jorge Iván Cuervo Restrepo, office of the Presidential Counselor for Human Rights, November 23, 1995.

234 Requests for further information were made by letter on May 7 and July 26 and in person on June 24, 1996.

235 "Relación del caso ocurrido en el municipio de Segovia, nordeste antioqueño, el 3 de marzo de 1995," a CINEP investigation, March 12-13, 1995.

236 Letter from Dr. Jorge Iván Cuervo, office of the Presidential Counselor for Human Rights, to Human Rights Watch, November 23, 1995.

237 The name Dignity for Colombia first appeared in 1995, used to take responsibility for an attack on President Samper's defense lawyer and the November killing of Conservative leader Alvaro Gómez. Gómez's killing was followed by President Samper's declaration of a state of internal commotion.

238 Amnesty International Urgent Action 241/95, October 19, 1995, with updates on April 24. 26. and May 20. 1996.

239 Amnesty International Urgent Action, Further information on 241/95, issued on June 17. 1996.

240 Human Rights Watch interview with Capt. Rodrigo Cañas, Medellín, July, 5, 1996.

241 Human Rights Watch telephone interview with Fernando Valencia, Corporación Jurídica Libertad, October 30, 1996.

242 "Colombia: Mining Region Declared Special Public Order Zone," *El Tiempo*, FBIS, May 16, 1996.

243 Amnesty International Urgent Action, 241/95. Further information, July 19, 1996.

244 For a fuller description of this case. based almost entirely on the official investigation, see *El Camino de la Niebla, Vol. III*, pp. 155-246.

245 CAJ-SC. *Justice for Justice: Violence against judges and lawyers in Colombia, 1979-1991* (Santafé de Bogotá: International Commission of Jurists-CAJ-SC, July 1992), pp. 25, 31.

246 "Lost illusions? Human Rights and Humanitarian Law in Colombia in 1992," CAJ-SC. Santafé de Bogotá, January 1993.

247 Letter from Father Javier Giraldo to Human Rights Watch, May 14, 1996.

248 OMCT and others, *Terrorismo de Estado*, pp. 56-57, 64-65.

249 Decree No. 2353, November 10, 1993. Letter to Human Rights Watch from Jorge Iván Cuervo Restrepo, office of the Presidential Counselor for Human Rights, November 23, 1995.

250 *El Espectador*, July 11. 1995.

251 Letter to Human Rights Watch from Dr. Jorge Iván Cuervo Restrepo, office of the Presidential Counselor for Human Rights, November 23, 1995.

252 "Identificados sólo 7 cadáveres en Córdoba," *La Prensa*, April 19, 1990.

253 Mauricio Romero, "Transformación rural, violencia politica y narcotráfico en Córdoba, 1953-1991," *Controversías*, No. 167, October-November, 1995, pp. 94-121.

254 "Medidas de aseguramiento contra Fidel Castano Gil," *El Tiempo*, July 28, 1995.

255 "Yo fui creador de los Pepes," *Semana*, May 31, 1994, pp. 38-46.

256 The Castaño family set up the Peace Foundation for Córdoba (FUNPAZCOR). Human Rights Watch interview with Rafael Kergelen, former EPL commander, Montería, Córdoba, October 17, 1992.

257 Translation by Human Rights Watch. "Revelan carta de 'Rambo' a Serpa," *El Tiempo*, September 20, 1994.

258 According to Carlos Castaño, Fidel disappeared on an overland trip to Panama in mid-1994. Human Rights Watch interview with Carlos Castaño, July 9, 1996.

259 For a fuller summary of this case, see Americas Watch, *Political Murder and Reform in Colombia*, pp. 34-35.

260 Comisión de Investigación de los Sucesos Violentos de Trujillo, *Informe Final*, Santafé de Bogotá, January 1995.

261 Ibid.

262 "Botero's meeting with Officers called 'Tense'," *El Tiempo*, FBIS, February 15, 1995.

263 Comisión para el análysis y asesoramiento, *Informe sobre el cumplimiento*, p. 40.

264 Human Rights Watch telephone interview with Father Javier Giraldo, Justice and Peace, October 9, 1996.

265 Translation by Human Rights Watch. Letter from Father Javier Giraldo, Justice and Peace, to Jorge Taiana, Inter-American Commission on Human Rights, July 4, 1996.

266 "Ejército retiró a juez del proceso por masacre de Riofrío," *Nuevo Siglo*, February 15, 1994.

267 Detención contra oficial del Ejército por masacre en el Valle," *El Espectador*, September 1, 1994.

268 "Juicio por masacre de Riofrío," *El Espectador*, December 6, 1994.

269 For a broader description, see Human Rights Watch/Americas, *State of War*, pp. 84-106.

270 In 1995, the case was assigned to the newly constituted Attorney General's Human Rights Unit. For more on this case, see Human Rights Watch/Americas, *State of War* p. 103. Human Rights Watch interview, Colectivo de Abogados "Jose Alvear Restrepo," Santafé de Bogotá, March 1, 1993, and Letter to Human Rights Watch from Hernando Valencia Villa, Procuraduría Delegate for Human Rights, November 11, 1993.

271 Justice and Peace, *Boletín*, October-December 1995, p. 55.

272 Human Rights Watch interview, Santafé de Bogotá, October 12, 1992.

273 Justice and Peace, *Boletín*, Jan.-March, 1994, p. 57.

274 Diego Pérez, "Evaluación de los Derechos Humanos en el primer año de Samper," CINEP, October 31, 1995.

275 Meta Civic Committee for Human Rights, Denuncia No. 12, April 20, 1993.

276 Letter to Human Rights Watch from Mariana Escobar, office of the Presidential Counselor for Human Rights, June 2, 1993.

277 Diego Pérez, "Evaluación de los Derechos Humanos en el primer año de Samper," CINEP, October 31, 1995.

278 Human Rights Watch interview, Villavicencio, October 10, 1995.

279 Colombian law enforcement investigation, May 5, 1995. Source agreement prevents us from further identification.

280 Human Rights Watch interviews in Santafé de Bogotá and Villavicencio, October 12, 1992.

281 Official Response number 2970, reserved, November 24, 1994, DIJIN Intelligence Section, Villavicencio, Meta.

282 Human Rights Watch interview, Corporación Colectivo de Abogados "José Alvear Restrepo," Santafé de Bogotá, July 10, 1996.

283 "Pliego de cargos a siete militares," *El Tiempo*, November 18, 1992.

284 "Acusan a siete militares de promover a paramilitares," *Reuter*, November 18, 1992.

285 Justice and Peace, *Boletín*, July-Sept, 1994, p. 48.

286 Human Rights Watch interview with "Enrique," a member of the team, Santafé de Bogotá, June 13, 1992.

287 Comisión para el análysis y asesoramiento, *Informe sobre el cumplimiento*, p. 40.

288 Human Rights Watch interview, Santafé de Bogotá, July 11, 1996.

289 Letter to Human Rights Watch from Padre Javier Giraldo, Justice and Peace, May 14, 1996.

290 Human Rights Watch interview, Defense Ministry, Santafé de Bogotá, June 24, 1996.

VI. THE U.S. ROLE

Under the stated objective of fighting drugs, the U.S. has armed, trained, and advised Colombia's military despite its disastrous human rights record. Strengthened by years of U.S. support, the Colombian military and its paramilitary partners instead have waged a war against guerrillas and their suspected supporters in civil society, including members of legal political parties, trade unionists, community activists, and human rights monitors. Far from moving to address the mounting toll of this war, the U.S. has apparently turned a blind eye to abuses and is moving to increase deliveries of military aid, including weapons, to Colombia.

As U.S. military support for El Salvador waned in the late 1980s and early 1990s, Colombia emerged as the hemisphere's top recipient of U.S. military aid. Since 1989, the U.S. has provided $322 million in military aid to Colombia, nearly all on a grant (give-away) basis. 291

Not only did the United States play a disturbing role in supporting the military intelligence reorganization that led to serious human rights violations, U.S. aid, weapons, materiel, and training meant to fight drugs have gone to units implicated in serious human rights violations, a fact the United States is aware of but has not made public. In addition, Colombian officers linked to human rights violations have received U.S. training, including CIA-sponsored training in Panama and at the School of the Americas, and have even served at the School of the Americas and the Inter-American Defense College in Washington, D.C. as instructors.

U.S. arms sales to Colombia not only continue unimpeded, but are expected to reach a record level. Military aid provided to Colombia by the U.S. has been used to finance weapons purchases from the U.S, which totaled $73 million in FY 1992, $45 million in FY 1993, $88 million in FY 1994, and $31 million in FY 1995. The Pentagon estimates sales in FY 1996 at $84 million and in FY 1997 at $123 million - the highest level ever. 292

As U.S. presidential campaign rhetoric turned to drugs, the Clinton Administration notified Congress of its intention to sell twelve Black Hawk helicopters, twenty-four M60 machine guns, 920,000 rounds of 7.62MM (M80) ammunition, and related items to the Colombian army, worth $169 million. 293 At a hearing on the proposed sale, administration officials admitted that the Colombian army was under no obligation to use the aid only to fight drugs. When Rep. Lee Hamilton (D-Indiana) asked if helicopters could be used "100 percent for counterinsurgency" if the Colombian army wished, Assistant Secretary of State for International Narcotics Matters Robert Gelbard answered: "Theoretically, they could." 294 Though some legislators expressed reservations, Congress did not block the sale.

Subsequently, the Clinton Administration announced it would send free of charge, using a special presidential drawdown authority, $40 million in nine river patrol boats, thirty-two helicopters, five C-26 observation aircraft, aircraft spare parts, communications gear, field equipment, and training and utility vehicles for the Colombian military, ostensibly for counternarcotics operations. 295

Moreover, these government-to-government arms grants and sales are expected to be supplemented with significant arms deliveries from the private commercial arms sale channel (direct from U.S. companies to Colombia). Commercial arms deliveries from the U.S. to Colombia have usually amounted to only $1-2 million per year for the past decade, but are officially estimated at $35 million in FY 1996 and $21 million in FY 1997. 296

Indeed, administration officials now argue that fighting drugs and fighting guerrillas are one and the same. In a 1995 interview with Human Rights Watch, then-U.S. Southern Command chief Gen. Barry McCaffrey suggested that since both the ELN and FARC participate in the drug trade, counterinsurgency and counterdrug operations are "two sides of the same coin" and both merit U.S support. 297

A U.S. Defense Department letter to Senator Sam Nunn (D-GA) explains further:

In certain regions of Colombia, guerrillas and narcotics traffickers are very often located in the same area and have an increasingly symbiotic relationship. The traffickers use the guerrillas for protection, and, in exchange, the guerrillas receive financing from the traffickers. In some areas, the guerrillas are also actually involved in the cultivation of illicit crops (both opium poppy and coca), drug processing, and the transportation of both drugs and precursor and essential chemicals. Both police and military units that are engaged in counter-drug missions have encountered guerrillas as they carry out their duties. 298

Human Rights Watch does not dispute that some guerrillas may take part in the drug trade. However, their activity cannot be used to ignore - or covertly support - the Colombian military's campaign against political dissent.

In fact, U.S. officials are well aware of military complicity in human rights abuses in Colombia and the dangers inherent in sending them weapons. In 1994, Amnesty International published a report calling on the U.S. government to suspend military aid to Colombia until it could assure the U.S. Congress that no aid was going to units implicated in human rights abuses. Although the U.S. government denied that aid supplied such units, an inquiry based on a list of units supplied by Al was initiated." 299

Three weeks after Al called for the suspension of aid, Staff Judge Advocate Col. Warren D. Hall III sent a memo to his superiors evaluating the information. The memo is significant because it demonstrates that U.S. officials are not only sensitive to the danger of arming and training military units that violate human rights, but are also aware of military paramilitary ties. The memo warns that U.S aid and training can be used to commit human rights violations, with possible "legal and political" consequences:

a. The light infantry skills U.S. special operations forces teach during CD [counter drug] deployments for training can be used by the Colombian armed forces in their counter-insurgent effort as well. If the host nation (HN) forces trained by USSOUTHCOM to conduct CD operations are deployed on counter-insurgency missions during which they commit human rights violations, the possibility exists that the U.S. will be subjected to criticism.

b. A similar problem exists regarding the equipment provided to enhance HN CD capabilities. It may be used in counter-insurgency operations during which human rights violations might occur. There are various "end-use" limitations on equipment provided to HNs. The conflict in

Colombia, however, involves the Colombian armed forces and police combating guerrillas and narcotraffickers, with paramilitary groups operating in support of all parties to the conflict. 300

Under these circumstances, Hall notes, it is "unrealistic to expect the military to limit use of the equipment to operations against narcotraffickers." 301

In fact, to our knowledge, no unit in the Colombian military is devoted exclusively to combating drugs. Yet units engaged almost exclusively in counterinsurgency operations have received U.S. military aid meant to fight drugs. According to a companion inquiry apparently initiated by Ambassador Myles Frechette, the U.S. Military Advisory Group reported that the First, Third, Fifth, Thirteenth, and Fourteenth Brigades, Mobile Brigades One and Two, and the Tarqui, José Hilario López, Numancia, Luciano D'Elhuyar, Ricuarte, Palacé, and La Popa Battalions - all implicated in serious human rights violations, including violations associated with paramilitaries, some described in this report - had received military aid, including vehicles, M60 and M60E3 machine guns, pistols, grenade launchers, 7.62mm and 9mm ammunition, and Claymore mines. 302

To take just one example, it was the Palacé Battalion alone that carried out both the Trujillo and Riofrío massacres, described in the Impunity section. These two massacres, which since 1990 have cost the lives of at least 120 people, remain largely unpunished.

Since 1990, the year a U.S. commission of advisors drafted recommendations for Colombia's military intelligence reorganization, U.S. weaponry provided to the Colombian army and navy has included 2,020 M9 pistols, 426 M16A2 rifles, 945 M60E3 machine guns, and 255 shotguns, as well as various military vehicles and communication equipment. 303 Between 1990-1994, the U.S. embassy reported that the security assistance program for the Colombian army totalled approximately $66 million. 304

The year 1991, when the Colombian military's intelligence reorganization plan was implemented, was a banner one for U.S. arms shipments to Colombia's army and navy: 10,000 M14 rifles, 700 M16 rifles, 623 M79 grenade launchers, 325 M60 machine guns, 26,000 60mm rifle grenades, 20,000 40mm rifle grenades, 37,000 hand grenades, 3,000 Claymore mines, and about 15 million rounds of rifle ammunition. 305

According to the 1994 U.S. Military Advisory Group report, more mobile units receive U.S. training and equipment, including the Mobile Brigade One and Fourth Division in Meta; the Third Brigade in Cali; the Fourth Brigade in Medellín; the Sixth Brigade in lbague; the Eighth Brigade in Armenia, Valle; the Ninth Brigade in Neiva; the Eleventh Brigade in Antioquia; the Sixteenth Brigade in Yopal and Arauca; and the three Special Forces un its. 306 All of these units are primarily devoted to counterinsurgency, not fighting drugs, and most have been implicated in human rights violations.

All told, at least twenty-four Colombian army units comprising a significant percentage of total troop strength, devoted primarily to counterinsurgency and with a disturbing record of human rights violations, have received U.S. weaponry.

The potential abuse of U.S. military aid and weaponry by security force units that violate human rights has long been a concern shared by Human Rights Watch and other national and

international groups. In 1990, we wrote, "The behavior [of the Colombian security forces] in counterinsurgency and internal security operations should make them ineligible for aid, whatever their behavior in drug interdiction operations." 307

In response to such criticism, the U.S. Congress sought to limit military aid to units that engage "primarily" in counternarcotics operations, not counterinsurgency, acting on the belief that units fighting drugs did not abuse human rights. Through this provision, advocates hoped to build a wall between counternarcotics units and counterinsurgency units implicated in human rights violations. In 1994 and each year since, the U.S. Congress has required by law that, in order for Colombia to receive military aid, the Secretary of State must certify that the funds will be used "primarily for counternarcotics activities." 308

However, the U.S. Military Advisory Group's 1994 End-Use Monitoring Report - published after the investigations identifying units implicated in human rights violations that had received U.S. aid - certified that Colombia was in compliance with U.S. legislation limiting weapons sales and that "US assistance is being effectively employed against narcotics activities." 309

Such inspections clearly fail to ensure that aid is not being used to commit human rights violations or by the units that commit them. They also fail to clearly show that the Colombian military does not transfer weapons provided by the United States to paramilitary forces. 310

Nor have the U.S. teams that conduct these inspections made any measurable effort to inquire about (or comment on in their reports) ongoing human rights cases when visiting bases of publicly reported paramilitary activity." 311

Seeking to toughen human rights protection, in September of 1996, Sen. Leahy added additional language to legislation controlling appropriations for international narcotics control through the State Department. The so-called "Leahy Law," enacted on September 30, 1996, stipulates that narcotics-control funding "must be suspended" to specific units if the "Secretary of State has credible evidence to believe such unit has committed gross violations of human rights unless the Secretary determines and reports to the Committee on Appropriations that the government of such country is taking steps to bring the responsible members of the security forces unit to justice." 312

While we welcome Senator Leahy's initiative, we believe current U.S. legislation on military assistance, including countemarcotics assistance, continues to fall far short of the minimum standard necessary to protect human rights. U.S. legislators can no longer claim that limiting military aid and training to security force units engaged "primarily" in counternarcotics activities helps diminish support to abusive forces; neither can they argue that the mere "taking of steps" to bring accused officers to justice effectively curbs abuses. Although clearly such steps are necessary, we believe the United States must adopt a higher standard. First and foremost, the United States must demand an end to human rights abuses by the Colombian military and their paramilitary partners before resuming aid. If the Clinton Administration is serious about defending and promoting human rights, it must take immediate steps to ensure that no additional assistance goes to forces engaged in a systematic pattern of abuses.

Colombian military units carry other U.S. arms, including AR-15 semi-automatic rifles. The Colombian government buys them directly from U.S. firms, which are licensed to sell them

by the State Department. For example, from 1989 to 1993, the State Department issued thirty-nine licenses to U.S. firms to export small arms to Colombia, for a total value of $643,785. 313

A more detailed accounting is considered classified, on proprietary grounds, by the State Department, despite the concern that these weapons are going to parties known to abuse human rights. Nonetheless, the above figure is known to include sales of AR-15 rifles produced by Colt Manufacturing Company in West Hartford, Connecticut, which has a permanent sales representative in Colombia. 314 In Colombia AR-15 rifles are commonly used by paramilitary forces even though they are forbidden to civilians. 315

Human Rights Watch has also obtained the in-country U.S. Military Advisory Group deployment schedule for fiscal year 1996, included here as Appendix C. It shows that U.S. military personnel continue to advise and train the Colombian military, including the navy, and work in areas where the military maintains a partnership with paramilitaries. The United States deployed two teams of fifty-two U.S. Army Special Forces personnel to Colombia for two-month missions beginning in January and April. Their mission was to teach Colombian army non-commissioned and commissioned officers "junior leadership" combat skills. Out of forty-nine deployments involving a total of 231 U.S. military and intelligence advisors scheduled for 1996, thirty-two deployments involving ninety-seven advisors are in support of the navy. They include the stationing of a U.S. navy intelligence officer with the Colombian navy in Santafé de Bogotá. 316

The CIA Directorate of Operations has also sponsored combat training by U.S. Green Berets in Panama for Colombian army Special Forces units, ostensibly to fight drugs. 317

In Colombia, U.S military trainers have also conducted classes inside the Colombian army base at Cimitarra, Santander, even though the Colombian law enforcement documents cited in this report have consistently identified the town as a focal point of the military-paramilitary partnership, with paramilitary training centers near army bases. In 1995, U.S. officials, including Ambassador Myles Frechette and the U.S. Embassy human rights officer, flew to Cimitarra to observe training. 318

Although the U.S. military has in recent years announced that it has instructed its own personnel to report any suspected human rights abuse they may observe, this policy has to date produced few apparent results. Under the leadership of General McCaffrey, the U.S. Southern Command issued new theater-wide guidelines last year. One stated goal is to:

ensure that all U.S. military personnel assigned to USSOUTHCOM or deployed into the AOR [area of responsibility) understand their responsibility to immediately object to all suspected human rights abuses and report them, regardless of the identity of the victim or the perpetrator. 319

General McCaffrey also issued each officer and soldier under his command a wallet-size card entitled "Southcom Reporting Procedures: The Five Rs of Human Rights." They are: Recognize, Refrain, React, Record and Report. Similarly, the U.S. embassy in Bogotá, under the leadership of Ambassador Myles Frechette, has established a human rights coordinating committee which meets every two weeks to discuss human rights matters. 320

In addition, Human Rights Watch has information from reliable sources showing that U.S. intelligence services regularly intercept and record the radio and cellular telephone conversations of known paramilitaries who are also drug traffickers, which may include conversations about past killings, coordinations with the military, and future plans. Although in the past, the U.S. has shared information with the Colombian attorney general's office to prosecute drug traffickers, to our knowledge similar information on paramilitaries and their military patrons has never been provided to the Colombian authorities. 321

In an interview with Human Rights Watch, Col. Thomas R. Carstens, the U.S. Military Advisory Group Commander, commented: "I've never discussed paramilitaries with [the Colombians]." 322

Although some U.S. officials told Human Rights Watch about suspected abuses during the course of this investigation, they said their careers might suffer if they reported them, as instructed, up the chain of command. "They say they're concerned about human rights, but they're not," said one. "They tell you to report [abuses], but they really don't want to hear it," said another. 323

It is within this climate that U.S. Ambassador Frechette assured Human Rights Watch: "Occasionally, local commanders or officers decide to collaborate with paramilitary groups. [But] I have no information that it is institutional." 324

School of the Americas

Many of the same Colombian officers who are believed to have organized and worked with paramilitaries and are named in this report studied at the U.S. School of the Americas, which operated in Panama until its 1984 move to Fort Benning, Georgia. Several of these officers were students at the school at the time that its curriculum included training manuals recommending that soldiers use bribery, blackmail, threats, and torture against insurgents, according to documents recently released by the Pentagon. Although the Pentagon claims to have destroyed all of the materials containing such recommendations, it is not clear how many may remain in the possession of the Colombian military. 325

School of the Americas graduates include:

- Gen. Harold Bedoya Pizarro, the commander of Colombia's armed forces, studied military intelligence in 1965 and served as a guest professor in 1979. 326 Bedoya also received military intelligence training at Fort Chaffee, Arizona. 337 Bedoya continues to publicly defend paramilitaries in the Chucuri region.

- Gen. Manuel José Bonett Locarno, the army commander, took courses in 1981. 328 Bonett has repeatedly failed to investigate or allow the government's civilian investigators to fully examine reports of his troops' involvement with paramilitaries, including during his tenure as commander of the Third Brigade, responsible for the area around Trujillo, department of Valle, from 1989-1980, when the Trujillo killings were taking place. 329

- Gen. Marino Gutiérrez Isaza, commander of the Fourth Division in 1995, took a course on military intelligence in 1973 and was a guest professor in 1985. Gutiérrez's tenure at the

Fourth Division coincided with the rise of "Black Serpent," a paramilitary group reportedly run by Victor Carranza.

- Gen. (ret.) Luis Eduardo Roca Maichel took courses in 1987. Roca signed Order 200-05/91 as commander of the Colombian armed forces.

- Gen. (ret.) Alvaro Hernán Velandia Hurtado took courses in 1980. In 1995, Velandia was dismissed over the 1987 disappearance of Nydia Erika Bautista and has been linked to paramilitary activity in the Middle Magdalena region.

- Gen. (ret.) Farouk Yanine Díaz took courses in 1969. As commander of the Fourteenth Brigade in 1984, Yanine was linked to MAS, but was never formally investigated. Similar charges were made against him in 1988 when he commanded the Second Division. Nevertheless, Yanine was never formally investigated. 330 In 1996, Alonso de Jesús Baquero Agudelo, alias "Vladimiro," a paramilitary leader sentenced to thirty years imprisonment for his role in the killing of twelve judicial officials near La Rochela, department of Santander, gave the attorney general's human rights unit enough information for them to issue an arrest warrant for Gen. Yanine for his role in the killings by paramilitaries of nineteen salesmen in the Middle Magdalena region in 1987. 331 After his retirement, Gen. Yanine taught at the Inter-American Defense College until his return to Colombia in October 1996, where he turned himself in to civilian authorities for questioning.

- Lt. Col. Luis Felipe Becerra Bohórquez took military intelligence courses in 1968. He later took part in the La Honduras/La Negra massacres and the Riofrío massacre.

U.S. Army Maj. Gordon Martel, a School of the Americas spokesperson, told Human Rights Watch that they "no longer offer any counter-insurgency courses." Most Colombian graduates, however, took other courses, including military intelligence. Currently, Martel said, "there are more Colombians than any other [national] group taking, our counter-drug courses," he added. 332 All of the officers named above except Becerra also served as military attache to the Colombian embassy in Washington, D.C. 333

The United States has taken some steps to address human rights violations by the military. One positive step has been the vetting by a U.S. Embassy team of individual Colombian officers who seek U.S. training. In coordination with the Colombian Defense Ministry, the team eliminates from eligibility any military officer who has been implicated by Colombian government investigators in a crime. Since U.S. training is highly valued and is essential for career advancement, Colombian military officers take such vetting seriously. 334 The vetting process may also help explain why some military officers now write letters defending their actions after evidence surfaces suggesting that units under their command may have committed abuses. 335

However, we believe that the United States should increase pressure on the Colombian military by also suspending the visas of officers with records of human rights abuses. Even now, officers implicated in serious crimes travel freely in the United States. Additionally, the United States should screen not only individuals, but also units engaged in a pattern of human rights violations, including the Luciano D'Elhuyar Battalion. 336 Such units should not receive U.S. training or supplies until the Colombian government can supply convincing evidence that not only have past abuses been fully investigated and those responsible

punished, but also that there is effective oversight preventing similar abuses from occurring.

Footnotes:

291 Includes aid from FY 1989 - FY 1995. The aid has been provided on a grant basis. except for a $20 million loan in FY 1991. The aid is provided through the Foreign Military Financing, MAP Merger, and IMET programs, as well as through special presidential emergency drawdown authority under Section 506 of the Foreign Assistance Act of 1961. U.S. Department of Defense Security Assistance Agency, Foreign Military Sales, *Foreign Military Construction Sales and Military Assistance Facts, As of September 30, 1995* (1996).

292 Largely due to Congressional concerns about the human rights record of the Colombian armed forces, military aid decreased in recent years, from $56 million in FY 1992, to $30 million in FY 1994, $8 million in FY 1994, and $10 million in FY 1995. A perceived lack of cooperation in anti-narcotics efforts resulted in a limitation on military aid in FY 1996 and FY 1997 to $900,000 through the International Military Education and Training program. See DSAA for FY 92-95. The FY 96 and FY 97 estimates are from U.S. Department of State, *Congressional Presentation for Foreign Operations, Fiscal Year 1997*, p. 455.

293 Transmittal No. 96-71, "Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36 (b) (1) of the Arms Export Control Act," delivered to the U.S. Congress on September 12, 1996.

294 Transcript of the hearing of the House International Relations Committee, Federal News Service, September 11, 1996.

295 This authority is given to the President under Section 506 (a) of the Foreign Assistance Act, which allows him to designate up to $75 million per fiscal year worth of articles, services, and training for international narcotics control assistance. White House, "Fact Sheet: Defense Drawdowns to Aid Foreign Anti-Drug Programs," September 24, 1996.

296 Figures provided by the Arms Control and Disarmament Agency, as reported in "A Review of Arms Export Licensing," Committee on Governmental Affairs, United States Senate, June 15, 1994, p. 461.

297 Human Rights Watch interview, Quarry Heights, Panama, March 30, 1995. McCaffrey later retired from the military to head the office of the special advisor to the president for counternarcotics, known as the drug czar, a post he occupied as this report went to press.

298 U.S. Defense Department letter to Senator Nunn, August 26, 1994.

299 Amnesty international-USA Press Release, October 29, 1996.

300 Department of Defense, United States Southern Command, Memorandum for Commander-in-Chief, April 8, 1994.

301 Ibid.

302 "Equipment acquired through U.S. grants," U.S. Military Advisory Group report, 1994.

303 1994 End Use Monitoring (EUM) Phase II Report for Colombia.

304 1994 End-Use Report, 1995.

305 EUM Report on Weapons and Munitions [for 1991].

306 1994 End-Use Report, 1995.

307 Americas Watch, *The "Drug War" in Colombia*, pp. 129-136, 133.

308 Public Law 103-306, August 23, 1994, 108 STAT. 1621.

309 1994 End-Use Report, 1995.

310 These assessments are based on "bi-monthly field inspections of Colombian installations" by Military Group officers, "usually" accompanied by "observers from the Embassy's political section." They purport to identify "the location of the U.S.-supplied equipment distributed to the field to at least the brigade level." U.S. Defense Department letter to Senator Nunn, August 26, 1994.

311 1994 End-Use Report, 1995.

312 Leahy Law, enacted September 30, 1996.

313 Figures provided by the Arms Control and Disarmament Agency, as reported in "A Review of Arms Export Licensing," Committee on Governmental Affairs, United States Senate, June 15, 1994. p. 37.

314 Human Rights Watch telephone interview with Customer Service Representative, Colt Manufacturing Company, West Hartford, Connecticut, March 25, 1996.

315 Human Rights Watch interviews with Colombian law enforcement officers, September 1995. Source agreement prevents us from further identification.

316 List of FY '96 Deployment for USMILGP COLOMBIA.

317 Human Rights Watch interviews with three U.S. officials in Santafé de Bogotá and Washington, 1995. Source agreement prevents us from further identification.

318 Human Rights Watch telephone interview with Susan Abeyta, U.S. Embassy, September 28, 1995.

319 USSOUTHCOM Human Rights Policy, Policy Memo # 1-95, June 16 1995, Commander in Chief, Gen. Barry R. McCaffrey.

320 Human Rights Watch interview, Santafé de Bogotá, October 20, 1995.

321 The agreement to share information on drug cases is currently suspended and under review. "Colombia: Prosecutor General Meets Visiting U.S. Official," *El Tiempo*, FBIS, June 5, 1996.

322 Human Rights Watch interview, Santafé de Bogotá, August 24, 1995.

323 Human Rights Watch interviews with U.S. officials, Santafé de Bogotá and Quarry Heights, Panama, 1995. Source agreement prevents us from further identification.

324 Human Rights Watch interview, Santafé de Bogotá, October 20, 1995.

325 Steven Lee Myers, "Old U.S. Army Manuals for Latin Officers Urged Rights Abuses," *New York Times*, September 22, 1996.

326 Ejército Nacional, Hoja de Vida, Harold Bedoya Pizarro.

327 Human Rights Watch interview with General Bedoya, Santafé de Bogotá, October 20, 1995.

328 A School of Americas list of Colombian graduates is on file at the Washington Office on Latin America.

329 OMCT and others, *Terrorismo de Estado*, pp. 71-72.

330 lbid., pp. 371-373.

331 "¡Acusado!" *Semana*, September 3-10, 1996, pp. 24-28.

332 Human Rights Watch telephone interview, February 20, 1996.

333 OMCT and others, *Terrorismo de Estado*, pp. 59, 72, 166, 278, 373.

334 Human Rights Watch interview with Capt. Rodrigo Cañas, Medellín, July 5, 1996.

335 One such letter, quoted in this report's section on the Barrancabermeja navy intelligence network, was written by Gen. Marino Gutiérrez after a unit under his command was implicated in the disappearance of four navy death squad members captured at an army roadblock.

336 Memorandum from COMUSMILGP [U.S. Milgroup Command] through DCM [Deputy Chief-of-Mission] for Ambassador [Myles] Frechette; Subject: U.S. ARMY Training and Equipping of COLAR [Colombian army] Units accused of Human Rights violations; August 11, 1994.

VII. CONCLUSIONS AND RECOMMENDATIONS

Colombian government officials have consistently claimed that paramilitaries operate outside the law. In October, President Samper rejected a resolution approved by the European Parliament calling on his government to improve the country's dismal human rights record. "It is not true," he said, "that the Colombian security forces have developed an emergency strategy, characterized by aid to paramilitary groups, extrajudicial killings, torture and disappearances." 337

Some military commanders assert that paramilitaries do not exist, and reports to the contrary are disinformation spread by human rights groups working as guerrilla proxies. If they acknowledge them at all, military officers claim paramilitaries are simply people exercising their constitutional right to defend themselves. For their part, U.S. embassy and military personnel in Colombia claim that there is little information on paramilitaries and that they have no knowledge of where, how, when, or with whom they operate.

As this report shows, these claims are false. It is time to clear the smokescreen of official denial and identify this lethal partnership for what it is: a sophisticated mechanism, in part supported by years of advice, training, weaponry, and official silence by the United States, that allows the Colombian military to fight a dirty war and Colombian officialdom to deny it. The price: thousands of dead, disappeared, maimed, and terrorized Colombians.

We have divided our recommendations into three sections, addressed to the Colombian government, including the military, the United States, including its Congress, and the European Union.

To the Colombian Government:

Immediate steps must be taken to demonstrate the Colombian government's willingness to end the military-paramilitary partnership and to dismantle and disarm the paramilitary groups. To begin, President Samper should exercise his power to immediately suspend military commanders with a long-standing record of support for and direct collaboration with paramilitaries, pending a full, impartial, and public investigation by a special team led by the attorney general. The Defense Ministry should fully cooperate with this investigation by making these officers available for questioning. If merit is found to the accusations against them, these officers should be remanded to civilian courts for prosecution.

Measures to stop the military-paramilitary partnership should be adopted immediately. These should include a strict accounting of weapons, equipment (including radios), and supplies to certify that it is not being diverted to paramilitaries; clear and public directives prohibiting the recruitment, support, or collaboration with paramilitaries; a prohibition of using paramilitaries or individuals with a history of paramilitary activity as intelligence agents or informants; and quick, effective, and public punishment when military personnel violate these rules. Military-issue weapons which have been transferred to paramilitary groups should be confiscated.

We urge the president to invite the attorney general to chair a joint government - non-governmental commission to investigate specific army units implicated in a pattern of political murder through their partnership with paramilitaries, including the Panther Task Force No. 27, Special Plan No. 7, the Bomboná, Bárbula, Rafael Reyes, Nariño, Voltígeros, Palacé, José Hilario López, Ricuarte, and Luciano D'Elhuyar Battalions, the Fifth, Seventh, Ninth, Tenth, Eleventh, and Fourteenth Brigades, the First and Second Mobile Brigades, and the Fourth Division. A crucial element of this investigation should be an inquiry into the use of extralegal tactics, and a determination on whether or not they have ceased.

We urge President Samper to present to Congress a bill to reform the military penal code that would end the practice of treating all criminal acts by soldiers as "acts of service." We also urge President Samper to include in the bill language that would end the "due obedience" defense, which allows subordinates to defend themselves by claiming they were only following orders. We believe that the evidence amply proves that the military is incapable of policing itself and that human rights cases involving military officers should be heard in civilian courts.

We urge President Samper to present to congress and fully support legislation that would make the act of forcible disappearance, defined as an unacknowledged arrest by the security forces, a crime punishable by law.

The executive should clearly and forcefully resist military-backed attempts in Colombia's Congress to reform the constitution to end civilian oversight of the armed forces, in particular a bill that would end the work of the Procuraduría Delegates for the Armed Forces and Human Rights and block the investigations led by the attorney general. Although we criticize the Procuraduría's work in this report, we believe that at the very least it provides an opening for civilian investigations of reports of human rights violations that must be defended and strengthened.

We urge President Samper to convoke a joint government-NGO commission to investigate the office of the Procuraduría Delegate for the Armed Forces, which has a poor record of investigating human rights abuses by the military. A professional of proven independence should be appointed to head a reorganized office, fully independent and with strong and public support of the executive.

We believe the government can protect judges and fortify the courts without recurring to the curbs on due process that are part of the public order system. The public order system should be reformed to empower justices to aggressively pursue drug traffickers, guerrillas, paramilitaries, and military officers who commit human rights crimes, while safeguarding those individuals' right to a fair trial.

The government should increase funding to the attorney general's witness protection program, to allow prosecutors not only to protect those who testify against suspected drug traffickers and guerrillas, but also securityforce members and paramilitaries accused of human rights violations.

We call on the army and specifically Gen. Harold Bedoya to refrain from bringing slander charges against human rights groups that publish information linking the security forces to human rights abuses and a partnership with paramilitaries. Human rights organizations have a

responsibility to report on alleged violations and press for government investigations, but cannot replace government prosecutors, whose job is to develop sufficient evidence to convict. In the Colombian context, the strategy of bringing slander charges appears designed to punish groups for speaking out and terrorize them into blunting or suppressing future publications. The military only loses credibility when it launches unfounded charges against human rights monitors.

We urge President Samper to invoke a special commission within the cabinet and including the presidential human rights counselor and a representative from the office of the High Commissioner on Peace to review all military manuals currently in use and propose revisions that promote a respect for human rights and the protection of the civilian population. These manuals should also be reviewed to ensure that they explicitly and clearly bar human rights violations and collaboration with paramilitaries.

We urge President Samper to fully fund and support the effort launched by the Interior Ministry to identify and arrest known paramilitary leaders and bring them to justice. The capture of these individuals must be seen as fundamental to halting political violence in Colombia.

For the U.S Government:

As we have in the past, we call on the U.S. government to immediately suspend all military aid, arms sales, training, arms deliveries and covert assistance to Colombia because this assistance has supplied units implicated in gross human rights violations. Based on the evidence collected in this report as well as other material in the hands of U.S. and Colombian authorities, the United States is obligated to suspend all funds provided under the international narcotics control legislation currently in effect.

In particular, the U.S. should suspend the pending delivery of $169 million in Black Hawk helicopters, M60 machine guns, and ammunition sold to Colombia as well as the $40 million in helicopters, communications gear, and equipment that President Clinton announced in September would be provided to Colombia free of charge under the special drawdown authority of Section 506 (a) of the Foreign Assistance Act.

We urge the U.S. government to immediately suspend the visas of Colombian officers implicated in human rights abuses, including those stemming from the military-paramilitary partnership, pending the results of an impartial and public investigation by the Colombian attorney general.

The United States should undertake an immediate, thorough investigation gh into where U.S. military aid has gone in Colombia, to which units, and to what purpose. The investigation should be independent and the results made public.

U.S. military aid to Colombia should not be resumed until the longstanding practices of gross and persistent violations of human rights by the Colombian armed forces and their paramilitary partners have ceased. At a minimum, the resumption of aid should be conditioned on the achievement of the following:

a. The Colombian government must implement the measures recommended above to eliminate and prevent any form of support, cooperation, or collaboration between the military and paramilitary forces.

b. The Colombian government must demonstrate the effectiveness of its legal mechanisms for investigating and disciplining, including through criminal sanctions imposed by the civilian courts, members of the military responsible for human rights abuses. To do this, the Colombian government must conduct full and public investigations and effective prosecutions on key cases, including the Trujillo massacre, the Barrancabermeja navy intelligence network, threats and attacks against human rights monitors in Meta, the Puerto Patiño and Segovia massacres, and military paramilitary activity in the Chucurí region.

c. The Colombian government must make public the findings of a full review of the armed forces' progress in stopping human rights abuses, a part of which must include the record of criminal investigations, trials and appropriate punishment of officers found responsible for human rights violations. This review must pay special attention to the following units implicated in this report in a serious and continuing pattern of human rights abuses: Panther Task Force No. 27, Special Plan No. 7, the Bomboná, Bárbula, Rafael Reyes, Nariño, Voltígeros, Palacé, José Hilario López, Ricuarte, and Luciano D'Elhuyar Battalions, the Fifth, Seventh, Ninth, Tenth, Eleventh, and Fourteenth Brigades, the First and Second Mobile Brigades, and the Fourth Division.

d. The Colombian government must demonstrate 1) that directives to observe international human rights standards have been issued to security force personnel and are enforced, 2) that records for security force personnel register training in human rights and compliance with humanitarian law; and 3) the internal mechanisms for investigating and disciplining members of the military and police responsible for human rights abuses must be clear and transparent so that their effectiveness can be a matter of public record.

e. The United States government should adopt safeguards to ensure that any future aid, for whatever declared purpose, is not channeled to forces responsible for patterns of gross human rights abuse or otherwise contributes to the violation of human rights.

f. These safeguards must include effective screening and monitoring procedures to ensure that U.S. assistance, including training and arms, goes only to those forces proven to have records free of human rights violations and shown to operate in accord with procedures by which such violations are subject to criminal investigation and prosecution by civilian judicial authorities. End-use monitoring of aid should include tracking the human rights record of the units and personnel assisted. Advisory assistance, weapons and other aid should not go to security force units or officers against whom there is credible evidence of serious human rights abuses until the alleged abuses have been fully investigated, and those responsible for past abuse have been punished.

g. All U.S. personnel overseas, including personnel with the U.S. military, Drug Enforcement Administration, and CIA, should be directed to report to appropriate Colombian and U.S. authorities any human rights abuses by Colombian security forces about which they have information, regardless of the identity of the victim or perpetrator.

Recognizing that this report raises many questions about United States military and CIA support for the reorganization of Colombia's military intelligence service and subsequent assistance to the Colombian armed forces, Human Rights Watch urges the U.S. to conduct an immediate, comprehensive investigation of security assistance since 1990 to Colombia. This should include an investigation of the U.S. military and CIA role in advising Colombia's intelligence services; the extent to which U.S. officials had knowledge of or failed to pursue information on possible human rights violations by Colombian military and intelligence personnel and their paramilitary partners, or were directly complicit in criminal action in the course of advisory missions; or contributed to impunity by shielding military-paramilitary links from public scrutiny. This investigation should examine the human rights record of the uniformed Colombian forces assisted by the United States and of those paramilitary forces acting under their authority within or in association with Colombia's military intelligence networks, as well as the record of U.S. personnel working with them. A report of this investigation should be made public.

Information obtained by the U.S. in the course of counternarcotics intelligence gathering or other activities that indicates the possibility of human rights abuses should be turned over to the appropriate national public authorities. When the U.S. and Colombian attorneys general renegotiate their agreement to share information on suspected drug traffickers, we strongly urge that these institutions also discuss the sharing of information gathered by the United States in the course of its counternarcotics operations, but which pertain to human rights violations and the military-paramilitary partnership.

The Clinton Administration should seek legislation authorizing the incorporation of a human rights assessment in its annual drug "certification" report to Congress. That assessment would review the human rights implications of each country's anti-drug programs and laws.

Human Rights Watch does not oppose non-military aid to Colombia, and urges the U.S. government to include in its Administration of Justice program funds that would allow the attorney general's office to strengthen the Human Rights Unit and expand the witness protection program to include witnesses who testify against security force members and paramilitaries accused of human rights violations.

To the European Union:

We urge the member states of the European Union to immediately suspend all military aid to Colombia, including training, services, and arms deliveries pending results in the measures and investigations detailed in our recommendations to the Colombian government, including the suspension of military officers implicated in crimes, the adoption of measures to end the military-paramilitary partnership, and investigations of specific units implicated in crimes.

To the United Nations:

Human Rights Watch strongly supports the U.N. plan to set up a permanent office in Colombia under the auspices of the U.N. High Commissioner for Human Rights and urges this office to make full and public reports on the human rights situation in Colombia.

Footnote:

337 Karl Penhaul, "Colombia Stokes Oil Giant's Rights Abuse Dispute," *Reuter*, October 31, 1996.

APPENDICES

[html editing note: The original documents in Colombia's Killer Networks are presented here as transparent gif images. Dust specs have been removed using image editing software, to enhance readability. Anyone looking for markings on the documents, or otherwise in need of more accurate reproductions, is advised to obtain the printed version of this report from Human Rights Watch.]

A. Colombian Armed Forces Directive No. 200-05/91

Directive No. 200-05/91 concerning the "Organization and Function of the Intelligence Networks," Ministerio de Defensa Nacional, Fuerzas Militares de Colombia, Comando General, Directiva No. 200-05/91, "Organización y Funcionamiento de las Redes de Inteligencia," April 1991.

Annex A: Organization and Foundation of the Urban and Rural Networks

B. Colombian Police Report on the Puerto Patiño massacre of 1/95

Colombian Police Report on the Puerto Patino massacre of January 1995 (Dirección de Policía Judicial e Investigación, Unidad Delitos Contra la Vida e Integridad Personal, Santafé de Bogotá, 12 de febrero, 1995, "Informe investigación masacre Puerto Patiño").

C. "List of FY 96 Deployments for USMILGP Colombia"

D. March 11, 1996 Letter from Acting Assistant Secretary of Defense Frederick Smith to Senator Patrick J. Leahy

Letter of March 11, 1996 from Acting Assistant Secretary of Defense Frederick Smith to Senator Patrick J. Leahy concerning U.S. mission to evaluate and recommend changes in the Colombian military intelligence system.

Appendix A (English Translation from the Original)

Colombian Armed Forces Directive No. 200-05/91

Directive No. 200-05/91 concerning the "Organization and Function of the Intelligence Networks," Ministerio de Defensa Nacional, Fuerzas Militares de Colombia, Comando General, Directiva No. 200-05/91, "Organización y Funcionamiento de las Redes de Inteligencia," April 1991.

MINISTERIO DE DEFENSA NACIONAL
FUERZAS MILITARES DE COLOMBIA
COMANDO GENERAL

DIRECTIVA Nº 200-05 / 91

ORGANIZACION Y FUNCIONAMIENTO

DE LAS REDES DE INTELIGENCIA

NATIONAL DEFENSE MINISTRY

MILITARY FORCES OF COLOMBIA

COMMAND HEADQUARTERS

ORDER NO. 200-05/91

ORGANIZATION AND OPERATION

[RESERVADO]

2. INFORMACION.

a. Antecedentes

(1) El Ministerio de Defensa con base a las recomendaciones que hizo la comisión de asesores de las Fuerzas Militares de los EE.UU. ha ordenado la Reestructuración de la Inteligencia Militar en todos los niveles.

(2) Ante la escalada terrorista por parte de la subversión armada, el Gobierno Nacional decidió apoyar con recursos extraordinarios a las Fuerzas Militares, autorizando la creación de Brigadas Móviles e incrementando la capacidad de la Inteligencia a las Fuerzas Militares.

3. EJECUCION.

a. Misión General

El Comando General de las Fuerzas Militares a partir de este momento dirige y coordina la organización de las Redes de Inteligencia urbanas y rurales en las tres fuerzas para aumentar su capacidad de Inteligencia.

b. Misiones Particulares

(1) Jefe del Estado Mayor Conjunto

(a) Supervise el cumplimiento de la presente Directiva

(b) Efectúe las coordinaciones necesarias a fin de que en el desarrollo de la presente Directiva se logren los apoyos oportunos y eficientes por parte de aquellos organismos del Estado que tengan injerencia en los trámites para

2. INFORMATION
a. Background

(1) The Defense Ministry, based on the recommendations made by the commission of advisors of U.S. Military Forces, has ordered the Restructuring of Military Intelligence at all levels.

(2) In the face of escalating terrorism by armed subversion, the National Government decided to support the Military Forces with extraordinary resources, authorizing the creation of Mobile Brigades and increasing the intelligence capability of the Military Forces.

3. IMPLEMENTATION

a. General Mission

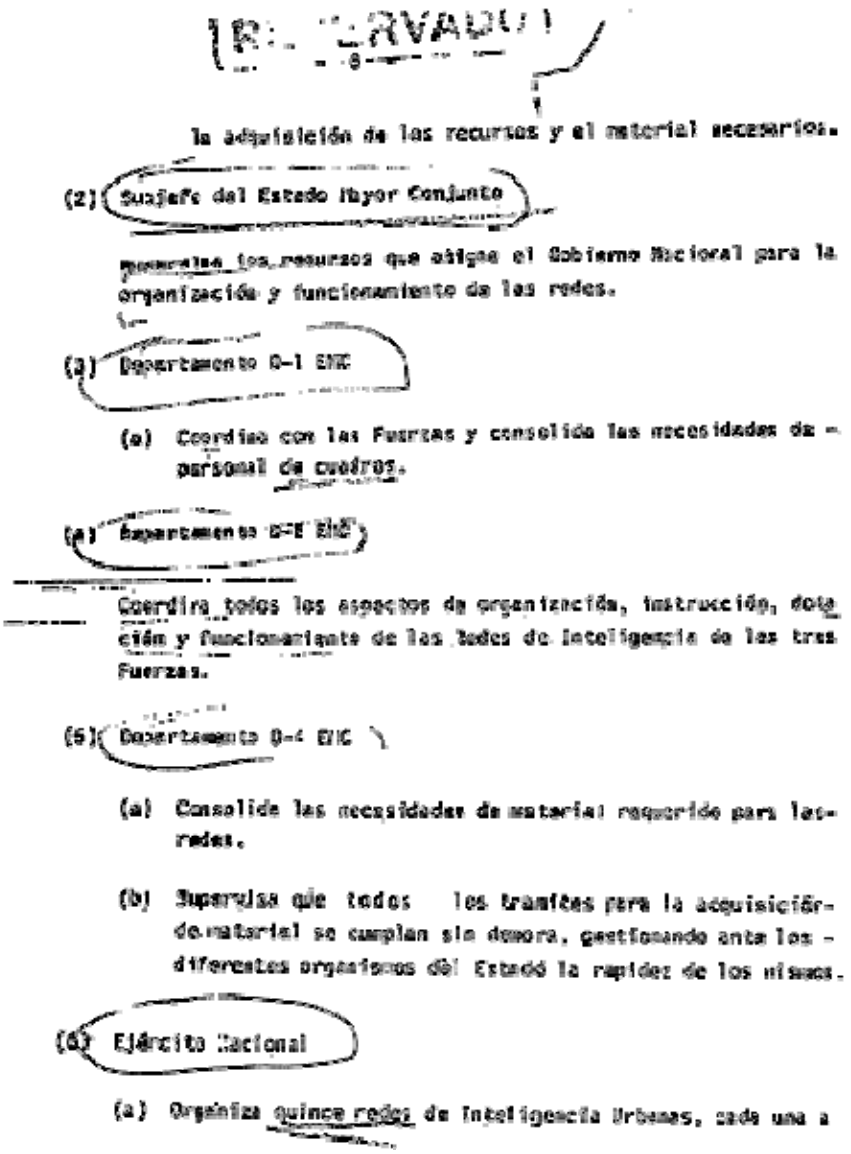
The General Command of the Military Forces will immediately assume the direction and coordination of the organization of urban and rural intelligence networks of the three branches of the Military Forces to increase their intelligence capability.

b. Specific Missions

(1) Chief of the Joint Chiefs of Staff (JCS)

(a) Supervises the implementation of this Order.

(b) Coordinates as necessary to ensure that in the implementation of this Order timely and efficient support is provided by those agencies of the State that are involved in the procedures



la adquisición de los recursos y el material necesarios.

(2) Subjefe del Estado Mayor Conjunto

Supervisa los recursos que asigne el Gobierno Nacional para la organización y funcionamiento de las redes.

(3) Departamento D-1 EMC

(a) Coordina con las Fuerzas y consolida las necesidades de personal de cuadros.

(4) Departamento D-2 EMC

Coordina todos los aspectos de organización, instrucción, dotación y funcionamiento de las redes de inteligencia de las tres Fuerzas.

(5) Departamento D-4 EMC

(a) Consolida las necesidades de material requerido para las redes.

(b) Supervisa que todos los trámites para la adquisición de material se cumplan sin demora, gestionando ante los diferentes organismos del Estado la rapidez de los mismos.

(6) Ejército Nacional

(a) Organiza quince redes de inteligencia urbanas, cada una a

to acquire the needed resources and supplies.

(2) Deputy Chief of the Joint Chiefs of Staff

Supervises the resources allocated by the National Government to organize and operate the networks.

(3) Department D- I JCS

(a) Coordinates with the Forces and consolidates the needs for personnel.

(4) Department D-2 JCS

Coordinates all aspects of the organization, instruction, outfitting, and operation of the intelligence networks of the three Forces.

(5) Department D-4 JCS
(a) Centralizes the equipment needs of the networks.

(b) Ensures that all procedures for the acquisition of supplies are carried out without delay, maintaining contact with various State agencies to ensure they proceed swiftly.

(6) National Army
(a) Organizes fifteen Urban Intelligence networks, each

tres Oficiales, cinco Suboficiales, cinco Agentes de Con - trol y veinticinco Agentes de Inteligencia.

(b) Organiza quince Redes de Inteligencia Rurales, cada una a - tres Oficiales, cuatro Suboficiales, diez Agentes de Control y cincuenta Agentes de Inteligencia.

(c) Estas redes serán orgánicas de los Batallones de Inteligencia de la SR-20, pero estarán en apoyo directo de las Divisiones y Brigadas.

(d) Dispone la adquisición de todos los elementos requeridos pa ra la activación de las redes como:

- Transporte
- Comunicaciones
- Material Técnico
- Equipo de Oficina
- Etc.

(7) Armada Nacional

(a) Organiza cuatro Redes de Inteligencia Portuarias a tres Oficiales, cinco Suboficiales y veinticinco Agentes de Inteli - gencia.

(b) Las redes serán orgánicas de la Dirección de Inteligencia de la Armada Nacional pero estarán bajo mando operacional de las Fuerzas Navales o de las Brigadas de Infantería de Marina.

(8) Fuerza Aérea

with three Officers, five Non-commissioned Officers, five Control Agents, and twenty-five Intelligence Agents.

(b) Organizes fifteen Rural Intelligence Networks, each with three Officers, four Non-commissioned Officers, ten Control Agents and fifty Intelligence Agents.

(c) These networks will be directly linked to the Intelligence Battalions of the BR-20, but they will provide direct support to the Divisions and Brigades.

(d) Orders the acquisition of all elements required to activate the networks, such as:

- Transportation

- Communications

- Technical Supplies

- Office Equipment

- Etc.

(7) National Navy

(a) Organizes four Port Intelligence Networks with three Officers, five Non Commissioned Officers, and twenty-five Intelligence Agents.

(b) The networks will be directly linked to National Navy Intelligence, but will be under the operational command of the Naval Forces or the Naval Infantry Brigades.

(8) Air Force

(a) Organiza cinco Redes de Inteligencia Aeroportuaria a tres - Oficiales, cinco Suboficiales y veinticinco Agentes de Inteligencia.

(b) Organiza dos Redes de Inteligencia Rurales a tres Oficiales, cuatro Suboficiales y sesenta Agentes de Inteligencia.

(c) Las redes serán orgánicas de la Dirección de Inteligencia - pero estarán en apoyo directo de las Unidades de la Fuerza Aérea que designe el Comandante

c) Instrucciones de Coordinación

(1) Manejo de Personal

(a) El estudio, selección, instrucción, entrenamiento, ubicación y la organización de la red de inteligencia tanto urbana como rural, se hará en forma cubierta y bajo responsabilidad de los Comandantes de División y Brigadas o sus equivalentes en las otras Fuerzas y de los Comandantes de Red.

(b) Los Comandos de División y Brigada con base en el conocimiento de las jurisdicciones asignadas propondrán la relación de candidatos, sean civiles o militares en situación de retiro para integrar los cuadros de la red.

(c) En aras de mantener la compartimentación, la instrucción y el entrenamiento deberán ser personalizados y apoyados en textos escritos que se retirarán una vez cumplido el proceso.

(c) El análisis del área por cubrir y objetivos en ella contenidos deberán permitir establecer los blancos y la técnica

(a) Organizes five Airport Intelligence Networks with three Officers, five Non-commissioned Officers, and twenty-five Intelligence Agents.

(b) Organizes two Rural Intelligence Networks with three Officers, four Non-commissioned Officers, and sixty Intelligence Agents.

(c) The networks will be directly linked to Intelligence, but will provide direct support to the Air Force Units designated by the Commander.

c. Instructions on Coordination

(1) Personnel Management

(a) The study, selection, instruction, training, location and organization of these networks, urban as well as rural, will be covert and under the responsibility of the Division and Brigade Commanders, or their equivalents in other forces, and the Network Commanders.

(b) The Division and Brigade Commanders, based on their knowledge of the jurisdictions assigned, are to propose a list of candidates, whether civilians or retired military personnel, for integration into the network cadre.

(c) To ensure compartmentalization, instruction and training should be in person and supported by written texts which shall be returned once the process has been completed.

(d) The analysis of the area to be covered and the objectives contained in it should make it possible to establish the targets and the technique to use.

a utilizar.

(e) Los Comandantes de Batallón de Inteligencia estarán bajo mando operacional de los Comandantes de División y las redes de inteligencia aunque son orgánicas de los Batallones de Inteligencia, estarán bajo mando operacional de las Brigadas o sus equivalentes en las otras fuerzas.

(f) El manejo de las redes será cubierto y compartimentado dando flexibilidad necesaria para el cubrimiento de los blancos de interés.

(g) El Jefe de Red debe establecer los mecanismos de comunicación con la Unidad apoyada, a fin de garantizar el suministro oportuno de información e inteligencia en todos los niveles.

(h) A partir del recibo de la presente Directiva, las fuerzas Militares inicien el estudio para la selección y reclutamiento del personal requerido, así como de las áreas de trabajo de estas redes.

(i) Los miembros de las redes deben evitar asistir a las instalaciones militares y los contactos e intercambios serán secretos y siempre dirigidos por los Comandantes de Brigada y de Unidades Tácticas o sus equivalentes.

(j) Manejo de Fondos.

(a) Los dineros correspondientes a los gastos mensuales que ocasione el funcionamiento de las redes, serán girados por el Comando General a las respectivas fuerzas y su control será ejercido por los correspondientes Direcciones de Inteligen-

(e) The Intelligence Battalion Commanders will be under the operational command of the Division Commanders and their intelligence networks. Although the intelligence networks are part of the Intelligence Battalions, they will be under the operational command of the Brigades or their equivalent in the other Forces.

(f) The administration of the networks will be covert and compartmentalized allowing for the necessary flexibility to cover targets of interest.

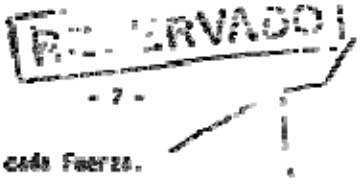
(g) The Network Chief should establish mechanisms of communication with the Unit supported so as to guarantee the timely supply of information and intelligence at every level.

(h) Once this report is received, the Military Forces are to begin a study to select and recruit the personnel needed as well identify the areas where these networks will operate.

(i) The members of the network should avoid going to military installations. Contacts and exchanges should be secret and always directed by the Brigade Commanders and Commanders of Tactical Units or their equivalents.

(2) Handling of Funds

(a) Funds for monthly expenditures incurred by the networks will be provided by the General Command to the respective Forces. Control of the funds will be the responsibility of the respective Directors of Intelligence of each Force.



cia de cada Fuerza.

(b) Los procedimientos para la legalización de los dineros de Gastos Reservados se hará de acuerdo al procedimiento detallado en la Directiva No. 011/89 Sobre Gastos Reservados. y la Circular No. 1275/91 Instrucciones Gastos Reservados.

(c) Los dineros serán manejados bajo los siguientes rubros:

- Gastos de Funcionamiento
- Mantenimiento y Adquisición de material
- Pago de Agentes e Informantes

Lo anterior de acuerdo a lo estipulado en la Directiva Permanente de Inteligencia y Contrainteligencia 200-3/91 Capítulo III "ASUNTOS ADMINISTRATIVOS".

(d) Los fondos para el Ejército, serán situados de la siguiente manera:

- Del Comando General al Comando del Ejército (COMEJE).
- De la Dirección de Inteligencia a la Vigésima Brigada Inteligencia y Contrainteligencia.
- De la Vigésima Brigada a los Batallones de Inteligencia
- De los Batallones de Inteligencia a las redes.

En caso de presentarse el pago de informaciones de gran cuantía, que sobrepase el fondo previsto de cada red, se deberá solicitar a la Dirección de Inteligencia de la respectiva Fuerza.

(e) Para la Armada Nacional y la Fuerza Aérea los fondos serán situados así:

- Del Comando General A las Direcciones de Inteligencia.

(b) The procedures to legally account for funds allocated for Classified Expenditures shall be pursuant to the procedure set forth in Order No. 011/89 on Classified Expenditures and Circular No. 1275/91, Instructions on Classified Expenditures.

(c) The funds will be allocated under the following categories:

- Operating Costs
- Maintenance and acquisition of supplies
- Payment of Agents and Informants

This scheme is as provided for in the Standing Order on Intelligence and Counter-Intelligence 200-3/87, Chapter III, "ADMINISTRATIVE MATTERS."

(d) The funds for the Army will be distributed as follows:

- From the Armed Forces General Command to the Army Command (DINTE)

- From the Intelligence Directorate to the Twentieth Intelligence and Counter-Intelligence Brigade.

- From the Twentieth Brigade to the Intelligence Battalions

- From the Intelligence Battalions to the networks.

In the case of a very large payment for information, over and above the sum allocated for each network, a request should be directed to the Intelligence office of the respective Force.

(e) For the National Navy and Air Force, the funds shall be distributed as follows:

- From the Armed Forces General Command to the Intelligence Directorate

- De la Dirección de Inteligencia a los Comandos de red.

(3) Manejo de Redes

Personal

(a) Jefe de Red

El la persona encargada de la administración de los recursos humanos y materiales de su red, así como de la organización, dirección y orientación del esfuerzo de búsqueda, de conformidad con las misiones asignadas a las que resulten de acuerdo con el problema existente en un área determinada.

Características.

Oficial en actividad con gran conocimiento del área, del problema existente, facilidad de tomar contacto con personalidades de la zona y para mantener una fachada. Además organiza y administra la red.

Determina planes de ingreso para la inteligencia militar que deben cubrir en su área, efectúa análisis y envía la información recolectada. Difunde en forma oportuna, clara y veraz la información pertinente a los Comandantes de Brigada y División.

Establece mecanismos de coordinación y control, para recibir y difundir las informaciones. Efectúa apertura de cuentas para recibir los dineros destinados a la administración de la red.

Apoya en forma directa a las Divisiones y Brigadas a las --

- From the Intelligence Directorate to the Network Commands.

(3) Network Management

Personnel

(a) Network Chief

The Network Chief is in charge of administering the network's human and material resources, as well as organizing, directing, and orienting the search effort, consistent with the missions

assigned or that may arise in light of the specific problem in a given area.

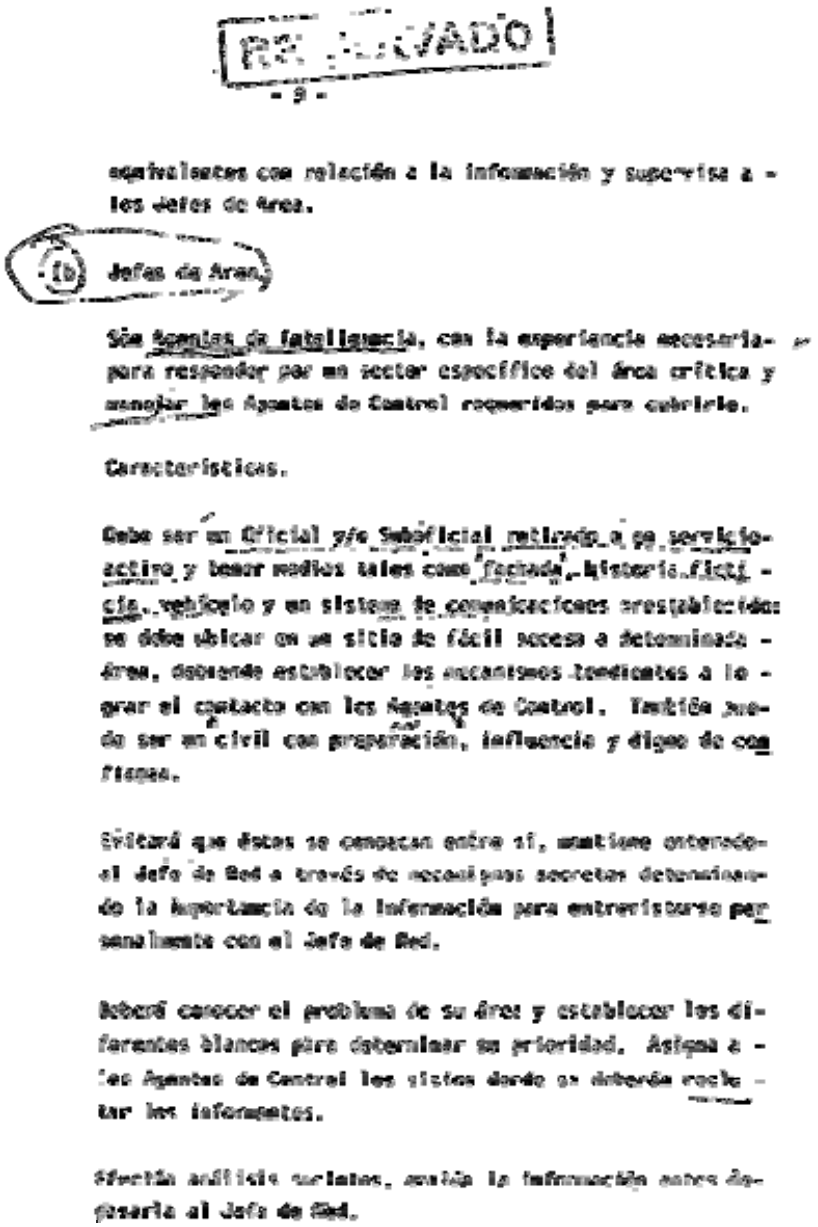
Characteristics:

Active-duty officer with broad knowledge of the area, of the problem, ability to make contact with persons in the zone, and to maintain a facade. In addition, he organizes and operates the network.

He determines targets of interest to Military Intelligence that are to be covered in his area, engages in analysis, and evaluates the information gathered. He provides the relevant information to the Brigade and Division Commanders in a timely, clear, and accurate fashion.

He establishes coordination and control mechanisms to receive and disseminate the information. He opens accounts to receive the funds earmarked for managing the network.

He provides direct support to the Divisions and Brigades



RESERVADO

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equivalentes con relación a la información y supervisa a - los Jefes de Area.

(b) Jefes de Area

Son Agentes de Inteligencia, con la experiencia necesaria para responder por un sector específico del área crítica y manejar los Agentes de Control requeridos para cubrirla.

Características.

Debe ser un Oficial y/o Suboficial retirado o de servicio activo y tener medios tales como fachada, historia ficticia, vehículo y un sistema de comunicaciones preestablecido: se debe ubicar en un sitio de fácil acceso a determinada área, debiendo establecer los mecanismos tendientes a lograr el contacto con los Agentes de Control. También puede ser un civil con preparación, influencia y dicho de conformidad.

Evitará que éstos se conozcan entre sí, mantiene enterado al Jefe de Red a través de mecanismos secretos determinando la importancia de la información para entrevistarse personalmente con el Jefe de Red.

Deberá conocer el problema de su área y establecer los diferentes blancos para determinar su prioridad. Asigna a - los Agentes de Control los sitios donde se deberán recolectar los informantes.

Efectúa análisis variados, envía la información antes descripta al Jefe de Red.

and their respective equivalents regarding the information, and supervises the Area Chiefs.

(b) Area Chiefs

The Area Chiefs are Intelligence Agents with the experience required to be accountable for a specific sector of the critical area and to manage the Control Agents required to cover that area.

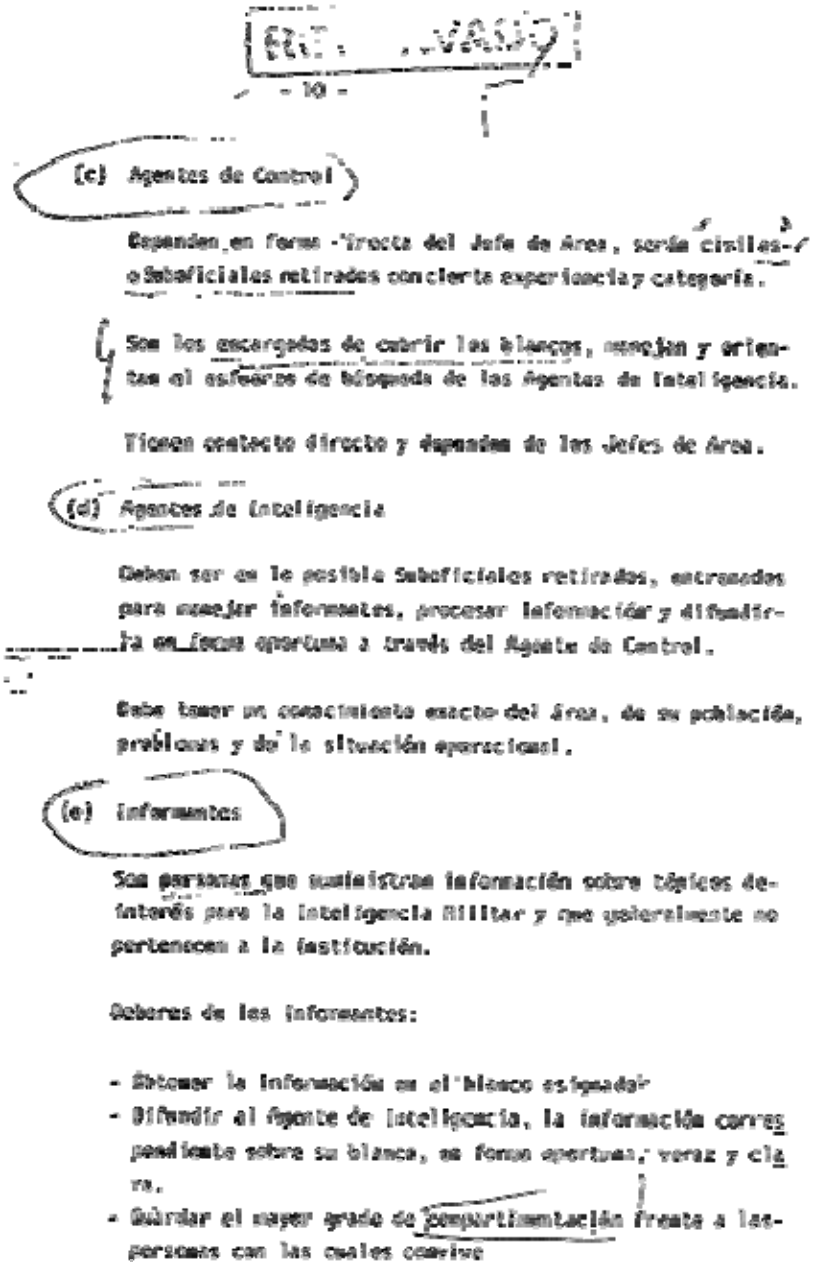
Characteristics

Area Chiefs should be retired or active-duty Officers or Non-commissioned Officers, and should have a cover, a false identity, a vehicle, and a pre-established communications system; they should also be located at an easily accessible site, and should establish mechanisms to make contact with the Control Agents. An Area Chief could also be a civilian with training and influence who is trustworthy.

Each Area Chief will ensure that the Control Agents do not know one another, and will keep the Network Chief informed through secret mechanisms; if the importance of the information so warrants, he will meet personally with the Network Chief.

He must be familiar with his area and establish the different targets as well as their priority. He assigns the Control Agents the places where they are to recruit informants.

They undertake concise analysis, and evaluate the information before passing it on to the Network Chief



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(c) Agentes de Control

Dependen en forma directa del Jefe de Area, serán civiles o Suboficiales retirados con cierta experiencia y categoría.

Son los encargados de cubrir los blancos, manejan y orientan el esfuerzo de búsqueda de los Agentes de Inteligencia.

Tienen contacto directo y dependen de los Jefes de Area.

(d) Agentes de Inteligencia

Deben ser en lo posible Suboficiales retirados, entrenados para manejar informantes, procesar información y difundirla en forma oportuna a través del Agente de Control.

Debe tener un conocimiento exacto del área, de su población, problemas y de la situación operacional.

(e) Informantes

Son personas que suministran información sobre tópicos de interés para la Inteligencia Militar y que generalmente no pertenecen a la institución.

Deberes de los informantes:

- Obtener la información en el blanco asignado.
- Difundir al Agente de Inteligencia, la información correspondiente sobre su blanco, en forma oportuna, veraz y clara.
- Guardar el mayor grado de compartimentación frente a las personas con las cuales convive

(c) Control Agents

The Control Agents are directly under the Area Chief, and are to be civilians or retired non commissioned officers with some experience and certain qualities.

They are in charge of covering the targets; they manage and direct the search effort of the Intelligence Agents.

They are in direct contact with and come directly under the Area Chiefs.

(d) Intelligence Agents

Insofar as possible they should be retired Noncommissioned Officers trained to handle informants, process information, and to pass it on through the Control Agent in a timely fashion.

They should have detailed knowledge of the area, its population, problems, and the operational situation.

(e) Informants

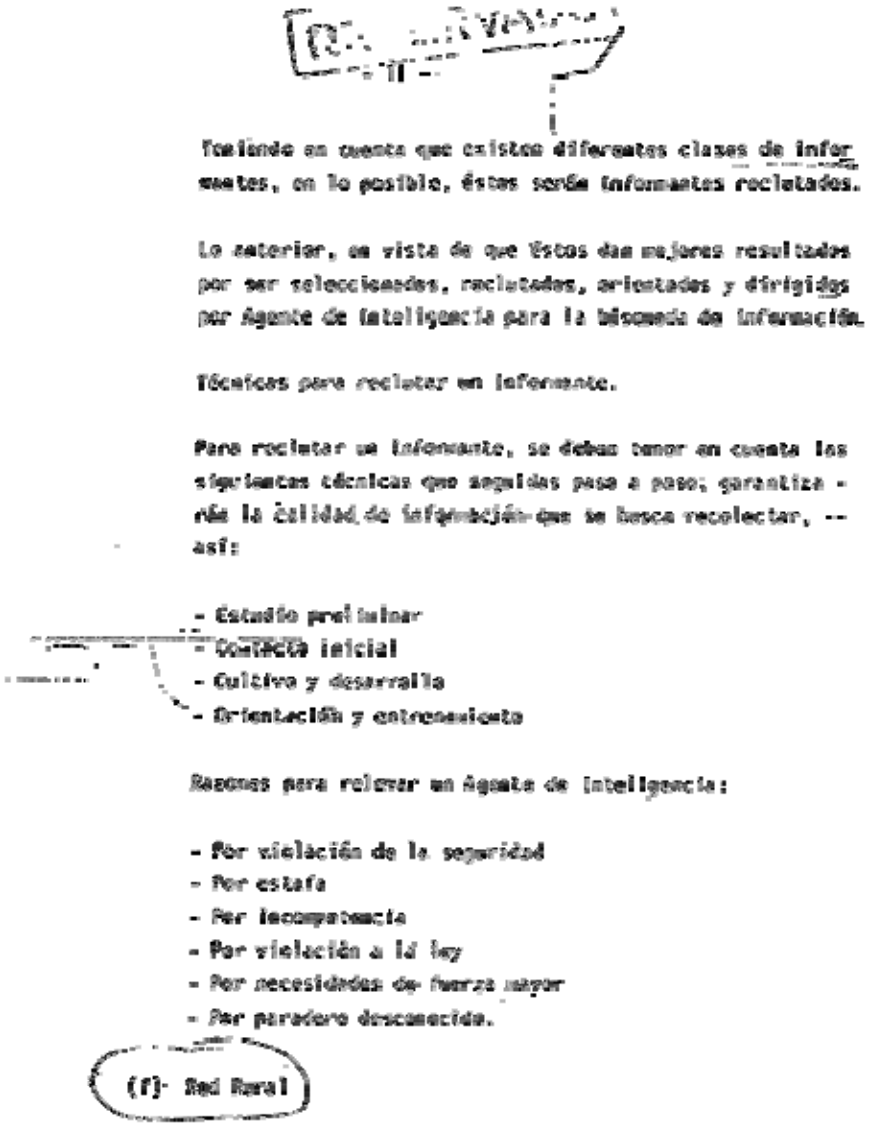
They provide information on topics of interest to Military Intelligence and in general they are not members of the Institution.

Informants' duties:

- To obtain information on the assigned target.

- To pass on to the Intelligence Agent the respective information about his target, in timely, accurate, and clear fashion.

- To ensure the greatest possible degree of compartmentalization with respect to the persons with whom he lives.



Teniendo en cuenta que existen diferentes clases de infor
mantes, en lo posible, éstos serán informantes reclutados.

Lo anterior, en vista de que éstos dan mejores resultados
por ser seleccionados, reclutados, orientados y dirigidos
por Agente de Inteligencia para la búsqueda de información.

Técnicas para reclutar un informante.

Para reclutar un informante, se deben tener en cuenta las
siguientes técnicas que seguidas paso a paso, garantiza -
rán la calidad de información que se busca recolectar, --
así:

- Estudio preliminar
- Contacto inicial
- Cultivo y desarrollo
- Orientación y entrenamiento

Razones para relevar un Agente de Inteligencia:

- Por violación de la seguridad
- Por estafa
- Por incompetencia
- Por violación a la ley
- Por necesidades de fuerza mayor
- Por paradero desconocido.

(f)- Red Rural

El funcionamiento de esta red en cuanto a personal, deberá
tener características similares a las de la red urbana, ob
servando que el aspecto físico, dialecto y costumbres se -

Bearing in mind that there are different classes of informants, insofar as is possible they will be recruited informants.

This is in view of the fact that recruited informants yield better results, since they are selected, recruited, oriented, and directed by an Intelligence Agent in their search for information.

Techniques for recruiting an informant:

To recruit an informant, the following techniques should be taken into account and followed step by step; this will guarantee the quality of information to be collected. These steps are:

- Preliminary study

- Initial contact

- Cultivate and develop the contact

- Orientation and training.

Causes for dismissing an Intelligence Agent:

- Violation of security

- Fraud

- Incompetence

- Breaking the law

- Considerations of force majeure

- Unknown whereabouts

(f) Rural Network

The operation of this network in terms of personnel should be similar to that of the urban network. Measures should be taken to ensure that the physical appearance, dialect, and customs

asemejen al área donde se está desarrollando la actividad de inteligencia.

(4) Aspectos Misceláneos

(a) Para el reclutamiento de informantes, se debe tener en cuenta el acceso que estos tengan a la información, evitando en lo posible ser guiados por sentimientos de amistad, familiaridad, compañerismo, etc.

(b) Se debe evitar que los Agentes de Control e Informantes frecuenten el lugar de residencia y trabajo del Jefe de Red, guardando para ello los canales establecidos al efectuarse las comunicaciones entre sí.

(c) En cuanto a las redes se enfatiza deben ser manejadas en forma cubierta, dándole el tratamiento que como red de inteligencia requiere.

(d) Las órdenes y orientaciones sobre tareas de inteligencia no se deben elaborar por escrito.

(e) El reclutamiento urgente de informantes debe obedecer a la calidad y no a la cantidad.

(f) Los Agentes de Control deben mantener permanente contacto con sus informantes, evitando al máximo realizar visitas esporádicas.

(g) Se deben determinar misiones específicas a cada uno de los informantes, de acuerdo al conocimiento y acceso al blanco de interés, así como el entrenamiento y experiencia para tal fin.

are similar to those of the area in which the intelligence activity is being carried out.

(4) Miscellaneous Aspects

(a) In recruiting informants their access to information should be taken into account; one must avoid insofar as possible being guided by friendship, familiarity, camaraderie, etc.

(b) It is important to avoid visits by the Control Agents and the Informants to the place of residence of the Network Chief; the established channels should be used for any communications among them.

(c) It is to be emphasized that the networks should be managed covertly, adopting the approach that an intelligence network requires.

(d) The orders and guidance on intelligence should not be drawn up in writing.

(e) Urgent recruitment of informants should be based on quality and not quantity.

(f) The Control Agents should maintain permanent contact with their informants, and should do their utmost to avoid making sporadic visits.

(g) Specific missions should be determined for each of the informants, based on knowledge of and access to the target of interest, as well as their training and experience for such purpose.

(h) No se debe prometer lo que no se puede o no se tenga intención de cumplir.

(i) No deberán existir o efectuarse contratos de trabajo por escrito con los informantes ni con ningún miembro civil de la red. : Todo deberá ser en forma verbal.

(j) Bajo ninguna medida se deberá expedir constancias por escrito de pertenencia a Agencias de Inteligencia.

(k) Al reclutar un informante, no se comprometerá laboral o jurídicamente al Ministerio de Defensa.

(l) La experiencia ha comprobado que en algunas oportunidades, es más conveniente pagar por misiones que tener informantes fijos que a la postre se convierten en traficantes de información o su producción y calidad de información es mínima, debido a que cuenta con un sueldo fijo.

(ll) Aspectos Administrativos

La inversión de los recursos obliga a una cuidadosa apreciación logística y un planeamiento metódico con el fin de optimizar su utilización.

(ll) Sistema de Operación y Organización

(a) Las redes rurales del Ejército, de la Armada Nacional y de la Fuerza Aérea operarán bajo el concepto de Areas críticas y su ubicación y distribución territorial será determinada por los Comandos de División y de Brigada o sus equivalentes de acuerdo a la situación existente: De la

(h) One should not promise what cannot be done or what one has no intention of doing.

(i) There should be no written labor contracts with the informants or with any civilian member of the network, nor should any be entered into. Everything should be done orally.

(j) Under no circumstance shall written confirmation be issued attesting to anyone's employment by the Intelligence Agencies.

(k)Upon recruiting an informant, the Ministry of Defense shall not acquire any labor-related or legal liabilities.

(1) Experience has shown that on some occasions it is more advisable to pay for information than to have fixed informants who ultimately become information- peddlers, or produce little and poor-quality information, since they receive a fixed salary.

(5) Administrative Aspects

The investment of resources requires careful logistical assessment and methodical planning to ensure their use is optimal.

(6) System of Operation and Organization

(a)The rural networks of the Army, the National Navy, and the Air Force will operate on the basis of critical areas, and their territorial placement and distribution will be determined by the Division and Brigade Commanders or their equivalents based on the existing situation.

des marcas es necesario que la red rural quede localizada en un área crítica definida bajo responsabilidad de un Comando de Unidad Operativa Menor para evitar duplicidad de esfuerzos.

(b) La Armada Nacional podrá establecer con las redes rurales asignadas, redes fluviales en aquellas zonas que tengan esa característica. Para este efecto se deben emitir las instrucciones y los conceptos de operación requeridos.

(c) Cuando se vaya a establecer una red rural se debe seleccionar primero el área crítica, si ésta es muy grande, es aconsejable dividirla en dos subáreas ubicando un Jefe de Area en cada una de ellas. De estos Jefes de Area dependen los Agentes de Control que se localizan en los municipios importantes del área o en sectores rurales apropiados.

De estos Agentes de Control dependen los Agentes de Inteligencia quienes a su vez controlan a los informantes.

(d) Las redes urbanas del Ejército se organizan en ciudades intermedias y ciudades capitales que garanticen un flujo permanente de información sobre la subversión. La determinación de sus áreas y ubicación de los Agentes de Control dentro de la ciudad seleccionada, es responsabilidad de los Comandantes de Brigada y División.

(e) Las redes urbanas de la Armada Nacional operan bajo el concepto de Puerto, en el sentido de que su área de acción será las Aguas marinas, portuarias, estibadores y demás organismos oficiales y privados que tengan que ver con la actividad portuaria. Se debe evitar la tendencia a concentrar estas redes en la ciudad sede del Puerto y por el con

In any event it is necessary for the rural network to be located in a well-defined critical area under the responsibility of a Minor Operational Unit Command to avoid duplication of effort.

(b) The National Navy may establish river networks in zones with rivers, in addition to the rural networks assigned. Instructions should be issued to that effect, including operational requirements.

(c) When a rural network is to be established, the critical area should first be chosen; if it is very large, it is advisable to divide it into two sub areas, and to place an Area Chief in each

one. The Area Chiefs command the Control Agents, who are located in the major municipalities of the area and in appropriate rural sectors.

These Control Agents, in turn, command the Intelligence Agents, who in turn control the informants.

(d) The urban networks of the Army are organized in intermediate-size cities and capital cities so as to ensure a permanent flow of information about subversion. Determining the areas and placement of the Control Agents within the city selected is a responsibility of the Brigade and Division Commanders.

(e) The urban networks of the National Navy are organized around Ports, in that their area of operations includes the shipping and fishing companies, dockyards, and other official and private agencies that have to do with port activities. An effort should be made to avoid the trend whereby these networks would be concentrated in the city where the Port is located;

RESERVADO

trario se debe distribuir a lo largo del litoral asignado.

(f) Las redes urbanas de la Fuerza Aérea se denominan redes aeroportuarias y se organizan en los aeropuertos principales cubriendo con sus Agentes de Control los demás aeropuertos del área seleccionada. Su área de actividad serán las empresas de transporte aéreo oficiales y privadas tanto nacionales como extranjeras, los aeroclubes, las escuelas de pilotaje, los talleres de mantenimiento, las empresas de turismo y en general todas las organizaciones que tengan que ver con el tráfico aéreo. Se debe poner especial atención a las torres de control y al funcionamiento del aeropuerto pero evitando el concepto de que la red en su totalidad debe establecerse en las instalaciones aeroportuarias.

(7) Medio y Comunicaciones

Omitido.

(8) Inspecciones y Reglamentación

a) De acuerdo al cronograma establecido, la organización de las redes de inteligencia urbanas, rurales, portuarias y aeroportuarias, debe tener su iniciación operativa a partir del segundo semestre de 1991. Por tal razón los Comandos de Fuerza programan inspecciones durante este periodo y el Comando General efectuará la verificación de las instrucciones aquí contenidas en las siguientes fechas:
Ultima semana de Agosto y última semana de Octubre.

b) Tomando como guía las instrucciones contenidas en esta Directiva, los Comandos de Fuerza elaborarán las cartillas de instrucción sobre organización, entrenamiento, administra-

to the contrary, they should be distributed throughout the coastal and riverine areas assigned.

(f) The urban networks of the Air Force are called airport networks and are organized in the airports; their Control Agents cover the other airports of the area selected. Their area of activity will be official and private air transport companies, both national and foreign, pilot clubs, pilot schools, maintenance shops, tourism companies, and in general all organizations that have to do with air traffic. Special attention should be given to the control towers and to operation of the airport; but measures should be taken to ensure the network's coverage is not limited exclusively to airports.

(7) Command and Communications

Omitted.

(8) Inspections and Regulation

a) Based on the timetable established, the organization of urban, rural, port, and airport intelligence networks should begin to operate in the second half of 1991. For this reason, the Commanders of the respective Forces schedule inspections during this period, and the General Command will verify the instructions contained herein on the following dates: Last week of August and last week of October.

b) Guided by the instructions contained in this Order, the Commanders of the respective Forces are preparing instructional primers on network organization, training, management, and operation, as follows:

ción y operación de redes así:

- Ejército Nacional : redes rurales y urbanas
- Armada Nacional : redes fluviales y portuarias
- Fuerza Aérea : redes aeroportuarias

Esta reglamentación debe ser enviada al Comando General el 3008:00 ABRIL-91.

General LUIS [illegible] ROJA MARCOS
Comandante General Fuerzas Militares

ANEXO: "A" Organización y Dotación de las Redes Urbanas y Rurales

DISTRIBUCION:

Copia No. 01 Ministerio de Defensa Nacional
Copia No. 02 Comandante General Fuerzas Militares
Copia No. 03 Comandante Ejército Nacional
Copia No. 04 Comandante Armada Nacional
Copia No. 05 Comandante Fuerza Aérea
Copia No. 06 Jefe Estado Mayor Conjunto
Copia No. 07 Sub-Jefe Estado Mayor Conjunto
Copia No. 08 Departamento D-1 EMC
Copia No. 09 Departamento D-2 EMC
Copia No. 10 Departamento D-4 EMC
Copia No. 11 Departamento D-5 EMC
Copia No. 12 Escuela Superior de Guerra
Copia No. 13 Comando Infantería de Marina
Copia No. 14 Dirección Logística Ejército
Copia No. 15 Departamento D-5 EMC

- National Army: rural and urban networks

- National Navy: river and port networks

- Air Force: airport networks

This regulation should be sent to the General Command 3008:00 APRIL-91

[signature]
General LUIS EDUARDO ROCA MAICHEL
General Commander of the Military Forces

ANNEX: "A" Organization and Outfitting of the Urban and Rural Networks.

DISTRIBUTION

Copy No. 01	Minister of National Defense
Copy No. 02	General Commander of the Military Forces
Copy No. 03	Commander, National Army
Copy No. 04	Commander, National Navy
Copy No. 05	Commander, Air Force
Copy No. 06	Chief of the Joint High Command
Copy No. 07	Deputy Chief of the Joint High Command
Copy No. 08	Department D-1 EMC
Copy No. 09	Department D-2 EMC
Copy No. 10	Department D-4 EMC
Copy No. 11	Department D-3 EMC
Copy No. 12	War College
Copy No. 13	Naval Infantry Command
Copy No. 14	Army Intelligence
Copy No. 15	Department D-5 EMC

Continued:

Annex "A" Organization and Foundation of the Urban and Rural Networks

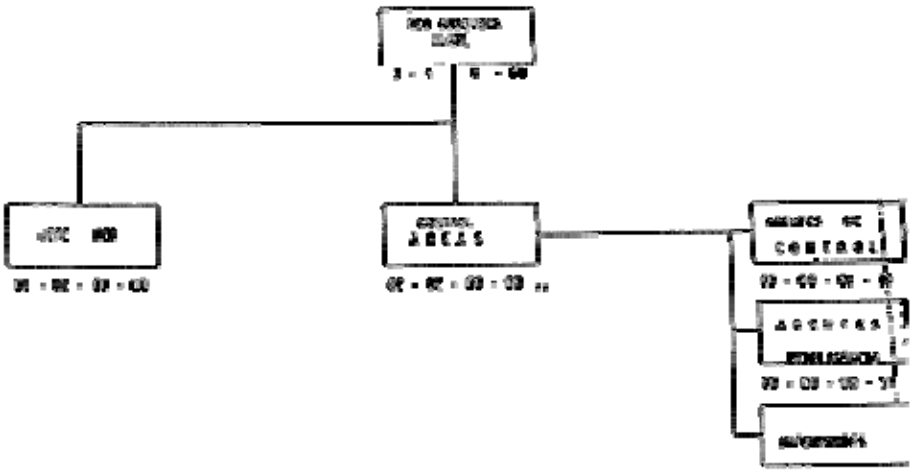
Annex A: Organization and Foundation of the Urban and Rural Networks

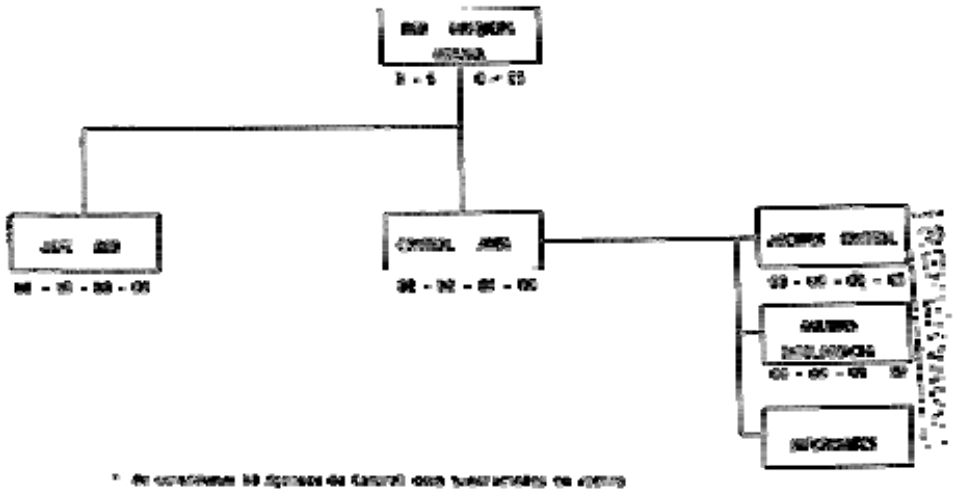
A N E X O "A"

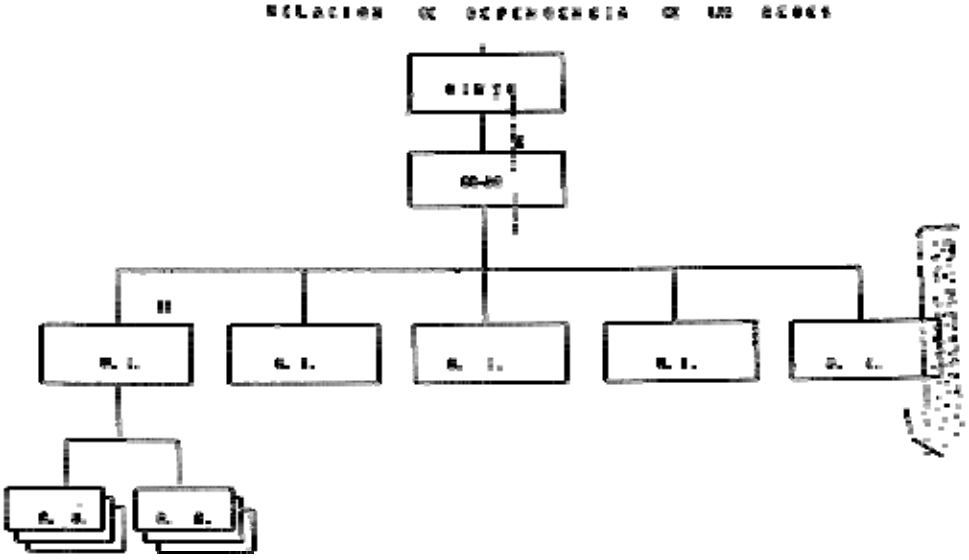
ORGANIZACION Y DOTACION

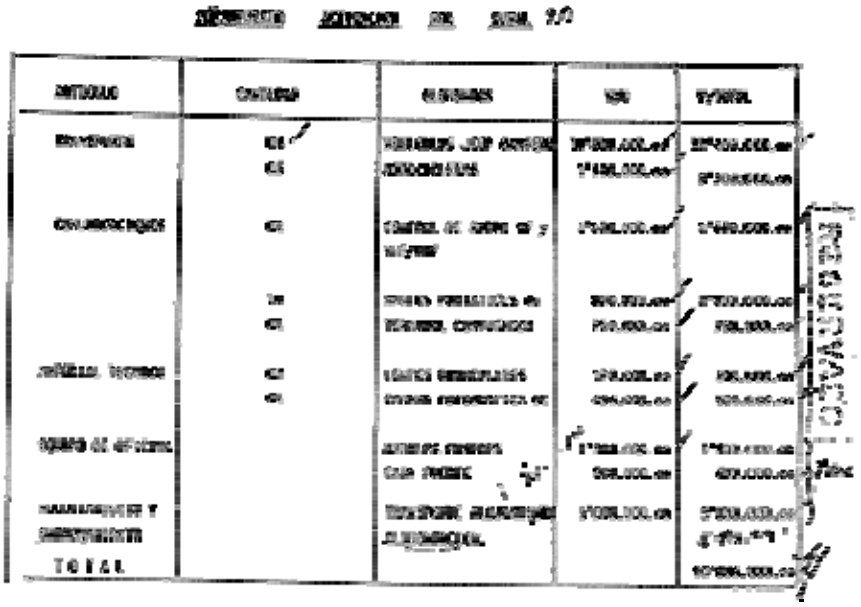
DE LAS REDES

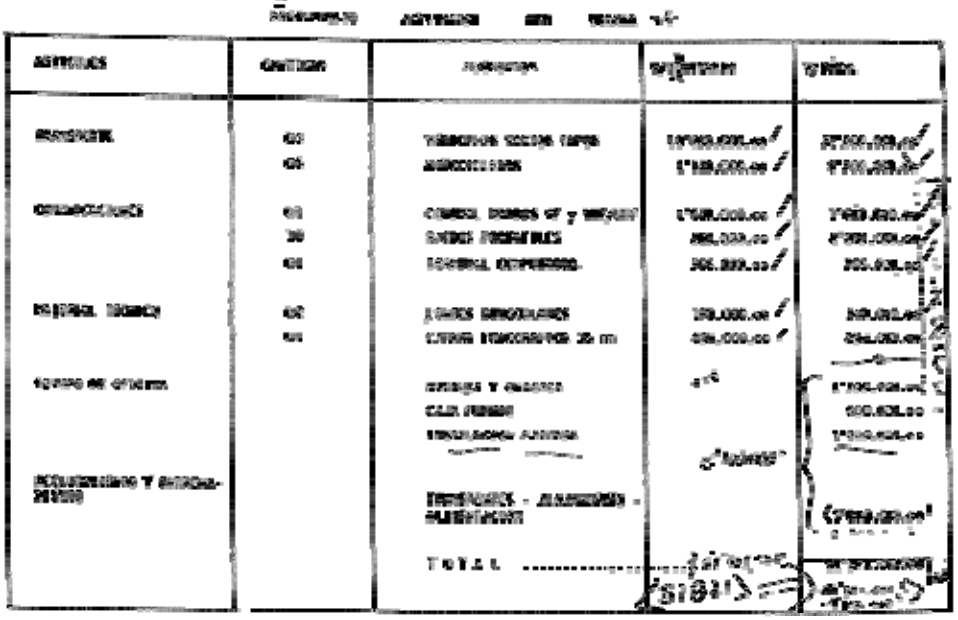
URBANAS Y RURALES

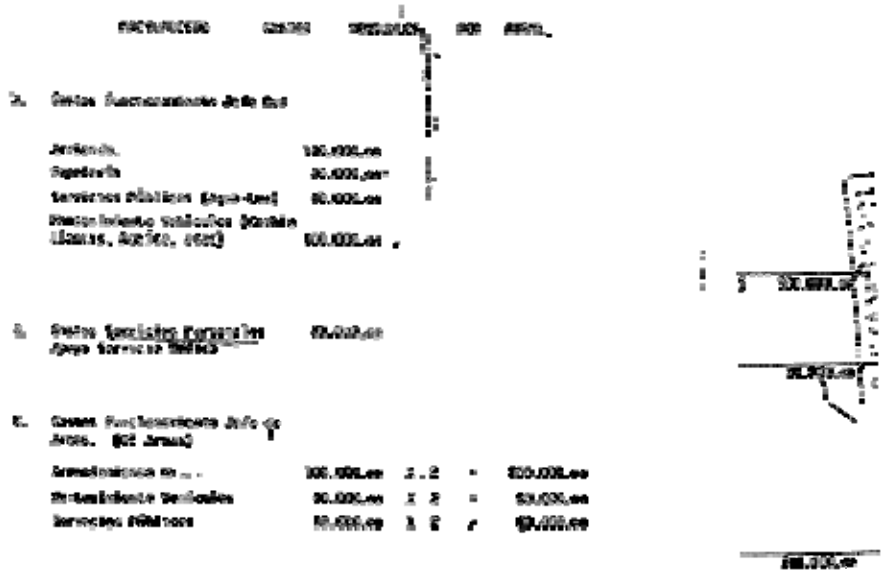












B. [illegible]

[illegible] $ [illegible]

[illegible] $ [illegible]

C. [illegible]

TOTAL . . . . . $ [illegible]

PRESUPUESTO DIARIOS [illegible] DEL MISMO

A. Costos Funcionamiento

Arriendo	[illegible]
Papelería	[illegible]
Servicios Públicos (Agua, Luz Teléfono).	[illegible]
Mantenimiento vehículos (Gasolina, Aceite y Llantas).	[illegible]
Varios	[illegible]

B. Costos Servicios Personales

Apoyo Servicios Públicos	[illegible]

C. Costos Funcionamiento Otra Area

Arrendamiento	[illegible]	X	2	= [illegible]
Gastos Mantenimiento	[illegible]	X	2	= [illegible]
Varios	[illegible]	X	2	= [illegible]

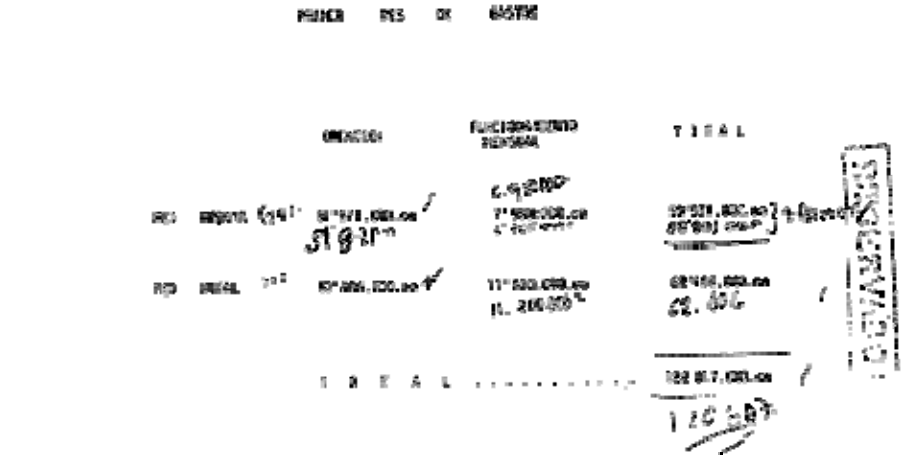
$ [illegible]

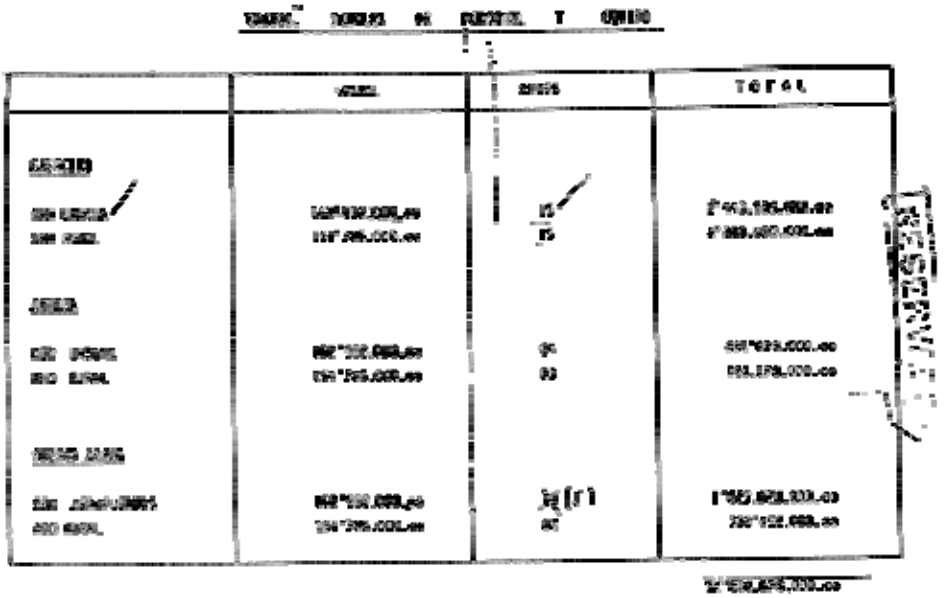
B. Viaje de Agentes

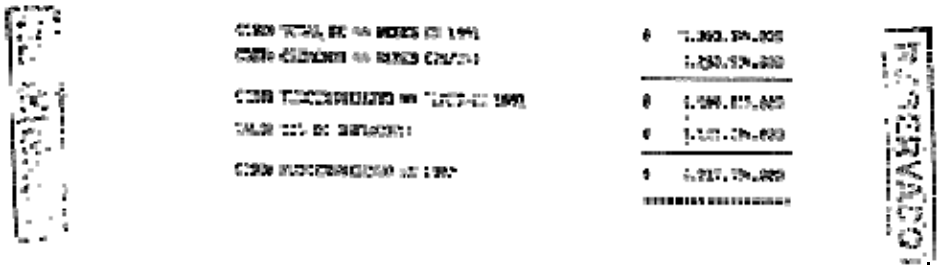
Agentes de Control	[illegible] =	$ [illegible]
Agentes de Investigación	[illegible] =	[illegible]
		$ [illegible]

B. Viaje de Informantes [illegible]

TOTAL . . . . . $ [illegible]







APPENDIX B (ENGLISH TRANSLATION FROM THE ORIGINAL)

Colombian Police Report on the Puerto Patiño massacre of 1/95

Colombian Police Report on the Puerto Patiño massacre of January 1995 (Dirección de Policía Judicial e Investigación, Unidad Delitos Contra la Vida e Integridad Personal, Santafé de Bogotá, 12 de febrero, 1995, "Informe investigación masacre Puerto Patiño").

JUDICIAL AND INVESTIGATIVE POLICE
UNIT FOR CRIMES AGAINST LIFE AND PERSONAL INTEGRITY

Santafe de Bogota, February 13, 1995

RE: Report on massacre at Puerto Patiño (Cesar)

TO: Brigadier General
DIRECTOR OF THE JUDICIAL AND INVESTIGATIVE POLICE
Office

Pursuant to the order in official communication No. 0314 of January 19, 1995, from the Office of the Deputy Director of the National Police, I take this opportunity to inform you, General, of the results of the investigation undertaken in the municipality of Aguachica and in the district of Puerto Patiño (Cesar) to look into the events in which eight (8) persons lost their lives on January 15, 1996, in Puerto Patiño.

THE FACTS

On January 15, 1995, at approximately 5:00 a.m., in the district of Puerto Patiño,a group of 40 men carrying short nd long-range automatic weapons, some wearing uniforms restricted for the use of the Military Forces and others in civilian dress, entered the district and went to the public establishments known as La Guapachosa and Los Charcos (brothels) where various people were socializing; they ordered everyone to lie face down; they proceeded to identify them one by one, while insulting them and telling them that they were all guerrillas. Finally, possibly after making a selection, they kidnapped the following people: JESUS ROPERO N., JOHN HOYMAR BELTRAN GALVAN, LIBARDO MONTALVO PEREZ, MIGUEL ANGEL CACERES PADILLA, FERNANDO LOPEZ OSORIO, JOSE TRINIDAD GALAN, GIOVANNY GUZMAN, LORENZO PADILLA, AND [the informant Jos&ecute;]; The last of the aforementioned was released a few hours later and returned to the district, where he told the victims' relatives not to worry, that nothing was going to happen to the

boys, because they would be released later. Some time thereafter inhabitants of the district began a search of the surrounding area, and at 5:00 a.m. they found the corpses of GIOVANNY GUZMAN and LORENZO PADILLA at the entrance the farm known as "White Widow": that afternoon, they found the corpse of FERNANDO LOPEZ OSORIO, and later the corpses of the other five (5) in a brook known as LA GUADUA, near the village of Los Angeles. According to the testimony of witnesses, the criminals moved about in several vehicles, including a Trooper camper, with no other data, and a 350 yellow-cabin pick-up truck that had been seen in the municipality of San Martin. The actions perpetrated by the criminals were carried out from 12:05 a.m. to 1: 15 a.m.

SITUATION IN THE REGION

The problems in southern Cesar are born directly from the grave economic situation in the region and the absolute poverty of the majority of its population.

In a sector where the best way to guarantee one's survival is to join one of the bands carrying out violence (subversives or paramilitaries), the hardest hit are those who don't take sides, but who find themselves in the cross-fire.

At this time, violence in southern Cesar is the most profitable "business." The subversives obtain income from extortion, kidnappings, payment of protection money, cattle-rustling, and to protect poppy fields in the Serran´a del Perijá. Those who opt to ally themselves with bands of private justice obtain their income from the remunerations of two (2) or three (3) powerful families involved in cattle ranching and narcotics trafficking, who are now trying to dominate the zone and eradicate all the subversion. Futhermore, the paramilitaries obtain income from the obligatory payments that all farmers [small and large] must pay regardless of the income earned on their parcels. In most cases, the small farmers and ranchers must abandon their lands, as their earnings are not enough to cover the payments extorted by [both] bands.

Despite the efforts of the government and its security forces to achieve national peace and further a good image for the country with respect to human rights, unfortunately, the case of Puerto Patiño, like other cases already known to public opinion, also involves members of the Military Forces who act in a manner clearly abusive of their authority, ignoring state and institutional directives and standards. They have entered into an alliance with armed groups not only for the counter-insurgency struggle, but also to profit from these activities and to open the way for narco-traffickers, who make financial contributions to these groups in exchange for being able to carry out the production and trafficking of narcotics.

INVESTIGATION INTO THE VICTIMS

Due to the tense situation in the area where the events occurred, very little has been determined about the victims. Even so, some information indicates only two or three of these people may have had some connection to subversive activities, meaning that when the guerrillas came to the district they kept them in their homes, and since they were fishermen, they transported them in their canoes along Patiño River. The rest, it seems, were eliminated in order to have a psychological impact on the population, and thereby compel them to pay the protection money.

Concerning [the informant José], who was kidnapped along with the eight victims but who was later freed, testimony from inhabitants who witnessed the events strongly suggests that he was the informant for the perpetrators of this massacre. The testimony clearly shows the protection that members of the NATIONAL ARMY have given this man, who they had supposedly detained and then released, and so have failed in their duty to bring him, as a witness, before the competent authorities.

People in Puerto Patiño, who have already seen the participation or consent of members of the Army in this massacre, have been, for that reason, reluctant to collaborate with this investigation.

PARAMILITARISM (MATERIAL AND INTELLECTUAL AUTHORS OF THE PUERTO PATIÑO MASSACRE)

The armed groups, especially in southern Cesar, have arisen mainly in response to the major strides the guerrilla movement has made in the zone. According to sources, [the armed groups] are supported by the PRADA family, which owns properties in the jurisdiction of the municipality of San Martín; these sources are small-scale ranchers and farmers who are forced to pay protection money. They state that the leader of this group is Mr. ROBERTO PRADA, followed by his brothers JUANCHO and MARTINIANO PRADA; among other leaders also mentioned was Mr. FIDEL MEDINA, administrator of the properties of MARCO TULIO VILLAMIZAR, also in the jurisdiction of the municipality of San Martín (Cesar). It was found that this armed group is made up of approximately 40 men who call themselves Los Macetos; they range in age from 15 to 25 years. They have automatic short- and long-range weapons. The sources indicate that their members include JORGE PEDROZA MARTINEZ, GUILLERMO MENDOZA, residents of San Martin, PEDRO MORALES, resident in Morales (Bolivar), and ISIDRO ROLLEROS, a resident of San Alberto (Cesar).

Furthermore, high-level and diverse sources of information indicate that National Army Major JORGE ALBERTO LAZARO VERGEL, Commander of the Aguachica Base, was directly responsible for and directly involved in organizing and carrying out the actions of this group, using personnel from the MORRISSON base of UNASE [Anti-kidnapping and Extortion Unit, a government security force] in Aguachica.

To support this Organization, the ranchers and farmers must pay monthly or quarterly protection money that ranges from 1 million to 10 million pesos. Those who don't pay the protection money must leave the zone, or else they are executed. On some occasions the persons affected have come before Mr. ROBERTO PRADA to negotiate their debt, and to beg mercy for their lives; they must do the same vis-á-vis the subversion.

Other information of interest regarding private justice groups in the region, but which has yet to be confirmed, has it that the well-known narco-trafficker VICTOR CARRANZA is planning to acquire an estate in the jurisdiction of the municipality of La Gloria (Cesar) known as Bella Cruz, which he would use as a base for his activities, for which he would bring in 200 paramilitary operatives from the department of Meta whose mission would be to clean up the zone. According to the sources this estate is to be purchased from a well-known politician from Cesar whose last names are MARULANDA RAMIREZ.

INFORMATION OF INTEREST

a. The Subversives

Groups that operate in the department: the XXVII, XIX, and LIX fronts of the FARC and four ELN fronts known by the names MANUEL MARTINEZ QUIROZ, CAMILO TORRES RESTREPO, 6TH OF DECEMBER, and HEROES AND MARTYRS OF LAS BANDERAS all operate in the jurisdiction, for a total of seven (7) guerrilla fronts that carry out actions practically throughout the entire department. This demonstrates that the subversion is the most significant factor of violence, as its actions encourage the proliferation of private justice groups, which worsens the violence.

b. Political violence

Assassinations

DATE	LOCALITY	FULL NAME	POSITION
1/1/94	Aguachica	Angel Uriel Isaza Sánchez	Councilman
3/28/94	Chiriguaní	Rodrigo Gutiérrez Maestre	ex-mayor
4/13/94	Aguachica	Rafael Fragoso Crespo	Candidate to congress
5/16/94	Aguachica	Oswaldo Arturo Pájaro	Council chair
5/31/94	Valledupar	Aquile Alfonso Aguilar	Police inspect.
7/28/94	Aguachica	Emilson Sepulveda Saravia	Munic. Sec'y
10/6/94	San Alberto	Rodolfo Rivera Sttaper	Ex-congressman
12/31/94	Valledupar	Ospicio Baquero Araujo	Reinserted EPL

Kidnappings

DATE	LOCALITY	FULL NAME	POSITION	RELEASED
1/7/94	Pelaya	Jairo de Jesús Castro	Mayor	2/5/94
5/15/94	Aguachica	Libardo Galvis	Councilman	6/8/94
5/21/94	La Paz	Jorge Morón Araujo	Councilman	7/10/94
6/9/94	Curumaní	Blanca Nubia Torres	Liberal leader	6/11/94

10/6/94	Chiriguana	Alejandro Arosa Saad	Mayoral cand.	12/7/94

C. Status of political organizations

Traditionally the predominant political organization is the Liberal party, which enjoys the backing of 78% of the population, based on the last elections, in which the Liberal party consolidated its hold on the mayors' offices, bringing 16 mayors to office, and also electing the Governor. The Conservative party continues in second place with 20% of the votes in the department behind the other traditional party; the third strongest political party is the Democratic Alliance / M-19, a leftist movement. This shows that the violence is not based on a struggle for political power.

PROJECTIONS

Based on what was said by Arrny officer JORGE ALBERTO LAZARO VERGEL, Commander of the Aguachica base, to National Police Captain for the Second District of Aguachica, the following situation is anticipated:

I . The disappearance of people will continue. According to the Major [Lázaro], these disappearances are not illegal, as long as [the targets] are guerrilla collaborators or common delinquents.

2. Disappearance and death of the mayor of Aguachica, LUIS FERNANDO RINCON, [is also likely].

3. Also projected is a civic strike by the population to protest the continuing disappearances and assassinations of persons in the region.

CONCLUSIONS OF THE INVESTIGATION

The massacre of May 15, 1995 was carried out by paramilitaries (groups known as Los Macetos) with support from some members of the Military Forces under Army Major JORGE ALBERTO LAZARO VERGEL, the Aguachica base commander, and Mr. ROBERTO PRADA, both of whom directly participated in the various activities and operations carried out by this group. This situation has arisen in response to the major guerrilla advances in the zone, and the dire poverty of the inhabitants, who in order to survive must join the ranks of one of the two sides (guerrillas, paramilitaries).

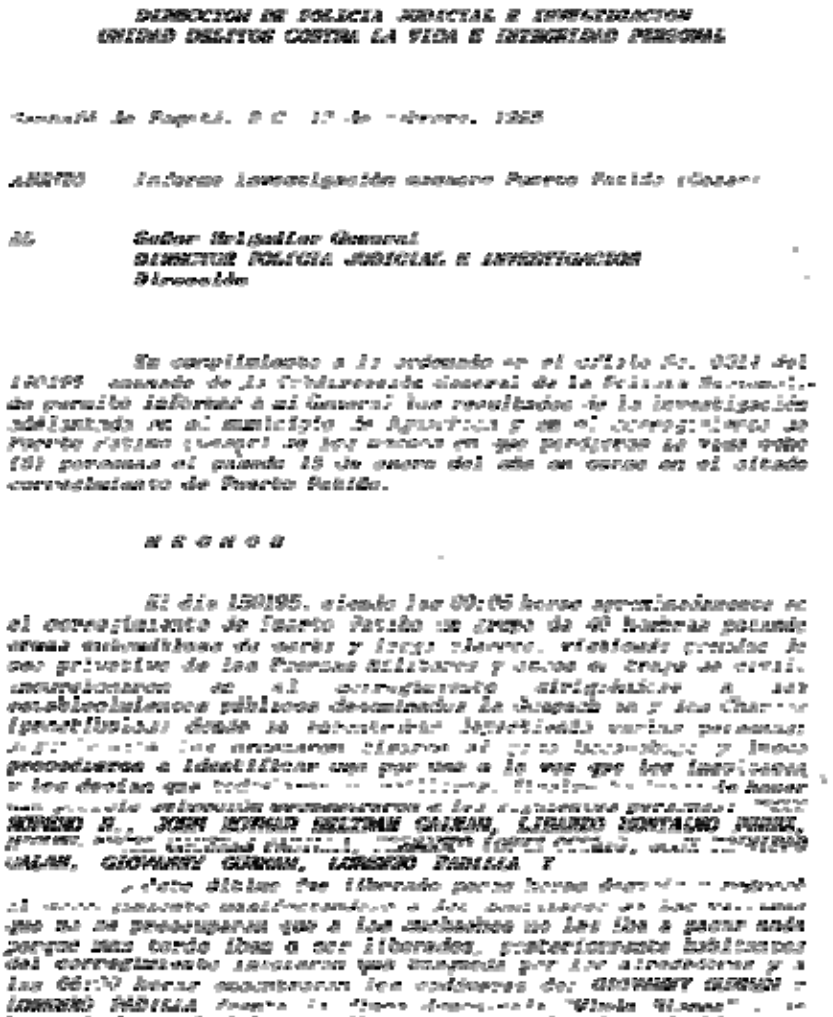
Sincerely,

[signature]

RICARDO ROJAS BAQUERO
Chief, Investigative Commission

[signature]

Captain JORGE ELIECER GIRALDO ARIAS
Chief, Unit of Crimes Against Life and Personal Integrity



DIRECCION DE POLICIA JUDICIAL E INVESTIGACION
UNIDAD DELITOS CONTRA LA VIDA E INTEGRIDAD PERSONAL

Santafé de Bogotá, D.C. 17 de febrero, 1995

ASUNTO Informe Investigación asunto Puerto Patiño (Casanare)

AL Señor Brigadier General
DIRECTOR POLICIA JUDICIAL E INVESTIGACION
Ciudad

En cumplimiento a lo ordenado en el oficio No. 0021 del 130195 emanado de la Subdirección General de la Policía Nacional, me permito informar a mi General los resultados de la investigación adelantada en el municipio de Aguazul y en el corregimiento de Puerto Patiño (Casanare) en los cuales en que perdieron la vida ocho (8) personas el pasado 15 de enero del año en curso en el citado corregimiento de Puerto Patiño.

H E C H O S

El día 150195, siendo las 09:05 horas aproximadamente en el corregimiento de Puerto Patiño un grupo de 40 hombres portando armas automáticas de corto y largo alcance, vistiendo prendas de uso privativo de las Fuerzas Militares y otros de civil, incursionaron en el corregimiento dirigiéndose a las residencias públicas denominadas la Bogotá 1 y los Chorros (particulares) donde se encontraban departiendo varias personas a quienes los atacantes sacaron al patio trasero y luego procedieron a identificar uno por uno a la vez que los insultaban y los decían que todos eran guerrilleros. Luego de haber tomado abundante alimentación procedieron a los asesinatos de: NORVEY R., JOHN BERNAL BELTRAN CALERO, LEONARDO GONTALEZ PEREA, [illegible], GIOVANNI GUZMAN, LORENZO PADILLA Y

Este último fue liberado para luego después [illegible] que no se preocuparan que a los muchachos no les iba a pasar nada porque eso tarde iban a ser liberados. Posteriormente habitantes del corregimiento lograron que mediante por los atacantes y a las 08:30 horas encontraron los cadáveres de: GIOVANNI GUZMAN y LORENZO PADILLA frente a [illegible] "Villa Diana" [illegible] hasta la tarde del mismo día sepultaron el cadáver de LORENZO

LOPEZ OSORIO, y posteriormente los cadáveres de los cinco (5) restantes en una quebrada conocida como la GUAIRA, cerca a la vereda de Las Angelas, según declaran los testigos los delincuentes se movilizaban en varios vehículos entre ellos un campero trooper sin mas datos y una camioneta 350 de cabina amarilla que había sido vista en el municipio de San Martín. La salida de los delincuentes se desarrollo entre las 06:05 y las 06:15 horas de la madrugada.

PROBLEMATICA DE LA REGION

La problemática del sur del Cesar, esta directamente de la gran situación económica de la región y la pobreza absoluta de la mayoría de sus pobladores.

Es en este sector donde la mejor forma de asegurar la supervivencia se hacemos parte de alguno de los bandos ejercitores de la violencia (subversivos y paramilitares) donde los mas afectados son quienes no hacen parte de ellos porque se encuentran sobre el fuego cruzado.

En este momento la violencia en el sur del Cesar es el "negocio" de mayor lucro, la subversión obtiene sus ingresos mediante la extorsión, secuestro, vacuna ganadera, abigeato y la protección de cultivo de coca en la Serranía del Perijá; y los que optaron por unirse a los bandos de justicia privada obtienen sus ingresos de las remuneraciones de dos (2) a tres (3) familias potentados de la ganadería y el narcotráfico que en la actualidad pretende el dominio de la zona y la erradicación total de la subversión, además, los paramilitares obtienen ingresos de las vacunas obligatorias que deben pagar todos los finqueros en la zona donde ejercen sus operaciones sin interesar cual sea el ingreso de sus parcelas, en la mayoría de los casos los pequeños agricultores y ganaderos deben abandonar sus tierras, porque las ganancias de estas no alcanzan a cubrir las vacunas de los bandos.

Esta violencia, no obstante los esfuerzos del Gobierno y la Fuerza Pública, por lograr la paz del territorio nacional y procurar la buena imagen del país en materia de derechos humanos. lamentablemente el caso de Puerto Patiño, al igual que otros hechos ya conocidos por la opinión pública, tampoco impidieron a los alcaldes de las Fuerzas Militares que actúen de mala fe: si sus funciones, haciendo caso omiso a las directivas, normas estatales e internacionales quienes han hecho alianza con grupos armados, no solo para lucha antisubversiva, sino también para obtener lucro de estas actividades y abrirle campo a narcotraficantes que contribuyen a la financiación de estos grupos; dando este aporte como trueque para poder llevar a cabo sus actividades con la protección y tráfico de narcóticos.

INVESTIGACION SOBRE LAS VICTIMAS

Debido a la gran dispersión del área en la que se desarrollaron los hechos, es mínimo lo que se ha podido establecer acerca de las víctimas sin embargo algunas informaciones parecen indicar que entre estas personas sólo habían 2 ó 3 que tuvieran cierta relación con actividades subversivas a lo que se refiere que cuando los guerrilleros llegaron al campamento Cobra los alojaban en sus casas y como su oficio era el de pescadores les pedían la colaboración de transportarlos en sus botes por el río Patiño; los restantes, parece ser que fueron aislados buscando el impacto psicológico de la población y amedrentar así sus ingresos a través de la misma.

Con respecto al señor , que fuera encontrado con los otros muertos y quien fuera posteriormente liberado según las declaraciones de los habitantes de Puerto Patiño que presenciaron los hechos, todo parece indicar que fue él informante de los ejecutores de la masacre: las diligencias de testimonio evidencian claramente la protección que algunos del EJERCITO NACIONAL, prestaron a este señor a quien trasladaron aparentemente retenido y posteriormente liberado, evitando su deber de conducirlo ante las autoridades competentes.

Todos los pobladores de Puerto Patiño, ya no tenían participación o concentimiento de miembros del Ejército en este asunto por esta razón son enfáticos para colaborar en la investigación.

PARAMILITARISMO (AUTORES MATERIALES E INTELECTUALES DE LA MASACRE DE PUERTO PATIÑO)

Los grupos armados particularmente del sur del Cesar, han surgido principalmente del gran avance guerrillero de la zona. Según las fuentes de información son capitaneados por la familia PRADA, quienes tienen sus propiedades en jurisdicción del municipio de San Martín, tomando como fuente a pequeños ganaderos y arrieleros afectados por la zona, dan cuenta que el cabecilla de este grupo es el señor ROBERTO PRADA, sumido de sus hermanos JERARDO y FABRICIANO PRADA, entre otros conocidos cabecillas se nombra al señor PEDRO MEDINA, administrador de las propiedades de MARCO TULIO VILLAMIZAR, también en jurisdicción del municipio de San Martín (Cesar); de este grupo armado se dice que está integrado por 60 hombres aproximadamente que se hacen llamar Los Rastros, las edades de estos oscilan entre los 25 y 35 años, de los cuales están dotados con armas automáticas de corto y largo alcance. Entre otros de estos integrantes están los fuertes :

JORGE PEDROZA MARTINEZ, GUILLERMO MENDOZA, residentes en San Martín, PEDRO [illegible], residente en Morales (Bolívar) e ISIDRO [illegible], residente en San Alberto (Cesar).

De otra parte altos y diversos mandos de inteligencia militar al señor Mayor del Ejército Nacional JORGE ALFREDO [illegible] VARGAS, Comandante de la Base de Apiay, como directo responsable, organizador y ejecutor de los secuestros llevados a cabo por este grupo utilizando para sus operaciones personal de la base militar y del DAS de Apiay.

Para el sostenimiento de esta Organización, los ganaderos y agricultores deben pagar una vacuna mensual o trimestral la cual oscila entre 1 a 10 millones de pesos; quien no pague la vacuna debe abandonar la zona o de lo contrario se atienden a algún apartamiento los afectados se han presentado ante el señor [illegible] PARRA, a negociar su deuda y para que se les perdone su vida. Igual actuación deben afrontar con la subversión.

En otras informaciones de Lozoya sobre grupos de justicia privada de la región, pero que hasta la fecha no se han confirmado, es que el reconocido narcotraficante VICTOR CARRANZA, estaría en propósito de adquirir una hacienda en jurisdicción del municipio La Gloria (Cesar) llamada Bella Cruz la cual se utilizaría como base de sus actividades y para tal fin trascurrían consigo 300 paramilitares del Departamento del Meta, los cuales tendrían como misión limpiar la zona, según las fuentes esta hacienda será comprada a un conocido político del Cesar de apellidos [illegible] ZAMBRANO.

INFORMACION DE INTERES

a. *Aspecto Subversivo*

Grupos que operan en el departamento: en la [illegible] operan las cuadrillas XXVII, XIV y [illegible] vigentes cuatro cuadrillas del ELN anteriormente [illegible] MARTIRES VIVOS, CARLOS TORRES RESTREPO, 6 DE DICIEMBRE Y [illegible] DE LOS ANDES", se sabe con cierto (?) fechas guerrilleros que operan acciones en esa [illegible] departamento. Se destaca [illegible] que la subversión es el factor de violencia mas significativo ya que sus acciones estimula la [illegible] de grupos de justicia privada la que generan la violencia.

b. *Violencia política*

Asesinatos

FECHA	LOCALIDAD	NOMBRES Y APELLIDOS	CARGO
110194	AGUACHICA	ANGEL URIEL IBARRA SANCHEZ	CONCEJAL
200394	CHIMICHAGUA	DOMINGO GUTIERREZ MARTINEZ	EX-ALCALDE
130494	AGUACHICA	RAFAEL FRAGOZO CRESPO	ASPIRANTE CAMARA
180594	AGUACHICA	OSWALDO ARTURO PAJARO	PRESID. CONCEJO
310594	VALLEDUPAR	AQUILE ALFONSO AGUILAR	INSPEC. POLICIA
300794	AGUACHICA	WILLIAM SEPULVEDA SAAVEDRA	SECRET. ALCALDIA
061094	SAN ALBERTO	RODOLFO RIVERA STAPER	EX-CONGRESISTA
311294	VALLEDUPAR	OSPICIO BAQUERO ARAUJO	DELEGADO RPL

Secuestros

FECHA	LOCALIDAD	NOMBRES Y APELLIDOS	CARGO	LIBERADO
070194	PELAYA	JAIRO DE JESUS CASTRO	ALCALDE	050294
180394	AGUACHICA	LIBARDO GALVIS	CONCEJAL	080394
210594	LA PAZ	JORGE MORON ARMIJO	CONCEJAL	100794
090594	CURUMANI	BLANCA NUBIA TORRES	DIRIG. LIBERAL	110594
061094	CHIRIGUANA	ALEJANDRO ARDILA SAAD	ASPIR. ALCALDIA	071294

c. *Situación colectividades políticas*

El departamento es tradicionalmente liberal. [illegible] colectividades que presencia [illegible] de la población. Según las últimas elecciones en las cuales consolidó un total de [illegible] y la [illegible] el partido conservador alguna mantuvo un [illegible] renglón [illegible] en comparación con el otro partido tradicional; el tercer renglón lo ocupa la Alianza Democrática M-19, como movimiento de izquierda. Lo anterior demuestra que la violencia radica en una lucha por el poder político.

PROPOSICIONES

De acuerdo a lo manifestado por el señor del Ejército **JORGE ALBERTO LAZARO MENDEL**, Comandante de la base de Aguachica al señor Capitán de la Policía Nacional Comandante del Segundo Distrito de Aguachica se propone las siguiente:

1. Continuará con la desaparición de personas según las cuales el señor Mayor no están al margen de la ley, que sean colaboradores de la guerrillera así como también de delincuentes comunes.

2. Desaparición y muerte del señor alcalde de Aguachica **LUIS FERNANDO ALMEIDA**.

3. También se propone en pro [illegible] de la población se procesa por las amenazas [illegible] y torturas de las personas de la región.

CONCLUSIONES DE LA INVESTIGACION

La masacre del 190185 fue ejecutada por paramilitares (grupos los Masetos) con el apoyo de algunos asesores de las Fuerzas Militares en cabeza del señor Mayor del Ejército **JORGE ALBERTO LAZARO MENDEL**, Comandante de la Base de Aguachica y del señor **ROBERTO PRADA**, quienes participan directamente en las diferentes actividades y operaciones que realiza este grupo; situación que se desata a raíz del vasto apoyo guerrillero en la zona y de la gran afluencia de pobres de sus pobladores quienes se ven obligados para poder subsistir, ingresar a las filas de cualesquiera de los dos [illegible] (guerrilla, paramilitares).

Atentamente,

Jefe Comisión Investigadora

Cr. JORGE ELIECER GIRALDO JULAS
Jefe Unidad Fiscal para la Vida e Integridad Personal

APPENDIX C: "List of FY 96 Deployments for USMILGP Colombia"

LIST OF FY96 DEPLOYMENTS FOR USMILGP COLOMBIA

Dates	Type Deployment	No.	Funding Code	Mission Statement	CD Authorities	Location
[illegible]	[illegible]	1	[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	1	[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	2	[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	2	[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	2	[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	6	[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	8	[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	3	[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	2	[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	2	[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	1	[illegible]	[illegible]	[illegible]	[illegible]

[illegible] Oct 95 - 30 Sep 96	[illegible] Engineering [illegible]	1	[illegible]	[illegible] training on naval engineering	[illegible]	Cartagena
[illegible] - 15 Dec 95	US Army SF CD Ops Planning Mtts	3	2507 II	CD Ops Planning	Yes	In Country
[illegible]	US Army SF CD Ops Planning Mtts	4	2507 II	CD Ops Planning	Yes	In Country
[illegible] - 30 Oct 95	US Air Force [illegible]	3				[illegible] AB
[illegible] - 1 Dec 95	US Army Light Infantry MTT	4	1505	NCO Academy	Yes	In Country
[illegible] - 31 Dec 95	Logistics MTT	1				In Country
[illegible] - [illegible] Mar 96	SF JCET [illegible]	[illegible]	2507 II	Light Inf Tng	Yes	In Country
[illegible] Jan 96 - [illegible]	SF JCET [illegible]	2	2507 II	[illegible]	Yes	In Country
[illegible] Jan 96 - [illegible] Mar 96	SF JCET [illegible]	1	2507 II	Leadership	Yes	In Country
[illegible] Jan 96 - 31 Mar 96	US Army SF CD Ops Planning Mtts	3	2507 II	CD Ops Planning	Yes	In Country
[illegible] Jan 96 - 31 Mar 96	US Army SF CD Ops Planning Mtts	1	2507 II	CD Ops Planning	Yes	In Country
01 Jan - 30 Mar 96	[illegible] Mtr Maintenance/Repair Trng Tm	2	5402	Train Col/Mar Riverine Forces in [illegible]	Col/Mar Riverine Forces conduct CD operations.	Pto Leguizamo
01 Jan - 30 Mar 96	Riverine Operations Trng Tm	6	5402	Train Col/Mar [illegible] in planning and conducting Riverine Operations	Col/Mar [illegible] conduct CD operations	[illegible]
01 Jan - 30 Mar 96	Small Unit Leaders Training Team	2	5402	Train Col/Mar unit leaders destined for assignment to the riverine force.	Col/Mar [illegible] conduct CD operations	[illegible]
01 Jan - 30 Mar 96	Fiberglass Repair Training Team	2	5402	Train Col/Mar Riverine forces to [illegible] repairs of their boats.	Col/Mar [illegible] conduct CD operations	Bogota
01 Jan - 30 Mar 96	Small Arms and Machinegun Maintenance Training Team	4	5402	Train Col/Mar Riverine Forces [illegible] of their organic weapons.	Col/Mar [illegible] conduct CD operations	Pto Leguizamo
01 Jan - 30 Mar 96	Instructor Training Team	2	5402	Train Col/Mar [illegible] for assignment to the Riverine School.	Col/Mar [illegible] conduct CD operations	Pto Leguizamo
01 Jan - 30 Mar 96	First Aid/Combat Casualty Training Team	2	5402	Train Col/Mar Riverine forces in first aid.	Col/Mar [illegible] conduct CD operations	Bogota
01 Jan - 30 Mar 96	Riverine [illegible] Training Team	4	5402	Train Col/Mar [illegible] and [illegible] operational control [illegible]	Col/Mar [illegible] conduct CD operations	Pto [illegible]

				employment of [illegible] and in the planning and execution of riverine operations.		
01 Jan 96 - 31 [illegible] 96	Logistics MTT	1	TBD	[illegible] Logistics Tng		In Country
[illegible] Apr 96 - 30 Jun 96	SF JCET [illegible]	1	2507 II	Leadership	Yes	In Country
15 Apr 96 - 15 Jun 96	SF JCET [illegible]	[illegible]	2507 II	Light Inf Tng	Yes	In Country
01 Apr 96 - 30 Jun 96	[illegible] Mtr Maintenance/Repair Trng Tm	2	5402	Train Col/Mar Riverine Forces in [illegible] maintenance	Col/Mar Riverine Forces conduct CD operations.	[illegible]
01 Apr 96 - 30 Jun 96	Riverine Operations Trng Tm	6	5402	Train Col/Mar [illegible] in planning and conducting Riverine Operations	Col/Mar [illegible] conduct CD operations	[illegible]
01 Apr 96 - 30 Jun 96	Small Arms Repair	2	5402	Train Col/Mar [illegible] weapons which are organic to the Col/Mar Riverine Forces.	Col/Mar Riverine Forces conduct CD operations	Cartagena
01 Apr 96 - 30 Jun 96	Ship Hull Inspection Trng Team	6	[illegible]	Train Col/Mar Special Forces [illegible] techniques for the inspection of the hulls of ships.	Col/Mar Special Forces [illegible] CD operations by inspecting ship hulls.	Cartagena
01 Apr 96 - 30 Jun 96	Vehicle Maintenance Trng Team	2	5402	Train Col/Mar [illegible] in maintenance and repair of vehicles used by the Riverine Forces	Col/Mar Riverine Forces conduct CD operations	Cartagena
01 Apr 96 - 30 Jun 96	Supply/Warehouse Procedures Trng Team	2	5402	Train Col/Mar [illegible] in [illegible] and [illegible] to support the Riverine Forces	Col/Mar Riverine Forces conduct CD operations	Bogota
[illegible] May 96 - 30 Sep 96	USCG Liaison Officer MTT	1	[illegible]	Standup of Colombian Coast Guard	[illegible]	Bogota
01 Jul 96 - 30 Sep 96	US Army SF CD Ops Planning Mtts	3	2507 II	CD Ops Planning	Yes	In Country
01 Jul 96 - 30 Sep 96	[illegible] Mtr Maintenance/Repair Trng Tm	2	5402	Train Col/Mar Riverine Forces in [illegible] maintenance.	Col/Mar Riverine Forces conduct CD operations.	[illegible]
01 Jul 96 - 30 Sep 96	Riverine Operations Trng Tm	6	5402	Train Col/Mar [illegible] in planning and conducting Riverine Operations	Col/Mar [illegible] conduct CD operations	[illegible]
01 Jul 96 - 30 Sep 96	Small Unit Leaders Training Team	2	5402	Train Col/Mar unit leaders destined for riverine forces	Col/Mar [illegible] conduct CD operations	[illegible]

01 Jul 96 - 30 Sep 96	Helicopter Repair Training Team	2	3552	Train Civilian Aviation Crews in the proper repair of their helicopters.	Civilian ICRC/Red Cross conduct CD operations	Belgium
01 Jul 96 - 30 Sep 96	Small Arms and Mechanized Infantry Assembly Training Team	4	3552	Train Civilian Aviation Crews repair and assembly of their small arms weapons.	Civilian ICRC/Red Cross conduct CD operations	Taiwan
01 Jul 96 - 30 Sep 96	Instructor Training Team	2	3552	Train Civilian Maintenance supervisors for assignment to the Aviation School.	Civilian ICRC/Red Cross conduct CD operations	Greece
01 Jul 96 - 30 Sep 96	Fire Aid/Combat Engineer Training Team	6	3552	Train Civilian Aviation crews in first aid.	Civilian ICRC/Red Cross conduct CD operations	Canada
01 Jul 96 - 30 Sep 96	Aviation Seminar Training Team	4	3552	Train Civilian ICRC Cadre and Cadre who have operational control of the ICRC in the proper employment of an ICRC/Red Cross unit in the planning and conduct of army operations.	Civilian ICRC/Red Cross conduct CD operations	Netherlands

Appendix D

March 11, 1996 Letter from Acting Assistant Secretary of Defense Frederick Smith to Senator Patrick J. Leahy

Letter of March 11, 1996 from Acting Assistant Secretary of Defense Frederick Smith to Senator Patrick J. Leahy, concerning U.S. mission to evaulate and recommend changes in the Colombian military intelligence system.

ASSISTANT SECRETARY OF DEFENSE

2460 DEFENSE PENTAGON
WASHINGTON, DC 20301-2460

11 MAR 96

Honorable Patrick J Leahy
United States Senate
Washington DC 20510

Dear Senator Leahy:

In response to your 22 January letter requesting information on a U. S. fact finding team of the Colombian Defense Ministry's intelligence organizations, we determined an assessment team visited Colombia in the fall of 1995 at the invitation of the Colombian Ministry of Defense. Although we have found no documents related to the assessment team visit, we have spoken to personnel involved.

The team was composed of approximately 14 personnel from all services, headed by a U. S. Navy Captain. They reviewed Colombia's military intelligence organizations and provided a list of recommended changes to make them more efficient and effective. Their report was briefed to SouthCom and the U. S. Ambassador to Bogota prior to presentation to the Colombians.

The assessment team was not in Colombia as an intelligence collecting mission nor did they provide intelligence information to the Colombian Defense Ministry.

I hope we have been of some assistance.

Sincerely,

Frederick Smith
Acting