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ACTION ARA-01						
INFO LOG-00 ACQ-01 INL-01 EB-00 INR-00 M-00 OPIC-01 SSO-00	ACDA-08 CA-02 DEAE-00 OIGO-01 INSE-00 NRCE-00 PA-00 STR-00	ACDE-00 CCO-00 DINT-00 FAAE-00 IO-00 NSAE-00 PM-00 TRSE-00	INLB-01 CG-00 DOEE-00 FBIE-00 JUSE-00 OCS-03 PRS-00 T-00	AID-00 CIAE-00 DOTE-00 H-01 L-01 OIC-02 P-00 USIE-00 PRM-01	AMAD-01 COME-00 SRPP-00 IMMC-01 ADS-00 OIS-01 SCT-00 USSS-00	A-00 CTME-00 DS-00 TEDE-00 MMP-00 OMB-01 SP-00 ASDS-01 G-00
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-----63B8A3 262202Z /38 P 262141Z AUG 98 FM AMEMBASSY BOGOTA TO SECSTATE WASHDC PRIORITY 4811 INFO SECDEF WASHDC USCINCSO MIAMI FL DIRONDCP WASHDC

C 6 N-1 SECTION 01 OF 05 BOGOTA 009783

SOUTHCOM ALSO FOR POLAD

E.O. 12958: DECL: 8/21/08

TAGS: PHUM, MASS, SNAR, PTER, PREL, PGOV, PINS, CO

SUBJECT: MILITARY ASSISTANCE TO COLOMBIAN ARMY'S 7TH AND 12TH

Control of the Control

PAGE 02 BOGOTA 09783 01 OF 05 262159Z BRIGADES, AND 2ND "BRIM"

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REFS: A) STATE 112366 B) STATE 54966

- C) BOGOTA 7284 D) BOGOTA 8351
- E) BOGOTA IIR 6 819 0268 98 (DTG 051410Z JUN 98)
- F) STATE 144385

CLASSIFIED BY AMBASSADOR CURTIS W. KAMMAN. REASONS 1.5 (B&D).

1. (C) SUMMARY: POST IS SENDING AN INTERIM RESPONSE TO REFS A AND B REQUESTS FOR ADDITIONAL INFORMATION RELATED TO MILITARY ASSISTANCE TO 7TH BRIGADE, 12TH BRIGADE, AND 2ND MOBILE BRIGADE OF COLOMBIAN ARMY. IN SHORT, THE PROCURADURIA HAS MADE PROGRESS ON MOST OF ITS ADMINISTRATIVE CASES, BUT THEIR SENTENCING IS LIMITED BY LAW TO RATHER MILD DISCIPLINARY MEASURES (AT MOST:

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UNITED STATES DEPARTMENT OF STATE DATE/CASE ID: 4 JAN 2002 200102477

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EXPULSION FROM ACTIVE DUTY). THE FISCALIA AND SUPERIOR MILITARY TRIBUNAL (TSM) CAN BRING CRIMINAL CHARGES AND INCARCERATION. POST WILL REPORT ON REMAINING CASES AND REQUESTED COMMAND INFORMATION ASAP. END SUMMARY.

2. (C) THIS IS AN INTERIM RESPONSE TO REFS A AND B, WHICH REQUESTED ADDITIONAL INFORMATION RELATED TO POSSIBLE U.S. MILITARY ASSISTANCE TO THE 7TH BRIGADE, 2ND MOBILE BRIGADE AND 12TH BRIGADE OF THE COLOMBIAN ARMY. REFTEL QUESTIONS ARE REPEATED HEREIN FOR EASE OF ASSIMILATION OF NEW INFORMATION.

ANSWERS TO REF A QUESTIONS RE THE 7TH BRIGADE AND 2ND BRIM

3. (SBU) QUESTION: WHAT IS THE STATUS OF THE MAPIRIPAN INVESTIGATIONS? ANSWER: THE FISCALIA HAS ORDERED THE DETENTION OF PARAMILITARY LEADER CARLOS CASTANO FOR ORGANIZING THE JULY TAL

BOGOTA 09783 01 OF 05 262159Z 1997 MASSACRE. IN JUNE, THE NATIONAL POLICE ARRESTED RENE CARDENAS GALEANO, A REPUTED CASTANO DEPUTY AND COMMANDER OF SAN JOSE DEL GUAVIARE-BASED PARAMILITARIES FOR HIS PART IN ORGANIZING MAPIRIPAN'S TAKEOVER (REF C). THE FISCALIA HAS ORDERED THE DETENTION OF TWO ARMY SERGEANTS, MEMBERS OF THE JOAOUIN PARIS BATTALION OF THE 7TH BRIGADE (STATIONED JUST OUTSIDE OF SAN JOSE DEL GUAVIARE), TO FACE CRIMINAL CHARGES FOR THEIR PRESUMED ROLE IN FACILITATING THE ARRIVAL OF THE PARAMILITARIES AT THE SAN JOSE DEL GUAVIARE MUNICIPAL AIRPORT IN THE DAYS PRIOR TO THE MASSACRE. THE SERGEANTS, JUAN CARLOS GAMARRA AND JOSE MILLER URUENA DIAZ, WERE ARRESTED JULY 10 AND TRANSFERRED TO A MILITARY POLICE BATTALION IN BOGOTA FOR DETENTION. (APPARENTLY, CAPTURED PARAMILITARIES (OTHER THAN CARDENAS) HAVE BEEN COOPERATING WITH THE FISCALIA IN IDENTIFYING MILITARY PARTICIPANTS.) THE FISCALIA HAS TOLD EMBASSY THAT THEY HAVE NO/NO EVIDENCE TO INDICATE, AND DO NOT BELIEVE, THAT "DANTI" COUNTER-NARCOTICS POLICE WERE INVOLVED IN FACILITATING THE ARRIVAL OF PARAMILITARIES INTO SAN JOSE DEL GUAVIARE.

4. (U) ADDITIONALLY, BG JAIME HUMBERTO USCATEGUI RAMIREZ, THE 1997 COMMANDER OF THE 7TH BRIGADE WITH JURISDICTION OVER THE MAPIRIPAN AREA, IS UNDER ADMINISTRATIVE INVESTIGATION BY THE PROCURADURIA ("ATTORNEY GENERAL", BUT MORE LIKE A U.S.-STYLE INSPECTOR GENERAL) FOR HIS POSSIBLE RESPONSIBILITY FOR THE EVENTS AT MAPIRIPAN. (NOTE: IN EARLY AUGUST 1998, USCATEGUI WAS APPOINTED AS COMMANDER OF "JOINT TASK FORCE - INVINCIBLE," OPERATING OUT OF TRES ESQUINAS. END NOTE.) THE PROCURADURIA'S INVESTIGATION IS CURRENTLY IN THE "EVALUATION OF EVIDENCE" PHASE. (NOTE: USUALLY, CHARGES ARE FILED AND THE DEFENDANT NOTIFIED PRIOR TO THE EVALUATION OF EVIDENCE. DUE TO THE RANK OF THIS

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OFFICER AND SENSITIVITY OF THE CASE, THE EVIDENCE IS BEING

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EVALUATED AS FULLY AS POSSIBLE PRIOR TO THE FILING OF FORMAL
CHARGES. THE PROCURADOR GENERAL IS PERSONALLY INVOLVED IN THIS
CASE, ALTHOUGH HE HAS DELEGATED THE INVESTIGATION TO HIS DELEGATE
FOR MILITARY AFFAIRS. IN ADDITION TO BG USCATEGUI, THE
PROCURADURIA IS ALSO INVESTIGATING ARMY MAJOR HERNAN OROZCO
CASTRO, ARMY CAPTAIN JUAN CARLOS LOPEZ PABON, AND CNP MAJOR OMAR
BADMAR GALEANO SALCEDO (WHO WAS KILLED RECENTLY IN A HELICOPTER
CRASH, REF D). CIVILIAN GOVERNMENTAL AUTHORITIES UNDER
INVESTIGATION INCLUDE: JAIME CALDERON MORENO, FERNANDO MARTINEZ
HERRERA, LUIS HERNANDEZ PRIETO CARDENAS, EDUARDO BRAND CASTILLO,
AND CESAR AUGUSTO LEON. END NOTE.)

5. (C) QUESTION: IS LT. COL. LINO SANCHEZ OF 2ND BRIM UNDER FORMAL INVESTIGATION? ANSWER: NO.

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HE REMAINS "UNDER SUSPICION". THE FISCALIA HAS NOT ESTABLISHED HIS PARTICIPATION IN OR FOREKNOWLEDGE OF THE PARAMILITARY INCURSION INTO MAPIRIPAN. (SANCHEZ HAS TOLD UN HUMAN RIGHTS INVESTIGATORS THAT HE WAS ONE OF THE FIRST SENIOR ARMY OFFICERS ON THE GROUND WHEN THE ARMY MOVED IN TO MAPIRIPAN FOLLOWING THE DEPARTURE OF THE PARAMILITARIES.) WHILE THERE ARE ALLEGATIONS (BY THREE CNP OFFICERS) THAT SANCHEZ HAD PREVIOUSLY ASKED POLICE OFFICERS TO SUPPORT/ALLOW PARAMILITARY ACTIONS IN THE AREA, THAT INFORMATION HAS NOT BEEN FURTHER CORROBORATED BY THE FISCALIA (AND ONE OF THOSE POLICE OFFICERS WHO TOLD OF SANCHEZ' PARTICIPATION HAS SINCE DIED IN THE LINE OF DUTY). ACTION IS EXPECTED WITHOUT FURTHER EVIDENCE (I.E., UNLESS OTHERS CAN RELIABLY LINK SANCHEZ DIRECTLY TO THE MAPIRIPAN INCIDENT). SIMILARLY, SANCHEZ REMAINS "UNDER SUSPICION" BY THE FISCALIA, BUT NOT FORMALLY CHARGED, FOR POSSIBLY FACILITATING THE OCTOBER 1997 PARAMILITARY INCURSION INTO MIRAFLORES.

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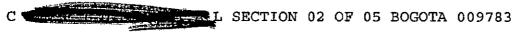
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EB-00	OIGO-01	FAAE-00	FBIE-00	H-01	IMMC-01	IM-01	
TEDE-00	INR-00	INSE-00	IO-00	JUSE-00	L-01	ADS-00	
MMP-00	M-00	NRCE-00	NSAE-00	OCS-03	OIC-02	OIS-01	
OMB-01	OPIC-01	PA-00	PM-00	PRS-00	P-00	SCT-00	
SP-00	SSO-00	STR-00	TRSE-00	T-00	USIE-00	USSS-00	
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SOUTHCOM ALSO FOR POLAD

E.O. 12958: DECL: 8/21/08 TAGS: PHUM, MASS, SNAR, PTER, PREL, PGOV, PINS, CO SUBJECT: MILITARY ASSISTANCE TO COLOMBIAN ARMY'S 7TH AND 12TH

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6. (C) QUESTION: HAVE THE POLICE, AIR FORCE AND ARMY SHARED INFORMATION WITH THE PROCURADURIA AND THE FISCALIA? IF NOT, WHY NOT? ANSWER: THEY HAVE SHARED SOME INFORMATION; THE 7TH BRIGADE, FOR EXAMPLE, HAS FORMALLY CONFIRMED TO THE FISCALIA THAT ARMY SERGEANT JOSE MILLER URUENA DIAZ (OF THE BRIGADE'S JOAQUIN PARIS BATTALION) WAS RESPONSIBLE FOR AIRPORT TARMAC SECURITY --INCLUDING REGISTERING/INSPECTING PLANES AND PASSENGERS, AS WELL AS CONTROL OF THE AIRPORT GATES -- ON THE DAY THE TWO CHARTERED PLANES ARRIVED, CARRYING PARAMILITARIES AND THEIR EQUIPMENT.

B1

BELIEVES THE SECURITY FORCES ARE NOT INTERESTED IN INVESTIGATING PARAMILITARY ACTIVITY IN A GUERRILLA-HELD ZONE, SUCH AS MAPIRIPAN. WHEN WILL CHARGES BE FILED? CRIMINAL CHARGES HAVE ALREADY BEEN FILED AGAINST THE PARAMILITARY

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CARDENAS; CHARGES WERE FILED AGAINST TWO SERGEANTS (JOSE MILLER URUENA DIAZ AND JUAN CARLOS GAMARRA POLO) ON JULY 3; THEY WERE ARRESTED ON JULY 10.

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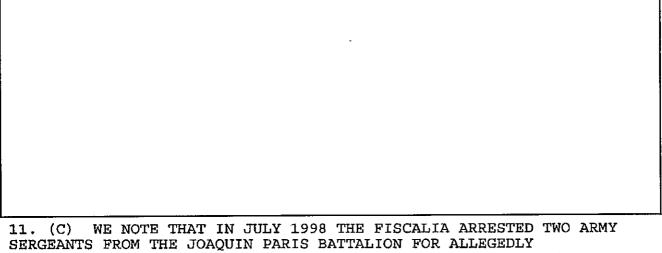
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11. (C) WE NOTE THAT IN JULY 1998 THE FISCALIA ARRESTED TWO ARMY SERGEANTS FROM THE JOAQUIN PARIS BATTALION FOR ALLEGEDLY FACILITATING THE PARAMILITARY'S ARRIVAL AT THE AIRPORT. SGT. JOSE MILLER URUENA DIAZ, WHO WAS FORMALLY RESPONSIBLE FOR GENERAL TARMAC SECURITY (INCLUDING THE REGISTRY OF ARRIVING/DEPARTING FLIGHTS, PASSENGERS AND CARGO), AND SGT. JUAN CARLOS GAMARRA POLO (WHO REPORTEDLY ARRIVED WITH THE TRUCKS, LOADED THE PARAMILITARIES AND EQUIPMENT INTO THE TRUCKS AND LED THEM OFF THE TARMAC) HAVE BOTH BEEN ARRESTED AND TRANSFERRED TO A BOGOTA MILITARY POLICE FACILITY, WHERE THEY REMAIN DETAINED. AS BOTH THE FISCALIA AND THE PROCURADURIA VIEW IT AS EXTREMELY UNLIKELY

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	EB-00	OIGO-01	FAAE-00	FBIE-00	H-01	IMMC-01	TEDE-00
	INR-00	INSE-00	IO-00	JUSE-00	L-01	ADS-00	MMP-00
	M-00	NRCE-00	NSAE-00	OCS-03	OIC-02	OIS-01	OMB-01
	OPIC-01	PA-00	PM-00	PRS-00	P-00	SCT-00	SP-00
	SSO-00	STR-00	TRSE-00	T-00	USIE-00	USSS-00	ASDS-01

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SOUTHCOM ALSO FOR POLAD

E.O. 12958: DECL: 8/21/08

TAGS: PHUM, MASS, SNAR, PTER, PREL, PGOV, PINS, CO SUBJECT: MILITARY ASSISTANCE TO COLOMBIAN ARMY'S 7TH AND 12TH

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THAT TWO SERGEANTS WOULD HAVE ACTED ON THEIR OWN TO FACILITATE THE ARRIVAL OF SO MANY PARAMILITARIES ON SUCH A BOLD ADVENTURE, THE INVESTIGATIONS OF MORE SENIOR OFFICIALS CONTINUE.

12. (C) NOTE: ANSWERS TO QUESTIONS ON SPECIFIC CASES FOLLOW (AVAILABLE INFORMATION AS OF LATE JULY 98). UNLESS SPECIFIED, WE KNOW OF NO OTHER DISCIPLINARY ACTIONS THAT HAVE BEEN TAKEN IN THESE CASES. (NORMALLY, NO SUCH STEPS ARE TAKEN BEFORE A FINDING OF GUILT, ALTHOUGH PERSONS CAN BE ORDERED DETAINED, IN THE CASE OF FISCALIA CRIMINAL CASES.) RECENT PROMOTIONS ARE UNKNOWN, AS NEITHER THE FISCALIA NOR THE PROCURADURIA TRACK SUCH INFORMATION. WE ALSO NOTE THAT PRIOR TO A LEGAL FINDING OF GUILT, THE ACCUSED REMAIN ELIGIBLE FOR PROMOTIONS, AWARDS, PLUM ASSIGNMENTS, ETC., EVEN IF SUSPENDED FROM FORMAL DUTIES OR UNDER ARREST. IMPORTANT TO NOTE, IN THE CASE OF THE PROCURADURIA'S ADMINISTRATIVE INVESTIGATIONS, THAT A SEPARATE CRIMINAL TRIAL IS HELD ONLY IF/WHEN THE FISCALIA OR THE MILITARY COURTS DECIDE THEY HAVE SUFFICIENT EVIDENCE (AND THE DESIRE) TO FILE A CRIMINAL INDEED, PROCURADURIA CASES ALL TOO OFTEN DO NOT RESULT IN CRIMINAL PROSECUTIONS, EVEN IN CASES WHERE THERE IS CLEAR EVIDENCE OF GROSS VIOLATIONS OF HUMAN RIGHTS.

GENERAL QUESTIONS RELATED TO 7TH BRIGADE CASES

13. (C) CASE 1 (PFM 154263): CASE AGAINST LT. EDGAR ARAQUE SUAREZ AND LT. WILSON TOVAR SARMIENTO FOR THE MURDER OF A MINOR

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ON 22 JULY 1994. IS CASE STILL BEING ACTIVELY PURSUED AFTER 3.5 YEARS? ANSWERS: YES. SINCE FEBRUARY 1998, THE CASE HAS PROGRESSED FROM "NOTIFICATION OF CHARGES" TO THE "EVALUATING TALL

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EVIDENCE" PHASE. THE NEXT STEP IS TO DECIDE THE CASE. TIMING
UNDETERMINED. NO DISCIPLINARY ACTION MAY BE TAKEN BY THE
PROCURADURIA UNTIL THE CASE IS DECIDED. RECENT PROMOTIONS
UNKNOWN. YES, "AGAINST LIFE" IS A EUPHEMISM FOR HOMICIDE. AS
THIS IS A PROCURADURIA ADMINISTRATIVE CASE, AND NOT A FISCALIA
CRIMINAL CASE, THOSE INVESTIGATED ARE CHARGED WITH ADMINISTRATIVE
OFFENSES, NOT FORMAL "CRIMES". (THE PROC IS SOMEWHAT AKIN TO THE
U.S. INSPECTOR GENERAL.) THE MAXIMUM PUNISHMENT THE PROCURADURIA
MAY EXACT IN ANY CASE IS SEPARATION FROM GOVERNMENT SERVICE,
I.E., FORCED RETIREMENT.

- 14. (C) CASE 12 (PFM 1360): CASE AGAINST CAPT. ANTONIO ALIRIO GELVIS GELVIS, LT. EDGAR ALFREDO CASTRO SARMIENTO, AND SM GERMAN HORTA MATEUS FOR RETENTION OF TWO PEOPLE ON MARCH 5, 1995. "PERSONAL LIBERTY" REFERS TO AN ADMINISTRATIVE INVESTIGATION FOR HAVING DEPRIVED SOMEONE OF THEIR PERSONAL LIBERTY. IN THIS CASE, IT COULD REFER TO A CASE THAT WE WOULD CONSIDER EITHER "ILLEGAL DETENTION" OR "KIDNAPPING", AS THE DETAINEES WERE HELD FOR SOME 4-5 DAYS. ON JUNE 10, CHARGES WERE FILED AGAINST THE THREE DEFENDANTS. THE NEXT STEP WILL BE NOTIFICATION OF CHARGES, WHICH SHOULD OCCUR QUICKLY, BUT DEPENDS ON HOW ACCESSIBLE THE DEFENDANTS ARE TO RECEIVE THE CHARGES IN PERSON. (IF DEFENDANTS ARE IN A COMBAT ZONE, FOR EXAMPLE, OR HAVE BEEN TRANSFERRED RECENTLY, NOTIFICATION WILL TAKE LONGER.)
- 15. (C) CASE 13 (PFM 00397): CASE AGAINST LT. ESMER ERNEY CASTELLANOS TAVERA AND SS PEDRO JOSE GUARNIZO OVALLE FOR THE DEATH OF A MINOR ON NOV 15, 1992. "FALLO" RESULTS ARE: GUILTY. (NOTE: FIRST ROUND DECISION AND APPEAL BOTH MADE. CASE PROBABLY ENDS HERE.) THE SENTENCE WAS SUSPENSION WITHOUT PAY FOR 30 DAYS.

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16. (C) CASE 14 (PFM 154877): CASE AGAINST MAJOR CARLOS ALBERTO PARRA TRUJILLO FOR DEATH OF A YOUTH ON JAN 18, 1995. CHARGES ARE: PRESUMED RESPONSIBILITY FOR HOMICIDE. CASE IS IN THE "EVALUATION OF EVIDENCE" PHASE, WHICH BEGAN ON MAY 29. (I.E., CASE HAS PROGRESSED FROM "FILING CHARGES" AND "NOTIFICATION OF CHARGES" SINCE FEBRUARY 1998.) THE NEXT STEP IS THE "FALLO" OR DECISION PHASE. TIMING UNDETERMINED. PROCURADURIA DOES NOT DETERMINE CRIMINAL ACTION (I.E., TRIAL ON CRIMINAL CHARGES).

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17. (C) CASE 17 (TSM 134445): POST TO REPORT ASAP.

- 18. (C) CASE 26 (PDH 145871): YES, CASE IS STILL ALIVE. FIRST DECISION (GUILTY) REACHED ON MARCH 10, 1998. CASE APPEALED JUNE 26, 1998.
- 19. (C) CASE 27 (TSM 133646): APPARENT CONVICTION FOR HOMICIDE IS ON APPEAL. POST WILL REPORT ASAP.
- 20. (C) CASE 28 (FISCALIA 5898): WHY 3.5 YEARS BEFORE OPENING THE CASE? POST WILL REPORT ASAP.
- 21. (C) CASES 28-31 (FISC 5898; PFM 153107; PDH 008-005229; PDH 008-000325): CASES APPEAR RELATED (BARRANCABERMEJA, MARCH 94). ARE THEY ALL THE SAME INCIDENT? IF SO, WHY FOUR SEPARATE CASES, ALL AT DIFFERENT STAGES? PFM CASE 153107 IS FOR ILLEGAL DETENTION AND MISTREATMENT OF A MINOR. THE INVESTIGATION IS IN THE "EVALUATION OF EVIDENCE" STAGE, ORDERED ON MAY 5 1998. HAVING MOVED FROM THE INITIAL INVESTIGATION PHASE SINCE FEBRUARY. NEXT STEP WILL BE DECISION, TIMING UNDETERMINED. PDH 5229 CASE

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	INL-01	DEAE-00	DINT-00	DOEE-00	DOTE-00	SRPP-00	DS-00
	EB-00	OIGO-01	FAAE-00	FBIE-00	H-01	IMMC-01	TEDE-00
	INR-00	INSE-00	IO-00	JUSE-00	L-01	ADS-00	MMP-00
	M-00	NRCE-00	NSAE-00	OCS-03	OIC-02	OIS-01	OMB-01
	OPIC-01	PA-00	PM-00	PRS-00	P-00	SCT-00	SP-00
	SSO-00	STR-00	TRSE-00	T-00	USIE-00	USSS-00	ASDS-01
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SOUTHCOM ALSO FOR POLAD

E.O. 12958: DECL: 8/21/08
TAGS: PHUM, MASS, SNAR, PTER, PREL, PGOV, PINS, CO
SUBJECT: MILITARY ASSISTANCE TO COLOMBIAN ARMY'S 7TH AND 12TH



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IS IN PRELIMINARY INVESTIGATION. PDH 0325 - CASE IS IN PRELIMINARY INVESTIGATION. CASES MAY BE FROM SAME OR RELATED INCIDENTS, BUT HAVING MORE THAN ONE PERSON CHARGED AND WITH DIFFERENT INVESTIGATING JURISDICTIONS, THERE ARE SEVERAL SEPARATE CASES.

- 22. (C) CASE 33 (TSM 0131305): WHO MADE DECISION TO ABSOLVE? ON WHAT BASIS? ANY IRREGULARITY? (HOW IS CASE RELATED TO CASE 32 (PDH 001345, APPARENTLY SAME CASE, DIFFERENT DEFENDANT). POST WILL REPORT ASAP.
- 23. (C) CASE 38 (PDH 008-153954) CASE IN APPEAL STAGE. WHEN WILL THE CASE GO TO TRIAL? PROCURADURIA PROCEDURES ARE DISCIPLINARY, NOT FORMAL "TRIALS."
- 24. (C) WHAT IS THE POSSIBILITY/LIKELIHOOD OF CREATING NEW COLAR UNITS TO RECEIVE AID? UNDER PRESENT CIRCUMSTANCES, POST BELIEVES IT UNLIKELY THAT THE COLAR WOULD AGREE TO STAND UP "NEW" UNITS COMPRISED OF PERSONNEL WITH CLEAN RECORDS FOR THE PURPOSES OF RECEIVING AID. OUR ASSISTANCE IS SO MARGINAL/INCONSEQUENTIAL AND SO CIRCUMSCRIBED THAT THE COLAR IS UNLIKELY TO SUBMIT ITSELF TO CONTORTIONS THAT WOULD ALSO RISK SUBJECTING IT TO PUBLIC HUMILIATION. WITH THE ADVENT OF THE NEW PASTRANA GOVERNMENT, IF THE USG SHOULD DECIDE TO SUBSTANTIALLY/SUBSTANTIALLY UP THE ANTE IN TERMS OF THE AID WE ARE WILLING TO SUPPLY, THIS MIGHT BE WORTH BROACHING, BUT THE ODDS WOULD STILL BE AGAINST IT.

RESPONSE TO QUESTIONS RE 12TH BRIGADE (REF B):

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PAGE 03 BOGOTA 09783 04 OF 05 262200Z 25. (C) CASES 18-19: "PERSONAL LIBERTY" IS THE TERM OF ART USED

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BY THE PROCURADURIA FOR ITS ADMINISTRATIVE INVESTIGATIONS INTO ALLEGATIONS OF KIDNAPPING OR ILLEGAL DETENTION. "ILLEGAL DETENTION" IS THE TERM OF ART USED IN THE MILITARY CRIMINAL COURTS FOR THE SAME OFFENSE.

- 26. (C) COMMAND HISTORY OF THE 12TH BRIGADE (1992-PRESENT):
- 1992: BG CELSO SUAREZ MARTINEZ
- 1993-95: POST WILL REPORT ASAP.
- 1996: BG NESTOR RAMIREZ MEJIA
- 1997: COMMANDER: BG GABRIEL EDUARDO CONTRERAS OCHOA
- 1998: COMMANDER: BG MANUEL GUILLERMO FRANCO PAEZ
 CHIEF OF STAFF (JEM): COL. DIEGO RENDON DIAZ
- 27. (C) CASE 18 (PFM 137849): CHARGES FILED AGAINST LT. LUIS FERNANDO BERMUDEZ RODRIGUEZ FOR ILLEGAL DETENTION ("DEPRIVATION OF PERSONAL LIBERTY"). INVESTIGATION WAS DECIDED (FIRST AND SECOND INSTANCE). DEFENDANT FOUND GUILTY AND SUSPENDED FOR 10 DAYS. BATTALION INVOLVED: THE 35TH JUNGLE INFANTRY BATTALION "HEROES DEL GUEPI" (12TH BRIGADE). COMMANDER ON 01MAR92: POST WILL REPORT ASAP.
- 28. (C) CASE 19 (PFM 1535): CHARGES OF ILLEGAL DETENTION FILED AGAINST MAJOR HERNAN DARIO MORENO VELEZ AND LT. LUIS FERNANDO CAMPUZANO. ON FEBRUARY 17, THE PROCURADURIA "ABSTAINED" FROM OPENING A DISCIPLINARY INVESTIGATION (LACK OF EVIDENCE TO BACK UP ORIGINAL COMPLAINT). THE CASE WAS ARCHIVED. BATTALION INVOLVED: THE 36TH MOUNTAIN INFANTRY BATTALION "CAZADORES" (12TH BRIGADE). COMMANDER ON 05JUN95: POST WILL REPORT ASAP.
- 29. (C) CASE 20 (PDH 151692): CASE TRANSFERRED TO PROVINCIAL
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 PROCURADURIA IN MONTERIA ON FEBRUARY 28, 1998. BATTALION
 INVOLVED: THE 34TH JUNGLE INFANTRY BATTALION "JUANAMBU" (12TH
 BRIGADE).COMMANDER ON 16APR94: POST WILL REPORT ASAP.
- 30. (C) CASE 21 (TSM 132584): STATUS OF CASE TO BE REPORTED ASAP. BATTALION INVOLVED: THE 35TH JUNGLE INFANTRY BATTALION "HEROES DEL GUEPI" (12TH BRIGADE). COMMANDER ON 14SEPT96: LT. COL. LUIS HERNANDO MEDINA ALVAREZ.
- 31. (C) CASE 22 (TSM 133353): STATUS OF CASE WILL BE REPORTED ASAP. BATTALION INVOLVED: THE 34TH JUNGLE INFANTRY BATTALION "JUANAMBU" (12TH BRIGADE). COMMANDER ON 12FEB97: TC FERNANDO CESPEDES CAMACHO.
- 32. (C) CASE 23 (TSM 132525): STATUS OF CASE WILL BE REPORTED ASAP. BATTALION INVOLVED: THE 12TH COUNTERGUERRILLA BATTALION

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"CHAIRA". COMMANDER ON 10DEC95: POST WILL REPORT ASAP.

- 33. (C) CASE 24 (TSM 133632): STATUS OF CASE WILL BE REPORTED ASAP. BATTALION INVOLVED: THE 36TH MOUNTAIN INFANTRY BATTALION "CAZADORES" (12TH BRIGADE). COMMANDER ON 16SEP95: POST WILL REPORT ASAP.
- 34. (C) CURRENT STATUS OF CASE 39 (PDH 008-005007): PRELIMINARY INVESTIGATION INITIATED ON MAY 8, 1998. CURRENTLY AT EVALUATION OF EVIDENCE STAGE. CURRENT STATUS OF CASE 41: DISCIPLINARY INVESTIGATION WAS OPENED ON FEBRUARY 23, 1995. CASE ARCHIVED ON JULY 10, 1995 FOR LACK OF EVIDENCE. POST IS STILL SEEKING TO OBTAIN THE REQUESTED ADDITIONAL INFO RE CASES 39-41 (I.E., DATE OF ASSIGNMENT TO POST AND LIKELIHOOD OF PROMPT TRANSFERS OUT, AND

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E.O. 12958: DECL : 8/21/08

TAGS: PHUM, MASS, SNAR, PTER, PREL, PGOV, PINS, CO

SUBJECT: MILITARY ASSISTANCE TO COLOMBIAN ARMY'S 7TH AND 12TH

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BRIGADES, AND 2ND "BRIM"

CURRENT STATUS OF CASE 40 AND THE EXTENT AND CIRCUMSTANCES OF THE PERSONAL INJURIES ALLEGED).

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