

COLOMBIA
The Ties That Bind: Colombia and Military-Paramilitary Links

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SUMMARY AND RECOMMENDATIONS

HUMAN RIGHTS WATCH HERE PRESENTS DETAILED, ABUNDANT, AND COMPELLING EVIDENCE OF CONTINUING CLOSE TIES BETWEEN THE COLOMBIAN ARMY AND PARAMILITARY GROUPS RESPONSIBLE FOR GROSS HUMAN RIGHTS VIOLATIONS.

THIS INFORMATION WAS COMPILED BY COLOMBIAN GOVERNMENT INVESTIGATORS AND HUMAN RIGHTS WATCH. SEVERAL OF OUR SOURCES, INCLUDING EYEWITNESSES, REQUESTED ANONYMITY BECAUSE THEIR LIVES HAVE BEEN UNDER THREAT AS A RESULT OF THEIR TESTIMONY.

FAR FROM MOVING DECISIVELY TO SEVER TIES TO PARAMILITARIES, HUMAN RIGHTS WATCH'S EVIDENCE STRONGLY SUGGESTS THAT COLOMBIA'S MILITARY HIGH COMMAND HAS YET TO TAKE THE NECESSARY STEPS TO ACCOMPLISH THIS GOAL. HUMAN RIGHTS WATCH'S INFORMATION IMPLICATES COLOMBIAN ARMY BRIGADES OPERATING IN THE COUNTRY'S THREE LARGEST CITIES, INCLUDING THE CAPITAL, BOGOTÓ. IF COLOMBIA'S LEADERS CANNOT OR WILL NOT HALT THESE UNITS' SUPPORT FOR PARAMILITARY GROUPS, THE GOVERNMENT'S RESOLVE TO END HUMAN RIGHTS ABUSE IN UNITS THAT RECEIVE U.S. SECURITY ASSISTANCE MUST BE SERIOUSLY QUESTIONED.

PREVIOUS HUMAN RIGHTS WATCH REPORTS AND DOCUMENTS HAVE DETAILED CREDIBLE AND COMPELLING EVIDENCE CONTAINED IN GOVERNMENT AND OTHER INVESTIGATIONS OF CONTINUING TIES BETWEEN THE MILITARY AND PARAMILITARY GROUPS IN THE FIFTH, SEVENTH, NINTH, FOURTEENTH, AND SEVENTEENTH BRIGADES.

TOGETHER, EVIDENCE COLLECTED SO FAR BY HUMAN RIGHTS WATCH LINKS HALF OF COLOMBIA'S EIGHTEEN BRIGADE-LEVEL ARMY UNITS (EXCLUDING MILITARY SCHOOLS) TO PARAMILITARY ACTIVITY. THESE UNITS OPERATE IN ALL OF COLOMBIA'S FIVE DIVISIONS. IN OTHER WORDS, MILITARY SUPPORT FOR PARAMILITARY ACTIVITY REMAINS NATIONAL IN SCOPE AND INCLUDES AREAS WHERE UNITS RECEIVING OR SCHEDULED TO RECEIVE U.S. MILITARY AID OPERATE.

HUMAN RIGHTS WATCH HAS DRAWN THIS INFORMATION TO THE ATTENTION OF THE APPROPRIATE COLOMBIAN GOVERNMENT MINISTERS AND OFFICIALS, AND HAS URGED THEM TO TAKE IMMEDIATE ACTION TO ADDRESS THESE CONTINUING PROBLEMS IN ACCORDANCE WITH EXISTING COLOMBIAN LAW.

BASED ON THE ENCLOSED EVIDENCE, HUMAN RIGHTS WATCH FOUND THAT:

- AS RECENTLY AS 1999, COLOMBIAN GOVERNMENT INVESTIGATORS GATHERED COMPELLING EVIDENCE THAT ARMY OFFICERS SET UP A "PARAMILITARY" GROUP USING ACTIVE DUTY, RETIRED, AND RESERVE DUTY MILITARY OFFICERS ALONG WITH HIRED PARAMILITARIES WHO EFFECTIVELY OPERATED ALONGSIDE ARMY SOLDIERS AND IN COLLABORATION WITH THEM;
- IN 1997, 1998, AND 1999, A THOROUGH COLOMBIAN GOVERNMENT INVESTIGATION COLLECTED COMPELLING EVIDENCE THAT ARMY OFFICERS WORKED INTIMATELY WITH PARAMILITARIES UNDER THE COMMAND OF CARLOS CASTAÑO. THEY SHARED INTELLIGENCE, PLANNED AND CARRIED OUT JOINT OPERATIONS, PROVIDED WEAPONS AND MUNITIONS, SUPPORTED WITH HELICOPTERS AND MEDICAL AID, AND COORDINATED ON A DAY TO DAY BASIS. SOME OF THE OFFICERS INVOLVED REMAIN ON ACTIVE DUTY AND IN COMMAND OF TROOPS;
- THERE IS CREDIBLE EVIDENCE, OBTAINED THROUGH COLOMBIAN GOVERNMENT INVESTIGATIONS AND HUMAN RIGHTS WATCH INTERVIEWS, THAT IN 1998 AND 1999, ARMY INTELLIGENCE AGENTS GATHERED INFORMATION ON COLOMBIANS ASSOCIATED WITH HUMAN RIGHTS PROTECTION, GOVERNMENT INVESTIGATIVE AGENCIES, AND PEACE TALKS, WHO WERE THEN SUBJECTED TO THREATS, HARASSMENT, AND ATTACKS BY THE ARMY, AT TIMES WITH THE ASSISTANCE OF PARAMILITARY GROUPS AND HIRED KILLERS;
- THERE IS CREDIBLE EVIDENCE THAT THIS ALLIANCE BETWEEN MILITARY INTELLIGENCE, PARAMILITARY GROUPS, AND HIRED KILLERS IS NATIONAL IN SCOPE AND IS ABLE TO THREATEN KEY INVESTIGATORS IN THE ATTORNEY GENERAL'S OFFICE AND THE PROCURADURÍA;
- THE BRIGADES DISCUSSED HERE -- THE THIRD, FOURTH, AND THIRTEENTH -- OPERATE IN COLOMBIA'S LARGEST CITIES, INCLUDING THE CAPITAL. THEIR COMMANDERS ARE CONSIDERED AMONG THE MOST CAPABLE AND INTELLIGENT, AND ARE LEADING CANDIDATES FOR PROMOTION TO POSITIONS OF OVERALL COMMAND OF DIVISIONS, THE ARMY, AND COLOMBIA'S JOINT FORCES. IF COLOMBIA'S LEADERS CANNOT OR WILL NOT HALT SUPPORT FOR PARAMILITARY GROUPS IN THESE UNITS, IT IS HIGHLY QUESTIONABLE TO ASSUME THAT THEY WILL BE MORE SUCCESSFUL IN UNITS THAT ARE LESS SCRUTINIZED OR OPERATE IN RURAL AREAS, INCLUDING UNITS THAT RECEIVE U.S. SECURITY ASSISTANCE IN SOUTHERN COLOMBIA;

- AS THESE CASES UNDERLINE, COLOMBIA'S CIVILIAN INVESTIGATIVE AGENCIES, IN PARTICULAR THE ATTORNEY GENERAL'S OFFICE, ARE CAPABLE OF SOPHISTICATED AND HARD-HITTING INVESTIGATIONS. HOWEVER, MANY INVESTIGATORS ASSIGNED TO CASES THAT IMPLICATE THE ARMY AND PARAMILITARIES HAVE BEEN FORCED TO RESIGN OR TO FLEE COLOMBIA;
- AT LEAST SEVEN OFFICERS MENTIONED IN THE ATTACHED REPORT ARE SCHOOL OF THE AMERICAS GRADUATES. TRAINING ALONE, EVEN WHEN IT INCLUDES HUMAN RIGHTS INSTRUCTION, DOES NOT PREVENT HUMAN RIGHTS ABUSES. IT MUST BE ACCOMPANIED BY CLEAR AND DETERMINED ACTION ON THE PART OF THE COLOMBIAN GOVERNMENT TO BRING TO JUSTICE THOSE IN THE MILITARY WHO HAVE COMMITTED HUMAN RIGHTS ABUSES, TO FORCE THE MILITARY TO BREAK LONGSTANDING TIES TO PARAMILITARY GROUPS, AND TO ENSURE THAT THE COLOMBIAN ARMED FORCES ARE SUBJECT TO THE RULE OF LAW, INCLUDING THE AUGUST 1997 CONSTITUTIONAL COURT DECISION THAT MANDATES THAT SECURITY FORCE PERSONNEL ACCUSED OF COMMITTING CRIMES AGAINST HUMANITY ARE TRIED IN CIVILIAN COURTS.

ALL INTERNATIONAL SECURITY ASSISTANCE SHOULD BE CONDITIONED ON EXPLICIT ACTIONS BY THE COLOMBIAN GOVERNMENT TO SEVER LINKS, AT ALL LEVELS, BETWEEN THE COLOMBIAN MILITARY AND PARAMILITARY GROUPS. ABUSES DIRECTLY ATTRIBUTED TO MEMBERS OF THE COLOMBIAN MILITARY HAVE DECREASED IN RECENT YEARS, BUT OVER THE SAME PERIOD THE NUMBER AND SCALE OF ABUSES ATTRIBUTED TO PARAMILITARY GROUPS OPERATING WITH THE MILITARY'S ACQUIESCENCE OR OPEN SUPPORT HAVE SKYROCKETED. INTERNATIONAL ASSISTANCE SHOULD NOT BE PROVIDED EITHER TO THOSE WHO DIRECTLY COMMIT HUMAN RIGHTS ABUSES OR TO THOSE WHO EFFECTIVELY CONTRACT OTHERS TO CARRY OUT ABUSES ON THEIR BEHALF.

THE ACTIONS THAT THE COLOMBIAN GOVERNMENT SHOULD BE REQUIRED TO TAKE INCLUDE:

- DEVISING AND IMPLEMENTING A COMPREHENSIVE AND PUBLIC PLAN TO INVESTIGATE, PURSUE, CAPTURE, AND BRING TO JUSTICE PARAMILITARY LEADERS, ONE THAT PROVIDES SUFFICIENT RESOURCES AND GUARANTEES THE NECESSARY POLITICAL SUPPORT TO ACCOMPLISH THESE GOALS;
- PROVIDING A SIGNIFICANT INCREASE OF FUNDING FOR THE ATTORNEY GENERAL'S HUMAN RIGHTS UNIT, INCLUDING INCREASED SUPPORT FOR THE WITNESS PROTECTION PROGRAM, TRAVEL, COMMUNICATIONS EQUIPMENT, INCREASED SECURITY, AND IMPROVED EVIDENCE-GATHERING CAPABILITY. THE WORK OF COLOMBIA'S ATTORNEY GENERAL'S OFFICE HAS CONTRIBUTED SIGNIFICANTLY TO THE PROTECTION OF HUMAN RIGHTS AND ACCOUNTABILITY FOR SERIOUS CRIMES, INCLUDING CRIMES COMMITTED BY COLOMBIA'S GUERRILLAS. YET PROSECUTORS AND INVESTIGATORS CONTINUE TO RUN DEADLY RISKS. MANY HAVE BEEN FORCED TO LEAVE THE COUNTRY BECAUSE OF THREATS AGAINST THEIR LIVES, LEAVING THE FATE OF CRUCIAL CASES IN JEOPARDY;
- ESTABLISHING THE ABILITY AT THE REGIONAL AND LOCAL LEVEL TO RESPOND TO THREATS OF MASSACRES AND TARGETED VIOLENCE, INCLUDING THE CREATION OF A RAPID REACTION FORCE TO INVESTIGATE THREATS AND KILLINGS, AND TO TAKE STEPS TO PURSUE AND APPREHEND ALLEGED PERPETRATORS IN ORDER TO BRING THEM TO JUSTICE;

WITH REGARD TO U.S. TRAINING OF COLOMBIAN MILITARY AND POLICE, HUMAN RIGHTS WATCH URGES THE INTERNATIONAL COMMUNITY TO ENSURE THAT:

- ALL U.S. ADVICE AND TRAINING INCLUDES DETAILED INSTRUCTION REGARDING THE OBLIGATION OF ALL MEMBERS OF THE MILITARY AND SECURITY FORCES TO UPHOLD COMMON ARTICLE 3 OF THE GENEVA CONVENTIONS AND PROTOCOL II. TRAINING SHOULD INCLUDE HYPOTHETICAL SITUATIONS THAT REFLECT COLOMBIAN REALITY, AND STUDENTS SHOULD BE CLOSELY EVALUATED ON THEIR UNDERSTANDING AND APPLICATION OF INTERNATIONAL HUMANITARIAN LAW. SPECIALISTS FROM THE INTERNATIONAL COMMITTEE OF THE RED CROSS SHOULD BE INVITED TO CONTRIBUTE TO SUCH TRAINING;
- ALL EXISTING TRAINING MATERIALS ARE REVIEWED IN COORDINATION WITH REPRESENTATIVES OF THE INTERNATIONAL COMMITTEE OF THE RED CROSS, THE DEFENSORIA DEL PUEBLO, THE OFFICE OF THE U.N. HIGH COMMISSIONER FOR HUMAN RIGHTS, THE COLOMBIAN ATTORNEY GENERAL, AND A REPRESENTATIVE OF INDEPENDENT HUMAN RIGHTS GROUPS, TO ENSURE THAT THEY REFLECT THE HIGHEST STANDARDS OF PROTECTION FOR HUMAN RIGHTS AND INTERNATIONAL HUMANITARIAN LAW;
- ALL TRAINEES, WHETHER OF OFFICER RANK OR BELOW, RECEIVE APPROPRIATE INSTRUCTION IN HUMAN RIGHTS AND INTERNATIONAL HUMANITARIAN LAW.

THE INFORMATION SUBMITTED BY HUMAN RIGHTS WATCH SHOWS CLEARLY THAT INTELLIGENCE-SHARING REMAINS THE MOST PERVERSIVE AND COMMON METHOD OF COLLABORATION BETWEEN THE COLOMBIAN MILITARY AND PARAMILITARY GROUPS, WITH GRAVE CONSEQUENCES FOR HUMAN RIGHTS. INTELLIGENCE IS BY DEFINITION A CENTRAL FUNCTION OF ANY ARMY, AND IS CLEARLY SO IN THE CASE OF THE COLOMBIAN MILITARY. ADDRESSING THE PROBLEMS SUCH INFORMATION-SHARING POSES DEFIES A UNIT-BY-UNIT APPROACH. THEREFORE:

- OBSERVING THE AIM OF THE LEAHY AMENDMENT, THE UNITED STATES SHOULD APPLY HUMAN RIGHTS CONDITIONS TO ALL INTELLIGENCE-SHARING, TO ENSURE THAT INFORMATION IS NEITHER SHARED WITH HUMAN RIGHTS ABUSERS NOR WITH THOSE WHO WILL PASS IT TO PARAMILITARY GROUPS THAT VIOLATE HUMAN RIGHTS;
- FOR THE PURPOSES OF COMPLIANCE WITH THE LEAHY AMENDMENT, THE UNITED STATES SHOULD MAKE IT CLEAR THAT AIDING AND ABETTING ANY PARAMILITARY GROUP WOULD RESULT IN A UNIT BEING DISQUALIFIED FOR RECEIPT OF FURTHER U.S. AID OR TRAINING EFFECTIVE MEASURES ARE TAKEN TO INVESTIGATE AND PUNISH VIOLATIONS;
- ANY INCREASE IN SECURITY ASSISTANCE SHOULD MEAN A PROPORTIONATE INCREASE IN CIVILIAN STAFF ASSIGNED TO THE U.S. EMBASSY AND STATE DEPARTMENT TO OVERSEE COMPLIANCE WITH HUMAN RIGHTS CONDITIONS. STAFF SHOULD BE REQUIRED TO MEET FREQUENTLY WITH NOT ONLY MILITARY AND GOVERNMENT SOURCES OF INFORMATION, BUT ALSO INDEPENDENT HUMAN RIGHTS GROUPS, THE CHURCH, AND AID ORGANIZATIONS. THE GOAL MUST BE TO GATHER AS MUCH INFORMATION AS POSSIBLE ABOUT REPORTED HUMAN RIGHTS VIOLATIONS;
- A REPORT ON MONITORING ACTIVITIES IN COUNTRIES WHERE THE LEAHY AMENDMENT APPLIES SHOULD BE A REGULAR PART OF THE STATE DEPARTMENT'S ANNUAL REPORT ON HUMAN RIGHTS AND SHOULD BE AVAILABLE FOR INDEPENDENT REVIEW.

THE "EFFECTIVE MEASURES" SET OUT IN THE LEAHY AMENDMENT SHOULD BE INTERPRETED TO INCLUDE, AMONG OTHER MEASURES, THE RIGOROUS APPLICATION OF THE AUGUST 1997 RULING OF COLOMBIA'S CONSTITUTIONAL COURT, WHICH REQUIRES THAT CRIMES AGAINST HUMANITY ALLEGEDLY COMMITTED BY MILITARY PERSONNEL BE INVESTIGATED AND TRIED IN CIVILIAN COURTS. NEITHER THE MILITARY NOR THE SUPERIOR JUDICIAL COUNCIL CHARGED WITH RESOLVING JURISDICTIONAL DISPUTES HAVE ABIDED BY THIS RULING TO DATE.

- AS A CONDITION OF U.S. SECURITY ASSISTANCE, THE GOVERNMENT OF COLOMBIA SHOULD FIRST REQUIRE THE MILITARY TO RESPECT CIVILIAN JURISDICTION IN CASES INVOLVING CREDIBLE ALLEGATIONS OF HUMAN RIGHTS ABUSE BY MILITARY PERSONNEL, INCLUDING CASES WHERE OFFICERS ARE ACCUSED OF CONSPIRING TO COMMIT OR FACILITATE MURDERS AND MASSACRES BY PARAMILITARY GROUPS. IN THIS WAY, PRESIDENT PASTRANA CAN ENSURE THAT SUCH CASES ARE SENT TO CIVILIAN COURTS, BEST EQUIPPED TO INVESTIGATE THEM IMPARTIALLY AND GUARANTEE DUE PROCESS;
- THE UNITED STATES SHOULD REQUIRE THAT THE COLOMBIAN MILITARY SET UP AN INDEPENDENT REVIEW COMMITTEE, COMPOSED OF HIGH LEVEL REPRESENTATIVES FROM THE ATTORNEY GENERAL'S OFFICE AND THE OFFICE OF THE PROCURADURIA, TO ASSESS WHETHER THERE IS CREDIBLE EVIDENCE OF HUMAN RIGHTS ABUSE AGAINST INDIVIDUAL OFFICERS AND SOLDIERS. IF SUCH CREDIBLE EVIDENCE IS FOUND, THE INDIVIDUAL SHOULD BE IMMEDIATELY SUSPENDED AND THE CASE SENT TO THE CIVILIAN COURTS FOR PROSECUTION. IF FOUND GUILTY, THE INDIVIDUAL SHOULD BE PERMANENTLY DISMISSED FROM THE SECURITY FORCES;
- TO REINFORCE SANCTIONS ON ABUSIVE SECURITY FORCE MEMBERS, THE UNITED STATES SHOULD CONDUCT A REVIEW OF ALL VISAS GRANTED TO MILITARY PERSONNEL AND ENSURE THAT INDIVIDUALS AGAINST WHOM THERE IS CREDIBLE EVIDENCE OF HUMAN RIGHTS ABUSE OR SUPPORT FOR PARAMILITARY GROUPS HAVE THEIR VISAS REVOKED OR ARE DENIED VISAS TO ENTER THE UNITED STATES;
- TO STRENGTHEN ACCOUNTABILITY, THE UNITED STATES MUST URGE COLOMBIA TO REFORM THE RULES GOVERNING INVESTIGATIONS AND DISCIPLINARY PROCEEDINGS CARRIED OUT BY THE PROCURADURIA. THE PROCURADURIA IS THE GOVERNMENT AGENCY THAT OVERSEES THE CONDUCT OF GOVERNMENT EMPLOYEES, INCLUDING MEMBERS OF THE MILITARY AND POLICE, AND CAN ORDER THEM SANCTIONED OR DISMISSED. CURRENTLY, HOWEVER, DELAYS IN INVESTIGATION MEAN THAT MANY INVESTIGATIONS INTO SERIOUS HUMAN RIGHTS CRIMES MUST BE SHELVED DUE TO EXCESSIVELY SHORT STATUTES OF LIMITATIONS. ALSO, THE CRIME OF MURDER IS NOT INCLUDED AS A REASON FOR DISMISSAL. EVEN WHEN THE PROCURADURIA FINDS THAT A MEMBER OF THE SECURITY FORCES HAS COMMITTED MURDER, IT CAN RECOMMEND NO MORE STRINGENT PUNISHMENT THAN A "SEVERE REPRIMAND," SIMPLY A LETTER IN THE INDIVIDUAL'S EMPLOYMENT FILE;

- THE UNITED STATES MUST REQUIRE THAT COLOMBIA VOID THE STATUTE OF LIMITATIONS FOR INVESTIGATIONS INTO CRIMES AGAINST HUMANITY AND OTHER, RELATED HUMAN RIGHTS VIOLATIONS.

FURTHER, THE INTERNATIONAL COMMUNITY SHOULD URGE COLOMBIA TO PASS AND RIGOROUSLY ENFORCE LAWS THAT PROTECT HUMAN RIGHTS INCLUDING LAWS PENALIZING FORCED DISAPPEARANCE, UNLAWFUL DETENTION, AND TORTURE. LEGISLATION THAT OFFICIALLY RECOGNIZES AND SUPPORTS THE WORK OF THE ATTORNEY GENERAL'S HUMAN RIGHTS UNIT SHOULD ALSO BE SUPPORTED BY THE FOREIGN EMBASSIES IN BOGOTÓ.

HUMAN RIGHTS DEFENDERS ARE AMONG THE MOST AT-RISK GROUPS IN COLOMBIA. THE INTERNATIONAL COMMUNITY SHOULD SUPPORT THEIR WORK BY INCREASING FUNDING FOR NON-GOVERNMENTAL GROUPS THAT APPLY FOR INTERNATIONAL ASSISTANCE. FUNDS SHOULD HELP STRENGTHEN THEIR ABILITY TO INVESTIGATE AND REPORT ON HUMAN RIGHTS VIOLATIONS.

THE INTERNATIONAL COMMUNITY SHOULD PROVIDE INCREASED FUNDING FOR COLOMBIA'S FORCIBLY DISPLACED, NOT ONLY THOSE WHO MAY BE FORCED TO ABANDON THEIR HOMES BECAUSE OF FUTURE COCA ERADICATION EFFORTS. CURRENTLY COLOMBIA RANKS THIRD IN THE WORLD IN TERMS OF THE NUMBER OF FORCIBLY DISPLACED PEOPLE. AID SHOULD BE CHanneLED THROUGH THE CHURCH AND INDEPENDENT AID AND HUMAN RIGHTS GROUPS RATHER THAN THE GOVERNMENT, IN VIEW OF THE LATTER'S PREVIOUS FAILURE TO FOLLOW THROUGH WITH PROMISED ASSISTANCE.

COLOMBIA AND MILITARY-PARAMILITARY LINKS

HALF OF COLOMBIA'S EIGHTEEN BRIGADE-LEVEL ARMY UNITS (EXCLUDING MILITARY SCHOOLS) HAVE DOCUMENTED LINKS TO PARAMILITARY ACTIVITY

THIRD BRIGADE (HEADQUARTERS IN CALI, VALLE)

"THE CALIMA FRONT AND THE THIRD BRIGADE ARE THE SAME THING."

COLOMBIAN GOVERNMENT INVESTIGATOR

COLOMBIAN GOVERNMENT INVESTIGATORS AND HUMAN RIGHTS WATCH INTERVIEWS INCLUDE COMPELLING, DETAILED INFORMATION THAT IN 1999, THE COLOMBIAN ARMY'S THIRD BRIGADE SET UP A "PARAMILITARY" GROUP IN THE DEPARTMENT OF VALLE DEL CAUCA, IN SOUTHERN COLOMBIA. THE INVESTIGATORS IDENTIFY THIS GROUP BY ITS SELF-IMPOSED NAME, THE CALIMA FRONT (FRENTE CALIMA), AND TOLD HUMAN RIGHTS WATCH THAT THEY WERE ABLE TO LINK THE GROUP TO ACTIVE DUTY, RETIRED, AND RESERVE MILITARY OFFICERS ATTACHED TO THE THIRD BRIGADE ALONG WITH HIRED PARAMILITARIES TAKEN FROM THE RANKS OF THE PEASANT SELF-DEFENSE GROUP OF CYRDOBA AND URABÓ (AUTODEFENSAS CAMPEÑINAS DE CYRDOBA Y URABÓ, ACCU), COMMANDED BY CARLOS CASTAÑO. ACCORDING TO THESE GOVERNMENT INVESTIGATORS AS WELL AS EYEWITNESS TESTIMONY OBTAINED BY HUMAN RIGHTS WATCH, THE THIRD BRIGADE PROVIDED THE CALIMA FRONT WITH WEAPONS AND INTELLIGENCE.

AT THE TIME THESE EVENTS TOOK PLACE, THE THIRD BRIGADE WAS UNDER THE COMMAND OF BRIG. GEN. JAÍME ERNESTO CANAL ALBÓN, WHERE HE REMAINS TO THIS DAY.¹

¹ Canal is listed as having trained at the School of the Americas in cadet orientation C-3 FROM NOV. 7-NOV. 21, 1990.

Our information is based on interviews with Attorney General investigators who prepared documents for an on-going government investigation that is currently under seal (*BAJO RESERVA*); an investigator from an independent organization; other investigators; and "Elias," a former Army intelligence agent who also served as a cartel gunman. "Elias" also testified under oath to Attorney General investigators. "Elias" told Human Rights Watch and government investigators that he worked for the army's "Coronel Agustín Codazzi" Battalion in Palmira, part of the Third Brigade.²

The Third Brigade is part of the Colombian Army's Third Division, which includes a region where military units receiving a large amount of U.S. security assistance are concentrated.³

² The name of "Elias" has been changed for security reasons. Human Rights Watch interview with "Elias," January 15, 2000.

³ The division includes units operating in the department of Putumayo, among them the 24th Brigade.

According to the government investigator Human Rights Watch interviewed who helped prepare the official investigation, the Calima Front was formed in response to a mass kidnapping carried out by guerrillas belonging to the Jos  Maria Becerra Front of the National Liberation Army (Ej rcito de Liberaci n Nacional, ELN). On May 30, 1999, guerrillas seized about 140 worshippers from Cali's La Maria Church. Among those taken were suspected drug traffickers believed to run part of the business established by the jailed Cali Cartel leaders.⁴ Guerrillas demanded ransoms for some of the hostages, a serious violation of the laws of war.⁵

In response, "Elias" told Human Rights Watch, Third Brigade active duty and reserve officers formed the Calima Front, with the assistance of Carlos Casta o. Active duty officers provided intelligence and logistical support. Former military officers were among those called in to assume positions of command. The troops were made up primarily of paramilitaries brought in from Colombia's north. The men were initially lodged on ranches belonging to suspected drug traffickers, who also contributed resources to equip and feed the men.⁶

The connection between drug traffickers and paramilitary groups is not new and has been well documented in reporting by the U.S. Embassy in Bogot  since at least 1990.⁷

"Elias" told Human Rights Watch that during his employment as an intelligence agent, he witnessed close links between drug traffickers, paramilitaries, and the Army. Among other illegal practices, "Elias" said that Cobuzzi Battalion soldiers routinely sold weapons and munitions captured from guerrillas on the black market. The money raised, he said, went to soldiers and to fund illegal activities. "Elias" said that he was paid according to operations generated by his information, in part supplemented by the battalion's illegal weapons sales.⁸

"Elias" said he also worked for local drug traffickers, and served as a body guard on the ranch of one drug trafficker who frequently hosted Third Brigade troops and paramilitaries. In his interview, he described the distinction between drug traffickers, paramilitaries, and the Colombian Army as virtually non-existent. His services were valuable, he told Human Rights Watch, since he maintained close ties to the Army and could serve as a shared intelligence agent for all three groups. "The salary was \$800 a month if I worked with [the paramilitaries] without going on maneuvers and \$1,300 if I went into the field," "Elias" told Human Rights Watch.⁹

⁴ The ELN claimed in a statement that among the hostages were individuals wanted for drug trafficking by U.S. law enforcement, an affirmation that was never confirmed. Human Rights Watch interview with Attorney General investigator, January 14, 2000: "Los guerrilleros del ELN se tomaron por asalto la iglesia La Maria: rescatados 75 personas," *El Tiempo*, May 31, 1999; and "ELN says its hostages include people wanted by US for drug trafficking," *Agence France Presse*, August 23, 1999.

⁵ Human Rights Watch interview with Attorney General investigator, January 14, 2000.

⁶ Human Rights Watch interview with "Elias," January 15, 2000.

⁷ For example, Human Rights Watch obtained much of the cable traffic generated by the embassy and related to the activities of "Los Tangueros," a paramilitary group led by former Medell n Cartel member Fidel Casta o, through a Freedom of Information Act request.

⁸ Human Rights Watch interview with "Elias," January 15, 2000.

⁹ *Ibid.*

IN JULY, LOCAL OFFICIALS AND THE REGIONAL OMBUDSMAN (DEFENSORIA) BEGAN RECEIVING REPORTS FROM LOCAL RESIDENTS OF THE APPEARANCE OF THE "CALIMA FRONT." OVER THE AUGUST 1 WEEKEND, ARMED MEN REPORTEDLY KILLED FOUR PEASANTS NEAR TULUÓ.¹⁰ ACCORDING TO PRESS REPORTS, THE GROUP, ESTIMATED TO INCLUDE AT LEAST 150 MEN WEARING ARMY-STYLE UNIFORMS, CARRIED AK-47S, M-60S, GRENADES, AND THE LATEST COMMUNICATIONS EQUIPMENT. DESPITE ABUNDANT REPORTS OF THEIR PRESENCE, THEIR MOVEMENTS WENT VIRTUALLY UNIMPEDED FOR WEEKS.¹¹

IN AUGUST, "ELIAS" TESTIFIED TO ATTORNEY GENERAL INVESTIGATORS IN BOGOTÓ ABOUT HIS CONTACT WITH THE CALIMA FRONT. INVESTIGATORS TOLD HUMAN RIGHTS WATCH THAT THEY CORROBORATED HIS TESTIMONY OVER THE FOLLOWING WEEKS, AS THE KILLINGS AND MASSACRES HE WARNED HAD BEEN PLANNED BY THE CALIMA FRONT IN CONJUNCTION WITH THIRD BRIGADE OFFICERS PROGRESSED.¹²

SUBSEQUENTLY, ALLEGATIONS OF A CONNECTION BETWEEN THE CALIMA FRONT AND THIRD BRIGADE SURFACED PUBLICLY, WHEN THE ELN CHARGED ARMY COMPLICITY IN A STATEMENT RELEASED WITH A GROUP OF LA MARHA HOSTAGES.¹³ HUMAN RIGHTS WATCH INTERVIEWED AN INDEPENDENT INVESTIGATOR WHO WAS ABLE TO CONFIRM THE CALIMA FRONT'S EXISTENCE AND GIVE ADDITIONAL INFORMATION IN OCTOBER 1999.¹⁴

BY AUGUST 5, THE FIRST OF HUNDREDS OF DISPLACED PEOPLE BEGAN TO ARRIVE IN TOWNS LIKE TULUÓ, SAN PEDRO, AND BUGA. MANY TOLD STORIES SIMILAR TO THE ONE ABELARDO TREJOS GAVE TO A REPORTER FROM THE CALI-BASED *EL PAÍS*. ARMED MEN HAD BLOCKED THE ROADS, SO TREJOS, HIS WIFE, AND TWO CHILDREN FLED ON A FOOT PATH. "[THE ARMED MEN] TOLD ME THAT WE HAD TO LEAVE, BECAUSE THERE WAS GOING TO BE A TREMENDOUS WAR AND THAT I SHOULD RETURN WHEN IT WAS ALL OVER."¹⁵

¹⁰ "LOS HABITANTES DE LA MORALIA Y MONTELOBO VIVEN EN MEDIO DE LA ZOTOBRA," *EL PAÍS* (CALI), AUGUST 3, 1999.

¹¹ "UNOS 150 HOMBRES DE LAS AUTODEFENSAS SE TOMARON LA ZONA RURAL: COMBATE DE 'PARAS' Y GUERRILLA EN TULUÓ," *EL PAÍS* (CALI), AUGUST 3, 1999.

¹² HUMAN RIGHTS WATCH INTERVIEW WITH ATTORNEY GENERAL INVESTIGATOR, JANUARY 12, 2000.

¹³ "FAMILIARES DE LOS SECUESTRADOS RECHAZARON ACUSACIONES DEL GRUPO GUERRILLERO: 'ES ABSURDA LA AFIRMACIÓN DEL ELN'," *EL PAÍS* (CALI), SEPTEMBER 7, 1999.

¹⁴ INFORMATION ABOUT THE CALIMA FRONT ALSO CIRCULATED IN PRESS REPORTS AS EARLY AS AUGUST. HUMAN RIGHTS WATCH INTERVIEW WITH INDEPENDENT INVESTIGATOR, OCTOBER 2, 1999; AND "COLOMBIA DEATH SQUAD SAID TO PLOT AGAINST PEACE," KARL PENHAUL, *REUTERS*, AUGUST 15, 1999.

¹⁵ "ME DIJERON QUE NOS TENÍAMOS QUE IR, PORQUE SE IBA A FORMAR UNA GUERRA TREMENDA, Y QUE REGRESARA CUANDO TODO TERMINARA." "A TULUÓ, SAN PEDRO Y BUGA LLEGARON HUENDO AYER 460 CAMPEÑINOS: AVALANCHA DE DESPLAZADOS NO CESA," *EL PAÍS* (CALI), AUGUST 5, 1999.

ON AUGUST 7, ARMED MEN SEIZED NORALBA GAVIRIA PIEDRAHITA, A COMMUNITY LEADER, BOUND HER, THEN LED HER TO THE OUTSKIRTS OF CEYLÓN, NEAR BUGALAGRANDE, AND EXECUTED HER.¹⁶ ON SEPTEMBER 22, AUTHORITIES DISCOVERED THE MUTILATED AND DISMEMBERED BODIES OF SEVEN MEN NEAR TULUÓ, APPARENTLY EXECUTED BY THE CALIMA FRONT FOR SUSPECTED TIES TO GUERRILLAS.¹⁷

DESPITE ABUNDANT EVIDENCE OF ILLEGAL ACTIVITY, THROUGHOUT THE SUMMER THE ARMY CLAIMED THAT THE MURDERS AND FORCED DISPLACEMENT WERE "UNCONFIRMED." MAJ. GEN. JAIME HUMBERTO CORTIÉS PARADA, COMMANDER OF THE CALI-BASED THIRD DIVISION, BLAMED DEATHS ON THE REVOLUTIONARY ARMED FORCES OF COLOMBIA (FUERZAS ARMADAS REVOLUCIONARIAS DE COLOMBIA, FARC), WHICH IN HIS WORDS WAS SEEKING TO "GENERATE CHAOS AND DISINFORMATION."¹⁸

IN TULUÓ, WHERE A COMMUNITY STADIUM WAS PROVIDING EMERGENCY SHELTER, THE NUMBER OF DISPLACED FAMILIES FAST OUTGREW AVAILABLE RESOURCES. THE PRESS REPORTED THAT AT NIGHT, MEN ON MOTORBIKES FIRED SHOTS INTO THE AIR AND SHOUTED THREATS AT THE DISPLACED CIVILIANS, WHOM THEY ACCUSED OF BEING GUERRILLA SYMPATHIZERS.¹⁹ BY SEPTEMBER, LOCAL OFFICIALS ESTIMATED THAT AT LEAST 40 PEOPLE HAD BEEN KILLED AND OVER 2,000 WERE FORCIBLY DISPLACED.²⁰

MEANWHILE, BOTH "ELIAS" AND THE GOVERNMENT INVESTIGATORS HANDLING THE CASE TOLD HUMAN RIGHTS WATCH THAT THEY BEGAN TO RECEIVE DEATH THREATS.²¹ ALTHOUGH GOVERNMENT INVESTIGATORS TOLD HUMAN RIGHTS WATCH THAT THEY PUT "ELIAS" UNDER PROTECTIVE CUSTODY, THE THREATS CONTINUED. "ELIAS" TOLD US THERE WERE TWO ATTEMPTS ON HIS LIFE.²² THE GOVERNMENT INVESTIGATORS HANDLING THE CASE AND ONE OTHER OBSERVER CONTACTED BY AUTHORITIES TO ASSIST IN THE INVESTIGATION TOLD HUMAN RIGHTS WATCH THAT THEY WERE ALSO THREATENED.²³ "ELIAS" AND SEVERAL ATTORNEY GENERAL INVESTIGATORS LATER FLED COLOMBIA.²⁴

¹⁶ "UNA MUJER FUE ASESINADA: CUATRO PERSONAS ESTÓN DESAPARECIDAS," *EL PAÍS* (CALI), AUGUST 10, 1999.

¹⁷ "EL TERROR SE APODERY LA ZONA MONTACOSA DEL CENTRO DEL VALLE: NUEVAS MASACRES," *EL PAÍS* (CALI), SEPTEMBER 25, 1999.

¹⁸ "GENERAR CAOS Y DESINFORMACIYN." "EL GENERAL JAIME CORTIÉS SE REFIERE A LA SITUACIYN QUE SE VIVE EN EL CENTRO DEL VALLE: 'EXISTEN MUCHAS CONTRADICCIONES'," *EL PAÍS* (CALI), AUGUST 22, 1999.

¹⁹ "POR LAS NOCHES REALIZAN DISPAROS EN ALBERGUES DE TULUÓ: SIGUE EL DRAMA DE LOS DESPLAZADOS," *EL PAÍS* (CALI), OCTOBER 28, 1999.

²⁰ "YA SON DOS MIL LOS DESPLAZADOS POR LA VIOLENCIA EN EL DEPARTAMENTO CENTRO DEL VALLE, ALBERQUE DEL TEMOR," HANS VARGAS PARDO, *EL PAÍS* (CALI), SEPTEMBER 25, 1999.

²¹ HUMAN RIGHTS WATCH INTERVIEWS, JANUARY 14 AND 19, 2000.

²² HUMAN RIGHTS WATCH INTERVIEW WITH "ELIAS," JANUARY 15, 2000.

²³ HUMAN RIGHTS WATCH INTERVIEW, SEPTEMBER 29, 1999.

ALL AGREE, IN THE WORDS OF ONE INVESTIGATOR, THAT "THE CALIMA FRONT AND THE THIRD BRIGADE ARE THE SAME THING."²⁵

²⁴ HUMAN RIGHTS WATCH INTERVIEWS, JANUARY 14 AND 19, 2000.

²⁵ HUMAN RIGHTS WATCH INTERVIEWS, JANUARY 14 AND 19, 2000.

THIS PATTERN OF ACTIVITY DIFFERS LITTLE FROM PREVIOUS CASES DOCUMENTED IN COLOMBIAN COURT PROCEEDINGS, WHERE THE THIRD BRIGADE, PARAMILITARIES, AND DRUG TRAFFICKERS ALLIED TO ATTACK SUSPECTED GUERRILLAS AND CIVILIANS AND COMMIT ATROCITIES. BETWEEN 1988 AND 1990, FOR EXAMPLE, TRAFFICKERS ALLIED WITH POLICE AND THIRD BRIGADE OFFICERS PERPETRATED THE OVER 100 KILLINGS KNOWN COLLECTIVELY AS THE TRUJILLO MASSACRE. PRESIDENT ERNESTO SAMPER SUBSEQUENTLY ACKNOWLEDGED THE GOVERNMENT'S ROLE IN CARRYING OUT THESE KILLINGS AND COVERING UP ITS RESPONSIBILITY ON JANUARY 31, 1995.²⁶

ANOTHER ATROCITY LINKED TO THE THIRD BRIGADE WAS THE 1993 RIOFRIO MASSACRE. ON OCTOBER 5, THIRTEEN MEMBERS OF THE LADINO FAMILY LIVING IN RIOFRIO, VALLE DEL CAUCA, WERE MURDERED BY A COMBINED FORCE OF THIRD BRIGADE SOLDIERS AND PARAMILITARIES.²⁷

MORE RECENTLY, THE THIRD BRIGADE HAS BEEN IMPLICATED IN THE MONTELORO MASSACRE OF FIVE PEOPLE ON NOVEMBER 8, 1998. ACCORDING TO AN INDEPENDENT INVESTIGATION, TROOPS FROM THE "PALACÍ" BATTALION, BASED IN BUGA, AND THE "NUMANCIA" COUNTERGUERRILLA BATTALION KILLED FIVE CIVILIANS AS THEY CELEBRATED THE FIFTEENTH BIRTHDAY PARTY OF THE DAUGHTER OF THE OWNER OF THE HOUSE THEY WERE IN. SEVERAL OF THE WITNESSES HAVE SINCE BEEN KILLED IN CIRCUMSTANCES THAT SUGGEST AN ATTEMPT TO COVER UP THE CRIME.²⁸

FOURTH BRIGADE (HEADQUARTERS IN MEDELLIN, ANTIOQUIA)

"WHEN WE WOULD DELIVER A GUERRILLA TO THE GIRARDOT BATTALION, THEY WOULD GIVE US IN EXCHANGE GRENADES AND R-15 MUNITIONS... AND AFTER THE ARMY RECEIVED (THE CORPSE), THEY WOULD DRESS IT IN A MILITARY UNIFORM."

FRANCISCO ENRIQUE VILLALBA HERNÁNDEZ, A FORMER PARAMILITARY

THE ATTORNEY GENERAL'S OFFICE HAS COLLECTED EXTENSIVE EVIDENCE OF PERVERSIVE TIES IN 1997, 1998, AND 1999 BETWEEN THE FOURTH BRIGADE AND PARAMILITARIES UNDER THE COMMAND OF CARLOS CASTAÑO. THESE DOCUMENTS NAME THE GIRARDOT, GRANADEROS, HÍROES DE BARBACOAS, JUAN DEL CORRAL BATTALIONS, AND PEDRO NEL OSPINA BATTALIONS AS WELL AS FOURTH BRIGADE HEADQUARTERS.

²⁶ FOR A SUMMARY OF THIS ON-GOING CASE, SEE COMISIÓN DE INVESTIGACIÓN DE LOS SUCEOS VIOLENTOS DE TRUJILLO: CASO 11.007 DE LA COMISIÓN INTERAMERICANA DE DERECHOS HUMANOS (SANTAFÉ DE BOGOTÓ: CONSEJERÍA PRESIDENCIAL PARA LOS DERECHOS HUMANOS DE LA REPÚBLICA DE COLOMBIA, AUGUST 1995).

²⁷ GEN. RAFAEL HERNÁNDEZ, REPORTEDLY COLOMBIA'S MILITARY ATTACHE IN CHILE, WAS THEN COMMANDER OF THE THIRD BRIGADE. AS THE PRIMARY TRIAL COURT JUDGE, HE ACQUITTED HIS SUBORDINATE, LT. COL. LUIS BECERRA BOHYZQUEZ, DESPITE COMPELLING EVIDENCE OF THE OFFICER'S GUILT. BECERRA WAS EVENTUALLY DISMISSED FROM THE ARMY. THIS WAS NOT THE FIRST ATROCITY BECERRA COMMITTED AS AN ARMY OFFICER. AS THE TENTH BRIGADE INTELLIGENCE CHIEF, HE ALSO HELPED ARRANGE THE 1988 MASSACRES OF BANANA WORKERS IN ANTIOQUIA'S "HONDURAS" AND "LA NEGRA" FARMS. IN OCTOBER 1998, A MILITARY TRIBUNAL THAT HAD CONVENED TO REVIEW THE RIOFRIO CASE RULED THAT BECERRA AND TWO OTHER SOLDIERS WERE GUILTY OF THE CRIME OF "ENCUBRIMIENTO POR FAVORECIMIENTO," IN ESSENCE CONCLUDING THAT THE OFFICERS HAD ERRED ONLY BY PROTECTING THEMSELVES BY REPORTING THE INCIDENT AS COMBAT WITH A GUERRILLA UNIT, NOT THE MASSACRE OF UNARMED CIVILIANS. HOWEVER, THE SENTENCE METED OUT WAS LAUGHABLE - TWELVE MONTHS IN JAIL, LESS THAN A MONTH PER VICTIM. INDEED, BECERRA WAS NEVER INCARCERATED. BECERRA WAS KILLED BY AN UNKNOWN GUNMAN IN A CALI RESTAURANT ON FEBRUARY 14, 1999. FOR A SUMMARY OF THE CASE, SEE MASSACRE IN RIOFRIO ((SANTAFÉ DE BOGOTÓ: COMMISSION OF NON-GOVERNMENTAL ORGANIZATIONS).

²⁸ HUMAN RIGHTS WATCH COMMUNICATION WITH INDEPENDENT INVESTIGATOR, FEBRUARY 4, 2000.

THE INVESTIGATION DESCRIBES ACTIVITIES THAT OCCURRED WHILE THE FOURTH BRIGADE WAS UNDER THE COMMAND OF GEN. ALFONSO MANOSALVA (SINCE DECEASED) AND SUBSEQUENTLY, GEN. CARLOS OSPINA OVALLE, SINCE PROMOTED AND NOW HEAD OF COLOMBIA'S FOURTH DIVISION.²⁹ IN HIS CURRENT POST, GENERAL OSPINA IS THE DIVISIONAL COMMANDER OF AT LEAST ONE OF THE UNITS PROPOSED TO RECEIVE U.S. SECURITY ASSISTANCE, THE TWELFTH BRIGADE, BASED IN FLORENCIA, CAQUETÓ.³⁰

IN 1999, THE ATTORNEY GENERAL OPENED AN INVESTIGATION OF ALLEGED ATROCITIES COMMITTED THE PREVIOUS YEAR BY PARAMILITARIES AROUND THE TOWN OF GIRARDOTA, TARAZO, AND CAUCASIA, IN THE DEPARTMENT OF ANTIOQUIA. INVESTIGATORS CONCLUDED THAT A GROUP OF SO-CALLED "PARAMILITARIES" INCLUDED SIX ACTIVE-DUTY SOLDIERS ASSIGNED TO THE BATALLÓN DE INFANTERÍA NO. 10 "GIRARDOT" AND THE BATALLÓN DE INGENIEROS NO. 4 "PEDRO NEL OSPINA." IN THE OFFICIAL INVESTIGATION, THE GROUP WAS LINKED TO A SERIES OF KILLINGS AND ROBBERIES COMMITTED WHILE THEY WERE DRESSED IN ARMY UNIFORMS AND CARRYING THEIR ARMY-ISSUE WEAPONS, INCLUDING MACHINE GUNS AND GRENADES. IN SO-CALLED "SOCIAL CLEANSING" OPERATIONS, THE GROUP ATTACKED AND KILLED INDIVIDUALS BELIEVED TO BE DRUG ADDICTS OR THIEVES.³¹

AMONG THE ALLEGED PARAMILITARIES ATTORNEY GENERAL INVESTIGATORS TOLD HUMAN RIGHTS WATCH ENJOYED FREE ACCESS TO FOURTH BRIGADE HEADQUARTERS IN 1997 AND 1999 WAS JACINTO ALBERTO SOTO, KNOWN AS "LUCAS" AND BELIEVED TO ACT AS THE ACCU'S ACCOUNTANT. IN 1999, THE ATTORNEY GENERAL ISSUED AN ARREST WARRANT FOR SOTO AND SEIZED HIM IN POSSESSION OF ACCU DOCUMENTS AND LEDGERS. NEVERTHELESS, AUTHORITIES TOLD HUMAN RIGHTS WATCH THAT SOTO APPARENTLY BRIBED HIS WAY OUT OF THE FRONT DOOR OF MEDELLÍN'S MAXIMUM SECURITY PRISON WEEKS LATER.³²

IN A SEPARATE SERIES OF INVESTIGATIONS, ATTORNEY GENERAL PROSECUTORS COLLECTED ABUNDANT EVIDENCE LINKING THE FOURTH BRIGADE TO THE PARAMILITARIES UNDER CASTAÑO'S COMMAND WHO CARRIED OUT THE EL ARO MASSACRE, WHICH TOOK PLACE IN OCTOBER 1997. AT THE TIME, GENERAL OSPINA COMMANDED THE FOURTH BRIGADE. THESE DOCUMENTS SHOW THAT ON OCTOBER 25, A JOINT ARMY-PARAMILITARY FORCE SURROUNDED THE VILLAGE OF EL ARO AND THE 2,000 PEOPLE WHO LIVE IN AND AROUND IT. THE OPERATION WAS PART OF A REGION-WIDE OFFENSIVE LAUNCHED AGAINST THE FARC AND DESIGNED TO FORCE RESIDENTS TO ABANDON VILLAGES IDENTIFIED AS PROVIDING FARC GUERRILLAS WITH SUPPLIES AND "CONQUER" THE REGION, IN THE WORDS OF CASTAÑO.³³

²⁹ OSPINA IS LISTED AS HAVING TRAINED AT THE SCHOOL OF THE AMERICAS AT LEAST ONCE, IN A CADET ORIENTATION COURSE HELD IN 1967.

³⁰ THE DIVISION INCLUDES UNITS OPERATING IN META, GUAVIARE, AND CAQUETÓ.

³¹ REPORT OF THE INVESTIGATIVE UNIT ASSIGNED TO THE REGIONAL ATTORNEY GENERAL'S OFFICE IN MEDELLÍN, ANTIOQUIA, FEBRUARY 10, 1999.

³² HUMAN RIGHTS WATCH INTERVIEW WITH ATTORNEY GENERAL INVESTIGATOR, OCTOBER 2, 1999; ATTORNEY GENERAL SPECIAL REPORT NO. 395, "ASEGURAMIENTOS Y CAPTURAS DE PRESUNTOS MIEMBROS DE LAS ACCU EN ANTIOQUIA," JUNE 10, 1999; AND "ASEGURAN A FISCAL POR FUGA DE 'PARA'," *EL TIEMPO*, OCTOBER 14, 1999.

³³ THIS WASN'T THE FIRST TIME THE ACCU ENTERED THIS AREA. IN 1996, THE GROUP MURDERED THREE PEOPLE IN THE HAMLETS OF EL INGLIIS AND LA GRANJA. HUMAN RIGHTS WATCH INTERVIEW WITH ATTORNEY GENERAL INVESTIGATOR, MEDELLÍN, ANTIOQUIA, JULY 2, 1996.

SURVIVORS TOLD HUMAN RIGHTS WATCH THAT WHILE SOLDIERS MAINTAINED A PERIMETER AROUND EL ARO, AN ESTIMATED TWENTY-FIVE ACCU MEMBERS ENTERED THE VILLAGE, ROUNDED UP RESIDENTS, AND EXECUTED FOUR PEOPLE IN THE PLAZA. ONE WITNESS TOLD HUMAN RIGHTS WATCH THAT THE ACCU LEADERS WERE MEN WHO CALLED THEMSELVES "COBRA" AND "JUNIOR." WITNESSES SAID THAT PARAMILITARIES TOLD STORE OWNER AURELIO AREIZA AND HIS FAMILY TO SLAUGHTER A STEER AND PREPARE FOOD FROM THEIR SHELVES TO FEED THE ACCU FIGHTERS ON OCTOBER 25 AND 26, WHILE THE REST OF COLOMBIA VOTED IN MUNICIPAL ELECTIONS. THE NEXT DAY, WITNESSES TOLD HUMAN RIGHTS WATCH, PARAMILITARIES TOOK AREIZA TO A NEARBY HOUSE, TIED HIM TO A TREE, THEN TORTURED AND KILLED HIM. THEY ADDED THAT THE ACCU GOUGED OUT AREIZA'S EYES AND CUT OFF HIS TONGUE AND TESTICLES.³⁴

ONE WITNESS TOLD JOURNALISTS WHO VISITED EL ARO SOON AFTERWARDS THAT FAMILIES WHO ATTEMPTED TO FLEE WERE TURNED BACK BY SOLDIERS CAMPED ON THE OUTSKIRTS OF TOWN. OVER THE FIVE DAYS THEY REMAINED IN EL ARO, ACCU MEMBERS WERE BELIEVED TO HAVE EXECUTED AT LEAST ELEVEN PEOPLE, INCLUDING THREE CHILDREN, BURNED FORTY-SEVEN OF THE SIXTY-EIGHT HOUSES, INCLUDING A PHARMACY, A CHURCH, AND THE TELEPHONE EXCHANGE, LOOTED STORES, DESTROYED THE PIPES THAT FED THE HOMES POTABLE WATER, AND FORCED MOST OF THE RESIDENTS TO FLEE. WHEN THEY LEFT ON OCTOBER 30, THE ACCU TOOK WITH THEM OVER 1,000 HEAD OF CATTLE ALONG WITH GOODS LOOTED FROM HOMES AND STORES.³⁵ AFTERWARDS, THIRTY PEOPLE WERE REPORTED TO BE FORCIBLY DISAPPEARED.³⁶

BY YEAR'S END, HUNDREDS OF DISPLACED FAMILIES WERE DIVIDED BETWEEN SHELTERS IN HUANGO, PUERTO VALDIVIA, AND MEDELLIN.³⁷ JESBS VALLE, AN HUANGO TOWN COUNCILMAN, LAWYER, AND PRESIDENT OF THE "HÉCTOR ABAD GYMEZ" PERMANENT HUMAN RIGHTS COMMITTEE, HELPED DOCUMENT THE MASSACRE AND REPRESENTED SOME FAMILIES OF VICTIMS. HE WAS ASSASSINATED IN HIS MEDELLIN OFFICE ON FEBRUARY 27, 1999. CARLOS CASTAÑO, THE ARMY, AND LOCAL DRUG TRAFFICKERS ARE CURRENTLY UNDER INVESTIGATION FOR PLANNING HIS MURDER.³⁸ GOVERNMENT INVESTIGATORS HAVE LINKED THE HIRED KILLERS TO LA TERRAZA, A GROUP OF PROFESSIONAL ASSASSINS THAT WORKS ON CONTRACT FOR CASTAÑO.³⁹

³⁴ HUMAN RIGHTS WATCH INTERVIEWS WITH EL ARO SURVIVORS, MEDELLIN, ANTIOQUIA, DECEMBER 11, 1997; AND HUMAN RIGHTS WATCH INTERVIEW WITH JESBS VALLE, PRESIDENT, "HÉCTOR ABAD GYMEZ" PERMANENT HUMAN RIGHTS COMMITTEE, MEDELLIN, ANTIOQUIA, DECEMBER 11, 1997.

³⁵ JAVIER ARBOLEDA, "CINCO DIAS DE INFIERNO EN EL ARO," *EL COLOMBIANO*, NOVEMBER 14, 1997.

³⁶ AMNESTY INTERNATIONAL URGENT ACTION 01/97, JANUARY 3, 1997.

³⁷ "LOS DESPLAZADOS NO SE VEHÁN EN EL NORTE DE ANTIOQUIA," *EL TIEMPO*, NOVEMBER 6, 1997.

³⁸ HUMAN RIGHTS WATCH TELEPHONE INTERVIEW WITH "HÉCTOR ABAD GYMEZ" PERMANENT HUMAN RIGHTS COMMITTEE, FEBRUARY 27, 1999; AND HUMAN RIGHTS WATCH INTERVIEW WITH ATTORNEY GENERAL ALFONSO GYMEZ MÚNDEZ, MAY 7, 1999.

³⁹ GOVERNMENT INVESTIGATORS TOLD HUMAN RIGHTS WATCH THAT LA TERRAZA IS DESCENDED FROM THE GROUPS THAT WORKED ON CONTRACT FOR DRUG KINGPIN PABLO ESCOBAR IN THE 1990S. TESTIMONY OF FRANCISCO ENRIQUE VILLALBA HERNÁNDEZ TO THE ATTORNEY GENERAL'S OFFICE, APRIL 30, 1999; AND HUMAN RIGHTS WATCH INTERVIEW WITH ATTORNEY GENERAL INVESTIGATOR, OCTOBER 2, 1999.

IN SWORN TESTIMONY TO ATTORNEY GENERAL INVESTIGATORS TAKEN ON APRIL 30, 1999, FRANCISCO ENRIQUE VILLALBA HERNÁNDEZ, A FORMER PARAMILITARY WHO TOOK PART IN THE EL ARO MASSACRE, CONFIRMED THE TESTIMONY BY SURVIVORS TAKEN BY HUMAN RIGHTS WATCH THAT THE OPERATION HAD BEEN CAREFULLY PLANNED AND CARRIED OUT BY A JOINT PARAMILITARY-ARMY FORCE. VILLALBA SAID HE BELONGED TO THE TOLEDO GROUP WITHIN THE ACCU'S METRO FRONT. HE TOLD AUTHORITIES THAT "JUNIOR" AND SALVATORE MANCUSO, KNOWN AS "EL MONO MANCUSO" AND THE COMMANDER OF ACCU FIGHTERS PRESENT, TOOK HIM AND APPROXIMATELY 100 OTHER PARAMILITARIES TO PUERTO VALDIVIA TO PREPARE TO ENTER EL ARO.⁴⁰

THERE, VILLALBA TOLD AUTHORITIES THAT HE WITNESSED THE MEETING BETWEEN MANCUSO, AN ARMY LIEUTENANT, AND TWO ARMY SUBORDINATES, THERE WITH TROOPS. THIS REGION IS COVERED BY BOTH THE GIRARDOT AND GRANADEROS BATTALIONS. THROUGHOUT THE ENCOUNTER, VILLALBA TESTIFIED, ARMY SOLDIERS AND PARAMILITARIES ADDRESSED EACH OTHER AS "COUSIN" (*PRIMO*), AS A SIGN OF SHARED GOALS AND PURPOSE.⁴¹ VILLALBA WAS ALSO ABLE TO TESTIFY ABOUT RADIO EXCHANGES HE OVERHEARD BETWEEN MANCUSO AND THE COLONEL IN CHARGE OF THE BATTALION THAT WAS TAKING PART IN THE COMBINED OPERATION. ACCORDING TO VILLALBA, "THEY WERE PLANNING THE ENTRY INTO EL ARO AND HOW THE OPERATION WOULD GO LOWER DOWN (THE MOUNTAIN), SO THAT THE ARMY WOULD PREVENT PEOPLE OR COMMISSIONS OR JOURNALISTS FROM ENTERING."⁴²

DURING THE OPERATION, VILLALBA SAID THAT THE COMBINED ARMY-PARAMILITARY FORCE WAS ATTACKED BY THE FARC. "RIGHT WHEN WE HAD CONTACT WITH GUERRILLAS, WHICH LASTED THREE HOURS, AN ARMY HELICOPTER ARRIVED, AND GAVE US MEDICAL SUPPLIES AND MUNITIONS."⁴³

VILLALBA ADMITTED TAKING DIRECT PART IN KILLINGS AND THE MUTILATIONS OF VICTIMS, INCLUDING A BEHEADING. ONCE THE PARAMILITARIES HAD ROUNDED UP THE CATTLE BELONGING TO EL ARO RESIDENTS, VILLALBA SAID, PARAMILITARIES LEFT THE AREA PROTECTED BY THE ARMY, WHICH ADVISED THEM TO TAKE A ROUTE THAT WOULD AVOID MEMBERS OF THE ATTORNEY GENERAL'S OFFICE AND PROCURADURÍA THEY BELIEVED HAD BEEN SENT TO INVESTIGATE REPORTS OF THE MASSACRE. WHILE THE PARAMILITARIES TRAVELED IN SEVERAL PUBLIC BUSESSESS COMMANDEERED ON THE HIGHWAY, ANOTHER CAR PRECEDED THEM, ACCORDING TO VILLALBA, ENSURING THAT THE BUSESSESS WOULD PASS ARMY ROADBLOCKS UNHAMPED.⁴⁴

IN STATEMENTS TO THE PRESS, CARLOS CASTAÑO TOOK RESPONSIBILITY FOR THE MASSACRE.⁴⁵

⁴⁰ AUTHORITIES TOLD HUMAN RIGHTS WATCH THAT SALVATORE MANCUSO GOMEZ IS CARLOS CASTAÑO'S OPERATIONAL CHIEF WITHIN THE ACCU. THE ATTORNEY GENERAL HAS ISSUED AT LEAST TWO WARRANTS FOR HIS ARREST RELATED TO PARAMILITARY ACTIVITY AND KIDNAPPING.. REPORT ON OUTSTANDING ARREST WARRANTS, ATTORNEY GENERAL'S OFFICE, JANUARY 1, 1999.

⁴¹ TESTIMONY OF FRANCISCO ENRIQUE VILLALBA HERNÁNDEZ TO THE ATTORNEY GENERAL'S OFFICE, APRIL 30, 1999.

⁴² "ESTABAN PLANEANDO LA ENTRADA AL ARO Y COMO SE IBA A OPERAR ABAJO, PARA QUE EL EJÉRCITO NO DEJARA PASAR A PERSONAS O NO FUERA A PASAR COMISIONES (sic), NI PERIODISMO." *IBID.*

⁴³ "AL MOMENTICO DE TENER CONTACTO QUE DURAMOS TRES HORAS LLEGY UN HELICOPTERO DEL EJÉRCITO, AHH NOS BAJY LO QUE FUE ELEMENTOS DE SALUD Y MUNICIYN." *IBID.*

⁴⁴ *IBID.*

⁴⁵ "AUTODEFENSAS DE URABO NIEGAN BARBARIE EN EL ARO," *EL COLOMBIANO*, NOVEMBER 15, 1997.

VILLALBA ALSO TESTIFIED ABOUT NUMEROUS OTHER OPERATIONS CARRIED OUT JOINTLY BY PARAMILITARIES AND THE GRANADEROS AND GIRARDOT BATTALIONS. A COMMON PRACTICE, HE TOLD GOVERNMENT INVESTIGATORS, WAS "LEGALIZATION" (*LEGALIZACIÓN*), WHEN PARAMILITARIES WOULD GIVE THE CORPSES OF SUSPECTED GUERRILLAS OR MURDERED CIVILIANS TO THE ARMY IN EXCHANGE FOR WEAPONS AND MUNITIONS. VILLALBA TESTIFIED THAT SOLDIERS THEN CLOTHED THE CORPSES IN MILITARY UNIFORMS AND CLAIMED THEM PUBLICLY AS GUERRILLAS KILLED IN COMBAT. "WHEN WE WOULD DELIVER A GUERRILLA TO THE GIRARDOT BATTALION, THEY WOULD GIVE US IN EXCHANGE GRENADES AND R-15 MUNITIONS... AND AFTER THE ARMY RECEIVED (THE CORPSE), THEY WOULD DRESS IT IN A MILITARY UNIFORM."⁴⁶

PROSECUTORS TOLD HUMAN RIGHTS WATCH THAT THEY CONFIRMED THIS DETAIL BY REVIEWING FOURTH BRIGADE RECORDS ON WEAPONS, WHICH REVEALED THAT MANY WEAPONS ISSUED TO TROOPS HAD VANISHED. ALTHOUGH THE PROSECUTOR TOLD HUMAN RIGHTS WATCH THAT FOURTH BRIGADE MILITARY OFFICERS HAD CONFIRMED THAT GRANADEROS BATTALION STORES HAD GONE TO PARAMILITARIES, HE CLAIMED THAT THE ARMY NEVER FOLLOWED UP ON THE INVESTIGATION OR PUNISHED ANYONE.⁴⁷

AS HUMAN RIGHTS WATCH EXPLAINED IN *WAR WITHOUT QUARTER: COLOMBIA AND INTERNATIONAL HUMANITARIAN LAW*, FUELING HUMAN RIGHTS ABUSES BY SOLDIERS IS THE ARMY'S CONTINUING EMPHASIS ON BODY COUNTS AS A MEANS OF MEASURING PERFORMANCE.⁴⁸ OFFICERS WHO FAIL TO AMASS LISTS OF ENEMY CASUALTIES RISK SEEING THEIR CAREERS STALLED AND ENDED.⁴⁹

AS VILLALBA'S TESTIMONY DEMONSTRATES, "LEGALIZATION" IS ONE WAY OFFICERS CAN BETTER THEIR CHANCES OF RECEIVING MEDALS AND PROMOTIONS. "THE COMMANDER WOULD GIVE THE ORDER, AND SAYS THAT HE WANTED RESULTS, CASUALTIES (*BAJAS*)," ONE FORMER ARMY OFFICER TOLD HUMAN RIGHTS WATCH. "SO ANYONE WHO CAME NEAR OUR PATROL WOULD BE KILLED."⁵⁰

LESS THAN A MONTH AFTER FORMER ARMED FORCES COMMANDER GENERAL MANUEL BONETT TOLD HUMAN RIGHTS WATCH THAT THE ARMY HAD REVISED THE WAY IT MEASURED SUCCESS, GEN. IVÓN RAMÍREZ SUMMARIZED THE WORK OF HIS FIRST DIVISION BY RELEASING TO THE PRESS LONG LISTS OF PEOPLE CLAIMED KILLED IN ACTION BY HIS TROOPS.⁵¹

⁴⁶ "SI LE ENTREGAMOS UN GUERRILLERO AL BATALLÓN GIRARDOT, POR CAMBIO DE GRANADAS Y MUNICIÓN DE R 15... Y EL EJÉRCITO CUANDO LO RECIBIÓ LE PUSO CAMUFLADO." THIS IS MOST LIKELY AR-15 AMMUNITION. THE AR-15 IS THE COLT COMPANY'S NAME FOR THE M-16 ASSAULT RIFLE. TESTIMONY OF FRANCISCO ENRIQUE VILLALBA HERNÁNDEZ TO THE ATTORNEY GENERAL'S OFFICE, APRIL 30, 1998.

⁴⁷ HUMAN RIGHTS WATCH INTERVIEW WITH ATTORNEY GENERAL PROSECUTOR, OCTOBER 2, 1999.

⁴⁸ *WAR WITHOUT QUARTER: COLOMBIA AND INTERNATIONAL HUMANITARIAN LAW* (NEW YORK: HUMAN RIGHTS WATCH, 1998), PP. 48-49.

⁴⁹ HUMAN RIGHTS WATCH INTERVIEW WITH COL. (RET.) CARLOS VELÓSCUEZ, SANTAFÉ DE BOGOTÓ, MAY 12, 1997.

⁵⁰ HUMAN RIGHTS WATCH INTERVIEW WITH FORMER ARMY OFFICER, SANTAFÉ DE BOGOTÓ, NOVEMBER 12, 1995.

⁵¹ GEN. RAMÍREZ RETIRED FROM THE SERVICE IN 1999. TONNY PÉREZ MIER, "BALANCE DE LA DIVISIÓN DEL EJÉRCITO," *EL TIEMPO*, DECEMBER 23, 1997; HUMAN RIGHTS WATCH INTERVIEW WITH GENERAL BONETT, SANTAFÉ DE BOGOTÓ, DECEMBER 12, 1997.

This is the same officer whose visa to enter the United States was reportedly revoked the grounds of "terrorist activity," in this case support for paramilitary groups. According to a *Washington Post* investigation, Ramirez was a key intelligence source for the United States and served as a liaison and paid informant for the Central Intelligence Agency, supposedly to help the fight against drug traffickers and Marxist guerrillas. At the same time, according to the report, he maintained close ties to right-wing paramilitary groups who finance much of their activities through drug trafficking.⁵²

Far from subsiding, Attorney General investigations gathered in compelling detail evidence on how illegal activity in the Fourth Brigade continued in 1998 and 1999. Perhaps most notorious was the March 1999 murder of Alex Lopera, a former peace adviser to the Antioquia Governor's Office. Lopera was assisting a family negotiate the release of a family member kidnapped by guerrillas when he was stopped at an Army roadblock near Sonsyn, Antioquia.⁵³

According to sworn testimony by "Valentin," a former Fourth Brigade soldier and radio operator present at the scene, soldiers from the Granaderos and Juan del Corral Battalions searched the car and discovered the ransom money hidden in a spare tire. At the time, "Valentin" told prosecutors, the commander of the Granaderos Battalion, Major David Hernández Rojas, was present.⁵⁴

Since there were no arrest warrants for any of the car's occupants, "Valentin" testified, procedure dictated that soldiers had to let the car proceed. However, according to "Valentin," Major Hernández first sent several soldiers ahead to ambush the car and steal the money.⁵⁵

The soldiers, "Valentin" explained, had little choice. "Hernández told all of us there to have a care, that whoever informed on him would die, with every person in his family. He said that he had people working for him that did that sort of work."⁵⁶

⁵² "Colombian Army's Third in Command Allegedly Led Two Lives: General Reportedly Served as a Key CIA Informant While Maintaining Ties to Death Squads Financed by Drug Traffickers," Douglas Farah and Laura Brooks, *Washington Post*, August 11, 1999.

⁵³ "Cuatro militares a juicio por crimen de Alex Lopera," *El Tiempo*, October 13, 1999.

⁵⁴ Hernández is listed as having trained twice at the School of the Americas. As a cadet, he took the orientation for combat weapons from March 7–April 19, 1995. As a lieutenant, he trained in "psychological operations" from February 27–May 15, 1991. For safety reasons, we have changed the name of this witness. Testimony by "Valentin" to the Attorney General's Office, June 22, 1999.

⁵⁵ *Ibid.*

⁵⁶ "Hernández nos dijo a todos los que estábamos ahí, que mucho cuidado, que si se fuerza se muere, con toda la familia; dijo que si le tenía gente que le hacía ese trabajo." *Ibid.*

UNDER THE COMMAND OF CAPT. DIEGO FERNANDO FINO, "VALENTIN" SAID THAT HE AND TWO SOLDIERS SET UP THE AMBUSH.⁵⁷ "VALENTIN" TESTIFIED TO PROSECUTORS THAT PRIVATE CARLOS MARIO ESCUDERO FIRED THE FATAL SHOTS, KILLING ALL THREE PASSENGERS AT POINT BLANK RANGE. THE RANSOM WAS DIVIDED UP BETWEEN THE SOLDIERS.⁵⁸ THE CASE CAME TO LIGHT, HOWEVER, WHEN ESCUDERO'S WIFE REPORTED HIS SHARE OF THE MONEY STOLEN SEVERAL WEEKS LATER ACCORDING TO ESCUDERO'S TESTIMONY TO GOVERNMENT INVESTIGATORS.⁵⁹

AN INTERNAL INVESTIGATION INITIATED BY THE FOURTH BRIGADE WAS EASILY DEFLECTED, ACCORDING TO "VALENTIN". "(HERNÓNDEZ) TOLD ALL OF THE GRANADEROS SOLDIERS HOW THEY SHOULD TESTIFY, AND EACH ONE WAS GIVEN A SET THING TO SAY."⁶⁰

"VALENTIN" ALSO TESTIFIED ABOUT MAJOR HERNÓNDEZ'S CLOSE TIES WITH PARAMILITARIES OPERATING IN EASTERN ANTIOQUIA.⁶¹ IN ONE DEPOSITION, "VALENTIN" TOLD INVESTIGATORS THAT MAJOR HERNÓNDEZ TOLD HIM AND OTHER SUBORDINATES THAT HE HAD BEGUN TO ORGANIZE A DEATH SQUAD CALLED "LA MUERTE" (DEATH) WITHIN THE FOURTH BRIGADE IN COORDINATION WITH AN ARMY OFFICER ATTACHED TO THE RURAL GAULA, A COMBINED MILITARY-POLICE UNIT. THE GROUP WAS TO BE EQUIPPED AND ARMED WITH CAMOUFLAGE UNIFORMS, GUNS, AND MUNITIONS SEIZED BY SOLDIERS FROM GUERRILLAS.⁶²

"VALENTIN" ALSO TOLD ATTORNEY GENERAL INVESTIGATORS THAT MAJOR JESÚS MARÍA CLAVIJO CLAVIJO, THEN COMMANDER OF THE "HÉROES DE BARBACOAS" BATTALION, WORKED WITH PARAMILITARY GROUPS.⁶³ AMONG THE KILLINGS "VALENTIN" ATTRIBUTED TO MAJOR CLAVIJO WORKING WITH PARAMILITARIES WERE ONES CARRIED OUT NEAR EL CARMEN DE ATRATO, CHOY, IN FEBRUARY 1999. "NORMALLY, EVERYWHERE THAT MAJOR CLAVIJO WENT, THERE WERE DISAPPEARANCES, MURDERS, AND WHEREVER HE WAS THERE WAS ALWAYS A FLOOD OF REPORTS OF ABUSES," HE TOLD INVESTIGATORS IN A SWORN STATEMENT.⁶⁴

⁵⁷ FINO IS LISTED AS HAVING TAKEN A COURSE ON CADET ORIENTATION C-34 (MECHANIZED) AT THE SCHOOL OF THE AMERICAS FROM JUNE 28-JULY 26, 1989.

⁵⁸ TESTIMONY BY "VALENTIN" TO THE ATTORNEY GENERAL'S OFFICE, JUNE 23, 1999.

⁵⁹ TESTIMONY OF CARLOS MARIO ESCUDERO TO THE ATTORNEY GENERAL'S OFFICE, JUNE 1, 1999.

⁶⁰ "(HERNÓNDEZ) LE DIJO A TODOS LOS INTEGRANTES DEL GRANADEROS COMO DEBÍAN DECLARAR, A CADA UNO LE DIJO QUE DEBÍA DECIR." TESTIMONY BY "VALENTIN" TO THE ATTORNEY GENERAL'S OFFICE, JUNE 23, 1999.

⁶¹ TESTIMONY BY "VALENTIN" TO THE ATTORNEY GENERAL'S OFFICE, JUNE 23, 1999.

⁶² TESTIMONY BY "VALENTIN" TO THE ATTORNEY GENERAL'S OFFICE, JUNE 1, 1999.

⁶³ CLAVIJO WAS LISTED AS HAVING TRAINED AT THE SCHOOL OF THE AMERICAS FROM JULY 1-JULY 17 OF 1981 IN AN ORIENTATION AND WEAPONS FOR CADETS (C-3) PROGRAM.

⁶⁴ "NORMALMENTE EN EL ÓREA DONDE ESTABA EL MAJOR CLAVIJO, HABÍAN DESAPARECIDOS, MUERTOS, Y POR DONDE SE PASABA SIEMPRE LLEGABA CITATORIAS DE DEMANDAS." TESTIMONY BY "VALENTIN" TO THE ATTORNEY GENERAL'S OFFICE, JUNE 23, 1999.

ACCORDING TO "VALENTIN," MAJOR CLAVISO ALSO "LEGALIZED" CORPSES DELIVERED BY PARAMILITARIES. HOWEVER, THIS SYSTEM DIDN'T WORK IF A REWARD FOR A MISSING PERSON WAS OFFERED BY FAMILY MEMBERS. IN ONE CASE, "VALENTIN" TESTIFIED THAT MAJOR CLAVISO ORDERED SOLDIERS UNDER HIS COMMAND TO DISMEMBER SEVERAL CORPSES WITH CHAINSAWS IN ORDER TO FOIL IDENTIFICATION.⁶⁵

⁶⁵ *Ibid.*

"VALENTIN," who was a radio operator, said he often heard paramilitaries communicating with the Army in the field. "As I was monitoring the communications, I heard people that were not part of the Army talking about combat and requesting assistance, using other channels than the ones we used, and I realized that these were the paramilitaries by the way that they spoke... Major Abondano [of the Fourth Brigade] gave orders to the troops using the radio, to advance, to follow the flank they were on, because our 'cousins' were in combat and needed help."⁶⁶

This witness also linked other Fourth Brigade officers, including Major Clavijo, Col. Rivillas, Major Abondano and others to paramilitaries through regular meetings held on military bases. He said that officers attached to the "Pedro Nel Ospina" Battalion also took part in support for paramilitaries.⁶⁷

A parallel investigation by the Internal Affairs agency (Procuraduría) listed hundreds of cellular telephone and beeper communications between known paramilitaries and Fourth Brigade officers, among them Lieutenant Colonel Carlos Ospina Pardo, Lieutenant Colonel Alfonso Zapata Gaviria, Major Elvardo Cortiis Morillo,⁶⁸ a "Major Ardila," Major Jesus Maria Clavijo, Lieutenant Felipe Rodriguez, Private Ivón Darho Jaramillo, Private Javier Gymez Herrón, and Private Carlos Mario Escudero.⁶⁹

Clavijo's name also surfaced in Attorney General investigations of alleged Army coordination with CONVIVIRs, groups of civilians authorized by the government to carry out war-related activities. In practice, they differed little from illegal paramilitary groups. In 1997, Josií Alirio Arcila, the leader of an Antioquia CONVIVIR known as "Los Sables" implicated Clavijo and other Fourth Brigade officers in a series of murders in Medellín. However, Human Rights Watch is not aware of any on-going investigations of the security force officers named by Arcila.⁷⁰

Nevertheless, Major Clavijo, for example, has since been promoted to colonel and is now commander of the "Héroes de Majagual" Battalion under the jurisdiction of the Fifth Brigade and based in Barrancabermeja. Most recently, this battalion has been linked in the press to an increase in paramilitary activity and direct attacks on the civilian population near Cantagallo, Santander. In November 1999, for example, local farmers charged that troops under Clavijo's direct command had coordinated with paramilitaries to seize two noted leaders of displaced people, Gildardo Fuentes and Edgar Quiroga.⁷¹ As of this writing, they remain "disappeared."

⁶⁶ "Por la monitoria escuché gente hablando de combates, pidiendo apoyo, por otro tipo de comunicaciones diferentes a las nuestras, yo reconozco que eran las autodefensas por la forma de hablar... el Mayor Abondano [of the Fourth Brigade] dió la orden a la tropa por radio, que avanzaran, que siguieran con el eje que llevaban, que los primos estaban en combates y necesitaban apoyos." *Ibid.*

⁶⁷ Testimony by "Valentin" to the Attorney General's office, June 1, 1999.

⁶⁸ Cortiis is listed as having studied in the course on weapons orientation for cadets (C-3) at the School of the Americas from January 12-26, 1994.

⁶⁹ Office of Special Investigations-Antioquia region, Report, September 21, 1999.

⁷⁰ Arcila directed a CONVIVIR, an association of civilians authorized by the government to take part in intelligence-gathering and other activities. Sentencia Anticipada, 3697- (F 21.336), Juzgado Regional de Medellín, August 9, 1997.

⁷¹ An official investigation is on-going. Report by the Comisión de Búsqueda de Edgar Quiroga y Gildardo Fuentes, made up of the

PROGRAMA POR LA PAZ Y DESARROLLO DEL MAGDALENA MEDIO, SERVICIO JESUITA A REFUGIADOS, MINISTERIO DEL INTERIOR, DEFENSORIA DEL PUEBLO, RED DE SOLIDARIDAD SOCIAL, CREDHOS, ORGANIZACION FEMENINA POPULAR, COMITÉ DE SOLIDARIDAD CON LOS PRESOS POLITICOS, MINGA, U.N. HIGH COMMISSIONER FOR HUMAN RIGHTS, PEACE BRIGADES INTERNATIONAL, and the CATHOLIC CHURCH, DECEMBER 3, 1999.

THE FOLLOWING JANUARY, THE PEASANT ASSOCIATION OF THE CIMITARRA RIVER VALLEY TOLD LOCAL AUTHORITIES THAT CLAVISO'S MEN WERE CARRYING OUT SO-CALLED "ANTI-DRUG OPERATIONS" BY ATTACKING CIVILIANS ALONG THE CIMITARRA RIVER. IN ADDITION, THEY CLAIMED THAT COLOMBIAN NAVY PATROL BOATS FIRED ON CIVILIAN DWELLINGS IN THE VILLAGES OF LA VICTORIA, CORONCOCO, AND YANACUÍ STARTING ON JANUARY 16.⁷² OVER 150 PEOPLE FLED TO BARRANCABERMEJA FOR SAFETY.⁷³

FOR HIS PART, MAJOR HERNÁNDEZ WAS ARRESTED, BUT LATER, GOVERNMENT INVESTIGATORS TOLD HUMAN RIGHTS WATCH, WAS ALLOWED TO ESCAPE BY SOLDIERS UNDER THE COMMAND OF FOURTH BRIGADE BRIG. GEN. EDUARDO HERRERA VERBEL.⁷⁴ THE COLOMBIAN PRESS HAS REPORTED THAT HERNÁNDEZ NOW WORKS WITH THE ACCU.⁷⁵ INDEED, "VALENTÍN" TOLD GOVERNMENT INVESTIGATORS THAT THE OFFICER TOLD HIS SUBORDINATES THAT HE WOULD WORK FOR THE PARAMILITARIES IF HE WAS INVESTIGATED BY THE ATTORNEY GENERAL'S OFFICE, SINCE THE ACCU HAD ALREADY OFFERED HIM A CAR, A RANCH, AND A HIGH SALARY.⁷⁶

SO FAR, IMPUNITY HAS BEEN THE RESULT OF OFFICIAL INVESTIGATIONS. THE PROSECUTORS AND INVESTIGATORS ASSIGNED TO THE CASE HAVE EITHER RECUSED THEMSELVES OUT OF FEAR OR FLED COLOMBIA BECAUSE OF THREATS. ONE PROSECUTOR TOLD HUMAN RIGHTS WATCH THAT HE RECEIVED CREDIBLE INFORMATION INDICATING THAT MAJOR HERNÁNDEZ HAD PAID LA TERRAZA THE EQUIVALENT OF \$7,000 FOR HIS LIFE.⁷⁷

THIRTEENTH BRIGADE (HEADQUARTERS IN BOGOTÓ, THE CAPITAL)

⁷² ACCIYN URGENTE, "CAMPEÑINOS DEL VALLE DEL RÍO CIMITARRA, EN EL MAGDALENA MEDIO COLOMBIANO, SON BOMBARDEADOS Y AMETRALLADOS POR TROPAS OFICIALES," CREDHOS AND THE PEASANT ASSOCIATION OF THE CIMITARRA RIVER VALLEY (ASOCIACIYN CAMPEÑINA DEL VALLE DEL RÍO CIMITARRA, ACVC), JANUARY 19, 2000.

⁷³ "LA CASA CAMPEÑINA, QUE LES SIRVE DE REFUGIO, SE QUEDY PEQUECA," *VANGUARDIA LIBERAL*, JANUARY 21, 2000.

⁷⁴ HUMAN RIGHTS WATCH INTERVIEW, OCTOBER 2, 1999; AND "CUATRO MILITARES A JUICIO POR CRÍMEN DE ALEX LOPERA," *EL TIEMPO*, OCTOBER 13, 1999.

⁷⁵ "EL MAYOR DAVID HERNÁNDEZ ESTÓ SINDICADO DE LA MUERTE DE ALEX LOPERA," *EL TIEMPO*, JULY 1, 1999.

⁷⁶ TESTIMONY BY "VALENTÍN" TO THE ATTORNEY GENERAL'S OFFICE, JUNE 1, 1999.

⁷⁷ HUMAN RIGHTS WATCH INTERVIEW WITH ATTORNEY GENERAL PROSECUTOR, OCTOBER 2, 1999.

I signed one case to authorize an indictment of paramilitaries before lunch, and by the time I returned to my desk after eating, a death threat, hand delivered, was there, with intimate details about the decor of my apartment to let me know the killers had already been inside.

COLOMBIAN PROSECUTOR

Attorney General and other investigators said in interviews with Human Rights Watch that they believe that the group behind a series of assassinations and terror campaigns over the last three years has been military intelligence. Although the Twentieth Brigade, which centralized military intelligence, was officially dismantled in 1998 and intelligence units supposedly lost their ability to mount operations, evidence strongly suggests that agents were simply redistributed to intelligence units in existing brigades and battalions. Human Rights Watch has obtained information indicating that intelligence units continue to mount operations where human rights are violated.

The United States trains Colombian Army intelligence officers, but has not provided information publicly about what units they belong to. In FY 1999, for example, the United States trained four Air Force intelligence officers and two Army intelligence officers. In FY 1999, the U.S. trained six Army intelligence officers: four were stationed in intelligence headquarters in Bogotá, one was stationed in San José del Guaviare, and one was stationed in the city of Santa Marta.⁷⁸

In one of at least five similar cases, Attorney General investigators linked the 1998 kidnapping and later murder of Benjamin Khoudari, an Israeli businessman, to Thirteenth Brigade intelligence officers. According to the official indictment, Col. Jorge Plazas Acevedo planned and carried out a series of kidnapping for ransom and murder, including Khoudari's, as head of the intelligence unit.⁷⁹ In 1999, Plazas was retired from active duty and his case is now before a civilian court.⁸⁰

Even after Acevedo's arrest, government investigators continue to link the Thirteenth Brigade to threats against human rights defenders. "The Thirteenth Brigade remains in crisis," a top government investigator told Human Rights Watch in October 1999.⁸¹

⁷⁸ U.S. Department of Defense and Department of State, "Foreign Military Training & DOD Engagement Activities of Interest: A Report to Congress for Fiscal Years 1998 and 1999," (Section 581 Report), CD-ROM, 1999.

⁷⁹ Plazas reportedly attended the School of the Americas and took a course on Small Unit Infantry Tactics from Jan. 24-March 4, 1977. Human Rights Watch interview with Attorney General investigator, October 5, 1999.

⁸⁰ Col. Bernardo Ruiz, the former Twentieth Brigade commander currently charged with masterminding the 1995 murder of conservative leader Elviro Gómez, told the newsweekly *Semana* that he had worked closely with Plazas. "Revolcyn en Brigada XIII," *EL ESPECTADOR*, July 21, 1999; and "Valgo más muerto que vivo," *Semana*, September 13, 1999.

⁸¹ Human Rights Watch interview with Attorney General investigator, October 5, 1999.

SURVEILLANCE BELIEVED TO BE CARRIED OUT BY MILITARY INTELLIGENCE OF HUMAN RIGHTS GROUPS IS OPEN, AGGRESSIVE, AND THREATENING. ONE BOGOTÓ GROUP REPORTED BEING FILMED AND PHOTOGRAPHED FROM A NEIGHBORING HOTEL. MANY OF THE TELEPHONES USED BY HUMAN RIGHTS GROUPS ARE OPENLY TAPPED. THREATS ARE DAILY OCCURRENCES. ONE OFFICE MANAGER TOLD HUMAN RIGHTS WATCH THAT WHEN THEY ARE TRYING TO DISTRIBUTE AN URGENT ACTION, THE PHONE LINE IS CUT, PREVENTING THEM FROM SENDING IT VIA EMAIL OR FAX. ALSO, WHEN THEY CALL OUT, THEY ARE FREQUENTLY CONNECTED DIRECTLY TO THE THIRTEENTH BRIGADE.⁹²

IN SOME KILLINGS -- LIKE THAT OF THE CINEP WORKERS IN 1997 AND ANTIOQUIA HUMAN RIGHTS DEFENDER VALLE IN 1998 -- EVIDENCE GATHERED BY GOVERNMENT INVESTIGATORS STRONGLY SUGGESTS THAT MILITARY INTELLIGENCE ACTED IN COORDINATION WITH CARLOS CASTACO. SINCE CASTACO HAS NO FORCE CAPABLE OF OPERATING IN CITIES, HE WILL CONTRACT OUT MURDERS TO LA TERRAZA.⁹³

ACCORDING TO GOVERNMENT INVESTIGATORS, CASTACO PAYS LA TERRAZA A MONTHLY RETAINER. ONCE A TARGET IS IDENTIFIED AND A "CONTRACT" IS NEGOTIATED WITH LA TERRAZA, INVESTIGATORS BELIEVE, THE KILLERS ARE GIVEN INTELLIGENCE GATHERED BY THE MILITARY ON THE TARGET'S WHEREABOUTS AND MOVEMENTS. KILLERS ARE ABLE TO TRAVEL THROUGHOUT COLOMBIA, AND TYPICALLY WORK IN PAIRS. THE PAIR, MOUNTED ON A MOTORCYCLE, WILL FOLLOW AN INTENDED VICTIM UNTIL THEY ARE READY TO CARRY OUT AN ATTACK.⁹⁴

GOVERNMENT INVESTIGATORS HAVE ALSO TIED LA TERRAZA TO BOTH THE POPULAR TRAINING INSTITUTE (INSTITUTO POPULAR DE CAPACITACIÓN, IPC) AND SENATOR PIEDAD CYRDOBA KIDNAPINGS, WHICH THEY BELIEVE WERE CARRIED OUT ON CASTACO'S ORDERS. WITNESSES HAVE SWORN UNDER OATH THAT THEY RECOGNIZED AMONG THE GUNMEN THE LA TERRAZA LEADER, ALEXANDER LONDOCO, ALIAS "EL ZARCO."⁹⁵ THE MOST RECENT KILLING BEING INVESTIGATED IN ASSOCIATION WITH LA TERRAZA AND ITS TIES TO MILITARY INTELLIGENCE IS THAT OF JAIME GARZYN, THE HUMORIST. A SUSPECTED LA TERRAZA GUNMAN WAS ARRESTED IN COLOMBIA IN JANUARY 1999 IN CONNECTION WITH THE GARZYN MURDER.⁹⁶

GOVERNMENT INVESTIGATORS TOLD HUMAN RIGHTS WATCH THAT THE INTELLIGENCE SYSTEM MAINTAINED BY LA TERRAZA IS EXCELLENT AND NATIONAL IN SCOPE. THEY DEPEND IN PART ON FLEETS OF TAXIS TO COLLECT INTELLIGENCE, AND HAVE BEEN LINKED TO DEATH THREATS AGAINST GOVERNMENT INVESTIGATORS, INCLUDING MEMBERS OF THE TECHNICAL INVESTIGATIONS UNIT (CUERPO TÉCNICO DE INVESTIGACIONES, CITI).⁹⁷

⁹² HUMAN RIGHTS WATCH INTERVIEW, OCTOBER 5, 1999.

⁹³ HUMAN RIGHTS WATCH INTERVIEWS WITH ATTORNEY GENERAL INVESTIGATORS, OCTOBER 5 AND 9, 1999.

⁹⁴ *Ibid.*

⁹⁵ *Ibid.*

⁹⁶ HUMAN RIGHTS WATCH INTERVIEWS WITH ATTORNEY GENERAL INVESTIGATORS, OCTOBER 5; AND "ASEGUADO PRESUNTO ASESINO DE GARZYN," *EL TIEMPO*, JANUARY 19, 2000.

⁹⁷ HUMAN RIGHTS WATCH INTERVIEWS WITH ATTORNEY GENERAL INVESTIGATORS, OCTOBER 5 AND 9, 1999.

ONE PROSECUTOR TOLD HUMAN RIGHTS WATCH, "I SIGNED ONE CASE TO AUTHORIZE AN INDICTMENT OF PARAMILITARIES BEFORE LUNCH, AND BY THE TIME I RETURNED TO MY DESK AFTER EATING, A DEATH THREAT, HAND DELIVERED, WAS THERE, WITH INTIMATE DETAILS ABOUT THE DECOR OF MY APARTMENT TO LET ME KNOW THE KILLERS HAD ALREADY BEEN INSIDE."⁸⁸

SOME FORMAL INVESTIGATIONS INTO KEY PARAMILITARY LEADERS AND THEIR RELATIONSHIPS TO THE MILITARY AND LA TERRAZA ARE MADE VIRTUALLY IMPOSSIBLE BY THESE TYPES OF THREATS AND THE LACK OF PROTECTION FOR PROSECUTORS, INVESTIGATORS, AND KEY WITNESSES. IN 1998 AND 1999, A DOZEN CII OFFICIALS WERE MURDERED OR FORCED TO RESIGN BECAUSE OF THREATS RELATED TO THEIR WORK ON HUMAN RIGHTS CASES. OTHERS HAVE LEFT THE COUNTRY IN FEAR FOR THEIR LIVES.⁸⁹

GOVERNMENT INVESTIGATORS TOLD HUMAN RIGHTS WATCH THAT AMONG THE CASES MOST DAMAGED BY LA TERRAZA THREATS IS THE INVESTIGATION INTO THE MURDER OF HUMAN RIGHTS DEFENDER VALLE. ONE CII AGENT INVESTIGATING VALLE'S MURDER WAS KILLED SOON AFTER THE MURDER. THE PROSECUTOR INVESTIGATING THE CASE FLED COLOMBIA. ANOTHER CII INVESTIGATOR WAS KILLED IN SEPTEMBER 1999.⁹⁰

THE THIRTEENTH BRIGADE WAS ALSO LINKED TO THE MAY 1999 SEIZURE BY AUTHORITIES OF THE OFFICES OF THE INTERCONGREGATIONAL COMMISSION ON JUSTICE AND PEACE, A RESPECTED HUMAN RIGHTS GROUP. AFTER RETIRED GENERAL AND FORMER DEFENSE MINISTER FERNANDO LANDAZÓBAL WAS ASSASSINATED IN SANTAFÉ DE BOGOTÓ ON MAY 12, 1999, THE TWENTIETH BRIGADE SUPPLIED INFORMATION TO THE ATTORNEY GENERAL'S OFFICE LINKING THE CRIME TO ACTIVITIES THAT TOOK PLACE WITHIN JUSTICE AND PEACE. THE FOLLOWING DAY, THIRTEENTH BRIGADE SOLDIERS SEIZED THE OFFICES.⁹¹

SOLDIERS CONCENTRATED THEIR SEARCH ON THE OFFICE OF "NUNCA MÓS," A RESEARCH PROJECT THAT IS COLLECTING INFORMATION ON CRIMES AGAINST HUMANITY. SOLDIERS FORCED EMPLOYEES TO KNEEL AT GUN POINT IN ORDER TO TAKE THEIR PICTURES, A GESTURE APPARENTLY MEANT TO EVOKE A SUMMARY EXECUTION. DURING THE SEARCH, SOLDIERS ADDRESSED EMPLOYEES AS "GUERRILLAS" AND FILMED THEM AND DOCUMENTS IN THE OFFICE. AT ONE POINT, SOLDIERS TOLD THE EMPLOYEES THAT THEY WANTED PRECISE DETAILS OF THE OFFICE IN ORDER TO LATER CONSTRUCT A SCALE MODEL, APPARENTLY TO PLAN FURTHER INCURSIONS. AFTER HUMAN RIGHTS DEFENDERS GATHERED OUTSIDE OUT OF CONCERN, SOLDIERS SET UP A CAMERA TO FILM THEM, AN ACT OF INTIMIDATION.⁹²

⁸⁸ HUMAN RIGHTS WATCH INTERVIEW WITH ATTORNEY GENERAL PROSECUTOR, OCTOBER 10, 1999.

⁸⁹ HUMAN RIGHTS WATCH INTERVIEWS WITH ATTORNEY GENERAL INVESTIGATORS, OCTOBER 5 AND 9, 1999.

⁹⁰ HUMAN RIGHTS WATCH INTERVIEW WITH ATTORNEY GENERAL INVESTIGATORS, OCTOBER 5, 1999.

⁹¹ THE LINK BETWEEN THE INFORMATION SUPPLIED BY THE TWENTIETH BRIGADE AND THE USE MADE OF IT BY THE THIRTEENTH BRIGADE WAS CONFIRMED IN GOVERNMENT INVESTIGATIONS CONTAINED IN A SUBSEQUENT PROCURADURÍA INVESTIGATION COMPLETED ON DECEMBER 19, 1999. PUBLIC STATEMENT, JUSTICE AND PEACE, MAY 19, 1999; AND "EJÉRCITO BUSCA AL ELN EN UNA CASA DE PAZ," *EL ESPECTADOR*, MAY 14, 1999.

⁹² PUBLIC STATEMENT, JUSTICE AND PEACE, MAY 19, 1999.

IN A RECORDED STATEMENT TO THE COLOMBIAN RADIO, COLOMBIA'S ASSISTANT ATTORNEY GENERAL, JAIME CYRODOBA TRIVICO, CONFIRMED THAT THE SEARCH WAS PROMPTED BY "MILITARY INTELLIGENCE, WHICH GAVE US A REPORT THAT INDICATED THAT THERE WERE PEOPLE ASSOCIATED WITH THE ELN AT THIS LOCATION... BUT ONCE THE PROSECUTORS REALIZED THAT THIS WAS AN ERROR, THEY SUSPENDED THE OPERATION."⁹³ IN LATER REPORTS, ATTORNEY GENERAL ALFONSO GYMEZ CLAIMED THAT THE ARMY HAD PURPOSEFULLY HIDDEN THE TRUE NATURE OF THE WORK DONE AT JUSTICE AND PEACE FROM INVESTIGATORS.⁹⁴

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⁹³ "INTELIGENCIA MILITAR NOS PROPORCIONÓ UN INFORME QUE INDICABA QUE EN ESTE LUGAR SE ENCONTRABAN PERSONAS ASOCIADAS AL ELN, POR ESO REALIZAMOS EL ALLANAMIENTO, PERO AL DARSE CUENTA LOS FISCALES QUE ADELANTABAN UNA OPERACIÓN POR ERROR, SE DETUVO LA DILIGENCIA." ALLANAMIENTO A ONG, FUE ERROR DE INTELIGENCIA, ADVIERTE VICEFISCAL," *RCN BROADCAST*, MAY 14, 1999.

⁹⁴ "A CALIFICAR SERVICIOS," *SEMANA*, MAY 25, 1999