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**FM AMEMBASSY BOGOTA
TO SECSTATE WASHDC PRIORITY 6283
AMEMBASSY CARACAS PRIORITY
AMEMBASSY LIHA PRIORITY
AMEMBASSY QUITO PRIORITY
USCINCSO QUARRY HEIGHTS PRIORITY**

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STATE PLEASE PASS TO FRANK FULGHAM - DS/CTP

**E.O. 12356: DECL: OADR
TAGS: PHUM, PGOV, PINS, CO
SUBJECT: HUMAN RIGHTS IN COLOMBIA: THE MILITARY
DIMENSION**

1. (C) SUMMARY: AS COLOMBIA'S GUERRILLA WAR HEATS UP, ATTENTION HAS INCREASINGLY FOCUSED ON THE COUNTRY'S HUMAN RIGHTS SITUATION AND ALLEGED ABUSES BY THE GOC SECURITY FORCES. GOC HUMAN RIGHTS VIOLATIONS REMAIN MODEST BY COMPARISON WITH THE ENDEMIC LEVEL OF CRIMINAL AND TERRORIST VIOLENCE. THE COLOMBIAN MILITARY ARE A CONSTITUTIONAL FORCE UNDER CIVILIAN CONTROL, AND A NUMBER OF INSTITUTIONAL STRENGTHS DEFEND COLOMBIA FROM "CENTRAL-AMERICANIZATION."
END SUMMARY

2. (C) CENTRAL-AMERICANIZATION OF COLOMBIA?: THE SIEGE OF THE PALACE OF JUSTICE LAST NOVEMBER AND THE CONTINUING UNRAVELLING OF PRESIDENT BETANCUR'S PEACE PROCESS HAS FOCUSED ATTENTION ON THE

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HUMAN RIGHTS SITUATION IN COLOMBIA AND ALLEGED ABUSES

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BY THE GOC SECURITY FORCES. RECENTLY THE ATTENTION GIVEN TO COLOMBIA BY "AMERICAS WATCH" IS ESPECIALLY STRIKING. THE "NEW YORK TIMES" PRECIS OF THE RECENT "AMERICAS WATCH" REPORT ON COLOMBIA WARNED THAT THE SITUATION HERE VERGES ON "CENTRAL-AMERICANIZATION." SIMILARLY, THE LAWYER'S COMMITTEE FOR HUMAN RIGHTS (WHICH EMBRACES AMERICAS WATCH) DECLARED IN "THE REAGAN ADMINISTRATION'S RECORD ON HUMAN RIGHTS IN 1985" THAT THE MILITARY IS "RESPONSIBLE FOR THE MAJORITY OF HUMAN RIGHTS ABUSES AND FOR UNDERMINING CIVILIAN AUTHORITY TO SECURE A NEGOTIATED PEACE." NO EVIDENCE IS OFFERED IN SUPPORT FOR THESE CHARGES. WITHOUT MINIMIZING THE HUMAN RIGHTS PROBLEMS IN COLOMBIA, FUNDAMENTAL DIFFERENCES EXIST BETWEEN THE COLOMBIAN MILITARY'S ROLE IN SOCIETY AND THE TRADITIONAL VIEW OF THE MILITARY IN CENTRAL AMERICAN SOCIETIES.

3. (C) THE COLOMBIAN MILITARY: THE SIGNIFICANT DIFFERENCE:

THE COLOMBIAN MILITARY'S HISTORICAL DIFFERENCES FROM ITS FELLOW INSTITUTIONS IN LATIN AMERICA BEAR REPEATING IN ANY DISCUSSION OF HUMAN RIGHTS. THE COLOMBIAN MILITARY HAS NEITHER BEEN A STATE UNTO ITSELF NOR THE INDEPENDENT CONSTITUTIONAL GUARDIAN OF THE STATE, PASSING UNILATERAL JUDGMENT ON CIVILIAN POLICIES. AS AN INTEGRAL PART OF THE COLOMBIAN STATE, IT REMAINS THE SERVANT OF THE COLOMBIAN GOVERNMENT. NOTHING IN COLOMBIAN HISTORY PARALLELS EL SALVADOR IN THE PERIOD 1979-1981, WHEN THE ARMED FORCES AT LEAST CONDONED AN ANTI-GUERRILLA POLICY INVOLVING THE SYSTEMATIC ABUSE OF HUMAN RIGHTS.

4. (C) THE MILITARY'S SUBORDINATION TO CIVILIAN

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AUTHORITY:
SEVERAL FACTORS ACCOUNT FOR THE POSITION OF THE MILITARY IN COLOMBIAN SOCIETY. HISTORICALLY, THE COLOMBIAN PROFESSIONAL MILITARY FORCES HAVE BEEN SMALL. CIVIL STRIFE -- FREQUENT IN THE 19TH CENTURY -- DID NOT CONSOLIDATE MILITARY POWER. RIVAL ARMIES WERE FORMED FROM VOLUNTEERS, LED BY AMATEUR POLITICIAN GENERALS. TODAY THE COLOMBIAN MILITARY REMAINS A SMALL INSTITUTION FOR A NATION OF 27 MILLION. ACTIVE DUTY PERSONNEL NUMBER 70,000, WITH THE ARMY ACCOUNTING

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FOR 58,600 OF THE TOTAL. ALSO UNDER THE MINISTRY OF DEFENSE ARE THE 51,500 MEMBERS OF THE NATIONAL POLICE. THE LAST FULL-SCALE BUDGET FOR THE MILITARY WAS THE 436.2 MILLION US DOLLARS PROGRAMMED IN COLOMBIAN FY 84 (ENDING 12/31). THIS REPRESENTED 8.5 PERCENT OF THE NATIONAL BUDGET AND 1 PERCENT OF GDP. ECONOMIC PROBLEMS IN 1985 RESULTED IN A 40 PERCENT DECREASE IN THE MILITARY BUDGET AND THE FY 86 BUDGET HOVERS AT ABOUT THE SAME LEVEL, TOTALLING 265 MILLION US DOLLARS. THE COLOMBIAN MILITARY ACCEPTS THE INTERVENTION OF THE GOVERNMENT INTO ITS AFFAIRS. NOTABLE AMONG RECENT INTERVENTIONS WERE THE DISMISSAL IN 1975 OF THE POPULAR ARMY COMMANDER, GEN. VALENCIA TOVAR, THE 1977 INVOLUNTARY RETIREMENT OF FIVE GENERALS, AND THE 40 PERCENT BUDGET REDUCTION OF 1985.

5. (C) MILITARY INFLUENCE ON CIVILIAN RULE:
THE MILITARY'S RECORD OF SUPPORT FOR CIVILIAN GOVERNMENT HAS MADE IT AN INSTITUTION WHICH MOST COLOMBIANS RESPECT RATHER THAN FEAR. THOUGH REMAINING CONSTITUTIONALLY AND ACTUALLY SUBORDINATE TO CIVILIAN AUTHORITY, THE COLOMBIAN MILITARY DOES LEGITIMATELY

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**E.O. 12356: DECL: OADR
TAGS: PHUM, PGOV, PINS, CO
SUBJECT: HUMAN RIGHTS IN COLOMBIA: THE MILITARY
INFLUENCE COLOMBIAN SOCIETY AND POLITICS. THAT
INFLUENCE, NO DOUBT EXERCISED AT TIMES OF CRISIS SUCH
AS THE PALACE OF JUSTICE TAKEOVER, IS ALSO SOMETIMES
OVERDRAWN (AS NOTED IN BOGOTA'S 15258/85 "AFTER BLACK
NOVEMBER.") IN PARTICULAR, THE LAWYER'S COMMITTEE
CHARGE THAT THE MILITARY IS RESPONSIBLE FOR UNDER-
MINING CIVILIAN EFFORTS TO SECURE A NEGOTIATED PEACE
WITH THE GUERRILLAS IGNORES BOTH THE BAD FAITH OF THE
INSURGENTS AND THE LIMITS WITHIN WHICH THE MILITARY
OPERATES. WITHIN THE GOVERNMENT, THE MILITARY'S VIEWS
ARE REPRESENTED BY THE MINISTER OF DEFENSE, WHO BY
TRADITION IS A SERVING GENERAL. ALSO INFLUENTIAL ARE THE
ASSOCIATION OF RETIRED MILITARY OFFICERS AND A NUMBER
OF RESERVE OFFICER ASSOCIATIONS, THE LATTER ORGANIZED
BY SPECIALTY (ENGINEERS, ETC.). THESE GROUPS FORM
AN INTERCONNECTED NETWORK WITHIN THE GOVERNMENTAL**

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**STRUCTURE AND THE CIVILIAN ECONOMY, ENSURING THAT THE
INFLUENCE OF FORMER SERVING OFFICERS IS FELT TO SOME**

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DEGREE THROUGHOUT COLOMBIAN SOCIETY. MANY OF THE APPOINTED DEPARTMENTAL GOVERNORS AND MUNICIPAL MAYORS ARE RETIRED SENIOR MILITARY OFFICERS.

6. (C) JUSTICE AND SOCIETY:

THE COLOMBIAN ARMED FORCES PLACE IN SOCIETY IS DISTINCTIVE. COLOMBIA HAS NEVER BEEN THE PEACEABLE KINGDOM. THE HIGH LEVEL OF VIOLENCE AS WELL AS THE TOLERANCE OF COLOMBIANS FOR IT, IS COMBINED WITH A WELL-DEVELOPED (IF OVERBURDENED) JUDICIAL SYSTEM. THIS DICHOTOMY, WHILE PUZZLING, DOES PROVIDE GUARANTEES AND INHIBITIONS AGAINST THE SYSTEMATIC ABUSE OF HUMAN RIGHTS.

7. (C) THE MILITARY AND HUMAN RIGHTS PROBLEMS: AS REPORTED IN THE 1985 COUNTRY HUMAN RIGHTS REPORT, COLOMBIAN CITIZENS ARE CONSTITUTIONALLY PROTECTED FROM ABUSE BY GOVERNMENT FORCES. ALSO, CIVILIAN AUTHORITIES SUCH AS THE ATTORNEY GENERAL ARE LEGALLY EMPOWERED TO INVESTIGATE INCIDENTS REPORTED TO HAVE BEEN PERPETRATED BY THE SECURITY FORCES AND HAVE BEEN DILIGENT IN DOING SO. ALTHOUGH THERE IS HIGH INCIDENCE OF POLITICAL AND CRIMINAL VIOLENCE IN COLOMBIA, ALLEGATIONS OF OFFICIALLY INSPIRED DISAPPEARANCES AND TORTURE ARE FEW. THE STRENGTH OF THE LEGAL SYSTEM IS SUCH THAT THE COLOMBIAN MILITARY ARE NOT IMMUNE TO PERSECUTION FOR ABUSES. THE COLOMBIAN ATTORNEY GENERAL'S 1985 ANNUAL REPORT LISTS 344 DISAPPEARANCES AND 242 INCIDENCES OF TORTURE DENOUNCED TO HIS OFFICE DURING THE YEAR. IN THE CASE OF DISAPPEARANCES, 32 MEMBERS OF THE POLICE AND/OR ARMED FORCES WERE INVOLVED IN LEGAL PROCEEDINGS FOR THEIR PARTICIPATION

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IN THESE CASES, AS WERE 10 OTHER INDIVIDUALS. FOR THEIR INVOLVEMENT IN INCIDENTS OF TORTURE, 12 NATIONAL POLICE MEMBERS WERE FOUND GUILTY AND PUNISHED, 2 WERE ABSOLVED, AND 27 ARE FACING CHARGES.

8. (S) A DISTURBING DEVELOPMENT:

A RECENT REPORT THAT THE ARMY MAY HAVE ADOPTED A "NO-PRISONERS" POLICY [REDACTED] IN ITS CONFRONTATIONS WITH ARMED GUERRILLAS RUNS AGAINST THE COLOMBIAN TRADITION OF LEGAL ACCOUNTABILITY. THE OSTENSIBLE REASON FOR THIS POLICY IS THE ALLEGED FAILURE OF THE JUDICIAL SYSTEM TO CONVICT AND JAIL

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[REDACTED]

CAPTURED GUERRILLAS. EMBASSY WILL ATTEMPT TO VERIFY THESE REPORTS. THE MILITARY REPORTEDLY ADOPTED THIS POLICY ONLY AGAINST ARMED OR UNIFORMED GUERRILLAS. ALTHOUGH THE PERMANENT COMMITTEE FOR THE DEFENSE OF HUMAN RIGHTS AND THE COMMUNIST PARTY PAPER "VOZ" HAVE MADE THE ALLEGATION, WE HAVE SEEN NO COMPELLING EVIDENCE THAT MERE SYMPATHIZERS WITH THE GUERRILLA MOVEMENTS HAVE BEEN KILLED BY THE MILITARY OR POLICE. EVEN TAKEN IN CONTEXT, HOWEVER, THE PRISONER ISSUE IS ONE WHICH THE COLOMBIAN AUTHORITIES WILL HAVE TO CONFRONT.

9. (C) BUILDING A CASE/ DEATH SQUADS:
THE NEED TO PORTRAY THE MILITARY AS HUMAN RIGHTS ABUSERS IS ONLY PART OF WHAT THE "CENTRAL-AMERICANIZATION" THEME ENTAILS. ANOTHER KEY ELEMENT WOULD BE THE PRESENCE OF DEATH SQUADS. THOUGH THE HUMAN RIGHTS COMMITTEE HAS ALLEGED THAT DEATH SQUADS OPERATE IN COLOMBIA, INFORMATION ON THESE SUPPOSED GROUPS AND THEIR ACTIVITIES REMAINS SLIM. GIVEN THE HISTORIC CLIMATE OF VIOLENCE HERE, AND THE GROWTH OF NARCOTICS AND TERRORIST VIOLENCE, MURDERS

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SUBJECT: HUMAN RIGHTS IN COLOMBIA: THE MILITARY
HAVING "DEATH SQUAD" ATTRIBUTES ARE NOT UNKNOWN. ONE
GROUP KNOWN AS "DEATH TO KIDNAPPERS" (MUERTE A
SECUESTRADORES-MAS) CONTINUES TO RECEIVE RECOGNITION IN
THE COLOMBIAN PRESS. THE GROUP WAS FORMED IN 1982
BY SEVERAL WELL-KNOWN NARCOTICS TRAFFICKERS IN THE
WAKE OF AN M-19 KIDNAPPING OF THE DAUGHTER OF A MAJOR
TRAFFICKER. COUNTER-KIDNAPPINGS OF RELATIVES OF M-19
MEMBERS RESULTED IN CESSATION OF M-19 STEPS AGAINST
THE TRAFFICKERS. SINCE THAT TIME THE SYMBIOTIC
RELATIONSHIP BETWEEN TRAFFICKERS AND GUERRILLAS
HAS PROSPERED. THOUGH THE LOCAL PRESS CONTINUES
TO ASCRIBE RESPONSIBILITY FOR CERTAIN MURDERS TO MAS,
CONFIRMATION IS LACKING. ANOTHER GROUP KNOWN AS
DEATH TO JUDGES (MUERTE A JUECES-MAJ) IS ENTIRELY
CONNECTED WITH THE NARCOTICS TRAFFICKERS WHO DOMINATE
THE CITY OF MEDELLIN. WHILE MILITARY INVOLVEMENT

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IN ACTIVITIES OF THIS TYPE CANNOT BE DISCOUNTED,
STRONG INSTITUTIONAL DEFENSES INHIBIT A MUSHROOMING

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OF "DEATH SQUAD" ACTIVITIES. THE CO-OPTATION OF THE MILITARY INTO THE MAINSTREAM OF COLOMBIAN LIFE ESPECIALLY ARGUES AGAINST HIGH COMMAND APPROVAL OR CONDONATION OF SUCH ACTIVITIES.

10. (C) THE OBVIOUS FRUSTRATIONS OF MANY RETIRED AND ACTIVE MILITARY WITH THE BETANCUR PEACE PROCESS IS EVIDENT. THEY SEE THE PEACE PROCESS AS AN OPPORTUNITY FOR THE GUERRILLAS TO REINFORCE THEMSELVES WHILE RESTRICTED MILITARY BUDGETS KEEP THEM AT A DISADVANTAGE. THIS EVIDENT FRUSTRATION COMBINED WITH A SERIES OF ATTEMPTS ON COMMUNIST PARTY LEADERS AND THE ASSASSINATION OF FORMER ELN CHIEF RICARDO LARA GAVE RISE TO THE FEAR OF POSSIBLE MILITARY EXTRA LEGAL RETALIATION. HOWEVER, ADMISSIONS BY THE RICARDO FRANCO FRONT OF THE ATTEMPTS ON THE COMMUNIST PARTY LEADERS AND BY THE ELN OF THE MURDER OF RICARCO LARA

[REDACTED] HAS EASED THIS CONCERN. GENERAL VALENCIO TOVAR, RETIRED FORMER COMMANDER OF THE COLOMBIAN ARMY RECENTLY EXPRESSED THE OPINION THAT THERE MAY HAVE BEEN ISOLATED CASES OF RETRIBUTION BY INDIVIDUAL ACTIVE OR RETIRED MILITARY, BUT ONGOING SYSTEMATIC ACTIVITY OF THIS NATURE DOES NOT EXIST ON THE PART OF THE ARMED FORCES.

11. (C) BUILDING A CASE/FREEDOM-FIGHTING GUERRILLAS: ANOTHER IMPORTANT ELEMENT IN THE "CENTRAL-AMERICANIZATION" THEME IS PORTRAYING GUERRILLA FIGHTERS AS THE TRUE REPRESENTATIVE OF THE COLOMBIAN PEOPLE. THE GUERRILLA GROUPS IN COLOMBIA CLEARLY REPRESENT AN EXTREMIST ELEMENT WITHOUT WIDESPREAD SUPPORT AT ANY LEVEL OF SOCIETY. THEY ARE TERRORISTS RATHER

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THAN A "REVOLUTIONARY ARMY," AND COUNT AMONG THEIR RANKS SOME OF THE MOST RUTHLESS KILLERS OPERATING IN COLOMBIA. STATISTICS CONCERNING DISAPPEARANCES AND TORTURES CARRIED OUT BY THE GUERRILLA GROUPS ARE DIFFICULT TO OBTAIN, SINCE MOST OF THEM OPERATE IN ISOLATED RURAL AREAS OF COLOMBIA. BUT INCIDENTS SUCH AS THE M-19 ATTACK ON THE PALACE OF JUSTICE, AND THE RECENT RICARDO FRANCO FRONT (RFF) MASSACRE (SEE BOGOTA 0017) DEMONSTRATE WHAT LITTLE REGARD GUERRILLA GROUPS HAVE FOR HUMAN LIFE. KILLINGS OF PRESUMED TRAITORS, DEFACTORS, INFILTRATORS, GOVERNMENT

[REDACTED]

INFORMANTS, AND PERSONS OF DIFFERING POLITICAL VIEWS BY THE GUERRILLA GROUPS ARE COMMON, ALTHOUGH NEVER BEFORE ON THE SCALE OF THE 158 PERSONS SLAUGHTERED BY RFF. RFF LEADER JAVIER DELGADO ADMITTED MURDERING ABOUT HALF OF HIS TOTAL FORCE INCLUDING HIS OWN BODYGUARD, HIS OWN MISTRESS, SEVERAL PREGNANT WOMEN, AND AT LEAST THREE CHILDREN ON THE SUSPICION THAT THEY WERE "INFILTRATORS."

12. (C) BUILDING THE CASE/AN AUTHORITATIVE VOICE: A HUMAN RIGHTS ORGANIZATION WHOSE PRONOUNCEMENTS WILL BE ACCEPTED AS VALID IS KEY IN DEVELOPING THE "CENTRAL-AMERICANIZATION" THEME. THE PERMANENT COMMITTEE FOR THE DEFENSE OF HUMAN RIGHTS IS COLOMBIA'S LEADING "WATCHDOG" GROUP. THE COMMITTEE'S DIRECTORATE EMBRACES A NUMBER OF WELL-KNOWN DEMOCRATIC PERSONALITIES (BOGOTA 14325/85). HOWEVER, SEVERAL KEY ACTORS IN THE ORGANIZATION ARE LEFTISTS, AND ITS MODUS OPERANDI LEAVES ITS CONCLUSIONS OFTEN OPEN TO QUESTION. BY WAY OF EXAMPLE, THE PERMANENT COMMITTEE FOR THE DEFENSE OF HUMAN RIGHTS REMAINED SILENT UNTIL JANUARY 14, ALMOST A MONTH AFTER THE

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E.O. 12356: DECL: OADR

TAGS: PHUM, PGOV, PINS, CO

*SUBJECT: HUMAN RIGHTS IN COLOMBIA: THE MILITARY
MASS GRAVES OF RFF VICTIMS WERE DISCOVERED.
COMMITTEE PRESIDENT ALFREDO VASQUEZ CARRISOZA
FINALLY ISSUED A STATEMENT: "IT IS ONE OF THE
MOST HORRIFYING CRIMINAL ACTS TO HAVE TAKEN PLACE
IN MANY YEARS IN COLOMBIA.... ABOUT THESE MURDERS
I ADD MY PROTEST AS A COLOMBIAN AND AS PRESIDENT
OF THE HUMAN RIGHTS IN THE MOST OPEN, ENERGETIC,
AND CLEAR FORM." INTERESTINGLY, VASQUEZ CARRISOZA
MADE HIS STATEMENT THE SAME DAY THAT THE PATRIOTIC
UNION (UP - A FRONT GROUP FOR THE COMMUNIST PARTY
AND THE FARC GUERRILLAS) CONDEMNED THE MASSACRE
AFTER A SENIOR-LEVEL MEETING. SHORTLY AFTER THE
DISCOVERY OF THE MASS GRAVES IN DECEMBER, THE
EXECUTIVE SECRETARY OF THE HUMAN RIGHTS COMMITTEE,
HERNANDO HURTADO, (A COMMUNIST PARTY MEMBER) TOLD
AN EMBOFF THAT THE COMMITTEE ONLY ISSUED STATEMENTS*

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WHEN GOVERNMENT FORCES WERE INVOLVED IN AN INCIDENT,
THE COMMITTEE'S INITIAL RESPONSE AND ITS DELAY IN

[REDACTED]

PUBLICLY CONDEMNING THE RFF MASSACRE ERODE ITS CREDIBILITY AS AN IMPARTIAL OVERSEER OF THE HUMAN RIGHTS SITUATION IN COLOMBIA.

13. (LOU) CONCLUSIONS: HUMAN RIGHTS ABUSES BY ALL SIDES MAY WELL INCREASE IF THE PEACE PROCESS CONTINUES TO DECAY. HOWEVER, WE DO NOT FORESEE COLOMBIA ENTERING INTO A PERIOD COMPARABLE WITH THE EL SALVADOR OR GUATEMALA OF THE EARLY 1980'S, OR EVEN WITH COLOMBIA'S OWN "LA VIOLENCIA" OF THE EARLY 1950'S. THIS NATION OF 27 MILLION HAS A NUMBER OF HISTORICAL AND INSTITUTIONAL DEFENSES AGAINST "CENTRAL-AMERICANIZATION." THE REPUBLIC APPEARS TO RETAIN FUNDAMENTAL COMMITMENT TO CIVILIZED NORMS OF BEHAVIOR AS WELL AS THE STRENGTH AND FLEXIBILITY TO MEET THE HUMAN RIGHTS CHALLENGES OF THE GUERRILLA WARS WITHOUT ABANDONING THAT COMMITMENT.

GILLESPIE

[REDACTED]