SUBJ: HUMAN RIGHTS: CONFERENCES, KILLINGS AND SOUL SEARCHING

REF: A) BOGOTA 1230, B) 94 BOGOTA 1656
   C) BOGOTA 0939 (NOTAL)

1. (U) SUMMARY: HUMAN RIGHTS ISSUES HAVE DOMINATED MUCH
OF THE GOC'S AGENDA OVER THE PAST TWO WEEKS. ON THE
POSITIVE SIDE, WE HAVE WITNESSED HISTORIC GOC ACTION ON
THE REPORT OF THE TRUJILLO COMMISSION (REF A). THE
FISCALIA HAS MADE BETTER-THAN-EXPECTED PROGRESS IN ITS
PROSECUTION OF THE "LA CHINITA" CASE (REF B); AND THE
GOVERNMENT MOVED SWIFTLY TO ADDRESS PEASANT SECURITY
CONCERNS IN EL CASTILLO (META DEPARTMENT). AT THE SAME
TIME, HOWEVER, THE NATION WAS SHOCKED BY THE BRUTAL
EXTERMINATION OF A FARMING FAMILY IN RIO SUCIO (CALDAS
DEPARTMENT) FEBRUARY 3, IN WHAT APPEARS TO BE A
NON-POLITICALLY MOTIVATED PERSONAL VENGEANCE ATTACK.

2. (C) TO ADD TO THIS COMPLICATED PANORAMA, AN
UNEXPECTED PUBLICATION BY EUROPEAN NGO'S ON PARAMILITARISM
IN COLOMBIA APPEARED FEBRUARY 2, JUST PRIOR TO THE
INITIATION OF SEVERAL INTERNATIONAL FORA THAT WILL EXAMINE
THE GOC'S HUMAN RIGHTS RECORD THIS WEEK IN WASHINGTON,
BRUSSELS AND POSSIBLY GENEVA. ALL OF THIS SCRUTINY AND
ACTIVITY ON THE HUMAN RIGHTS FRONT HAVE RESULTED IN A
PREDICTABLE SPACE OF PUBLIC SOUL SEARCHING AND PRESS
EDITORIALS, HOWEVER, WE DOUBT MUCH OF THIS REFLECTION
EXTENDS BEYOND BOGOTA. FOR THE AVERAGE CITIZEN, VIOLENCE
AND HUMAN RIGHTS ABUSES – BOTH POLITICAL AND NON-POLITICAL
– ARE LIKELY TO CONTINUE TO BE AN INTEGRAL COMPONENT OF
DAILY COLOMBIAN LIFE. END SUMMARY.

FOLLOW UP TO TRUJILLO

3. (C) THE GOC'S HISTORIC PUBLIC ADMISSION OF STATE
RESPONSIBILITY IN THE TRUJILLO MASSACRE (REF A) WAS
FOLLOWED BY A TENSE MEETING FEBRUARY 2 IN THE MINISTRY OF
DEFENSE DURING WHICH THE DECISION WAS MADE TO DISCHARGE AN
ARMY LIEUTENANT COLONEL FOR HIS ROLE IN THE HUMAN RIGHTS
ABUSES IN TRUJILLO. AGAINST VEHEMENT OPPOSITION FROM THE
GENERAL OFFICERS CONVOKED FOR THE EMERGENCY SESSION, MOD
FERNANDO BOTERO USED HIS DISCRETIONARY POWERS AS CABINET
MINISTER TO ORDER THE IMMEDIATE DISCHARGE OF LTCOL. ALIRIO
ANTONIO URUENA JARAMILLO BASED UPON THE INCriminating
EVIDENCE OF HIS PARTICIPATION IN DRAWING AND QUARTERING
SUSPECTED GUERRILLA COLLABORATORS IN TRUJILLO DURING APRIL
AND MAY 1990. (NOTE: URUENA HAS RECEIVED USG-SPONSORED
TRAINING ON TWO OCCASIONS. IN 1976 HE ATTENDED A CADET
ORIENTATION AT THE SCHOOL OF THE AMERICAS AND IN FROM
DECEMBER 1988 TO JANUARY 1989 HE ATTENDED A DIA-SPONSORED
INTELLIGENCE OFFICER COURSE. END NOTE)

4. (U) THE MILITARY HIGH COMMAND ARGUED THAT THE
DECISION WOULD BE TANTAMOUNT TO "MOKING" THE MILITARY,
FISCALIA AND PROCURADURIA INVESTIGATIONS OF URUENA WHICH
ALL ENDED IN HIS UNCONDITIONAL ACQUITTAI. ESPECIALLY
STRIDENT PROTEST CAME FROM ARMY CHIEF, GENERAL BEDOYA, WHO
INSISTED THAT THE TRUJILLO COMMISSION HAD NO LEGAL GROUNDS
FOR RECOMMENDING THAT CRIMINAL OR DISCIPLINARY ACTIONS BE
REVISTED IN THE URUENA CASE. (NOTE: THESE
INVESTIGATIONS HAVE LONG BEEN SIGNALLED BY HUMAN RIGHTS
EXPERTS AS PRIME EXAMPLES OF HOW THE GOC "WHITENISH"
HUMAN RIGHTS INQUIRIES AND FOSTERS A CLIMATE OF IMPUNITY FOR ACCUSED POLICE AND MILITARY VIOLATORS. END NOTE) DESPITE THE OBVIOUS DISSENTION OF HIS UNIFORMED LEADERSHIP, THE MOD STATED THAT THE EVIDENCE COMPILED BY THE TRUJILLO COMMISSION WAS MORE THAN SUFFICIENT TO SHOW URENJA'S PARTICIPATION IN THE GRUESOME ATTACKS AND THAT THE GOC HAD TO DISCHARGE HIM TO DEMONSTRATE ITS COMMITMENT TO FIGHTING IMPUNITY.

5. (U) IN A RELATED DEVELOPMENT, THE PROCURADURIA ANNOUNCED FEBRUARY 3 THAT IT WAS REVOCKING ITS PRIOR DECISION TO ABSOLVE URENJA AND OTHERS AND WILL INITIATE A REVIEW OF THE CASE. THE PROCURADURIA IS UP AGAINST A STRICT TIMETABLE SINCE THE FIVE-YEAR STATUTE OF LIMITATIONS IN THE CASE EXPIRES MARCH 29. THE RESULTS OF THE PROCURADURIA'S INVESTIGATION AND DISCIPLINARY RECOMMENDATIONS WILL MOST LIKELY BE FORWARDED TO THE NEWLY-CREATED HUMAN RIGHTS UNIT IN THE FISCALIA WHERE CRIMINAL CHARGES CAN BE CONSIDERED.

FISCALIA FORGES AHEAD ON LA CHINITA

6. (U) ONE YEAR AFTER THE BRUTAL MASSACRE OF SOME 35 BANANA WORKERS AND "REINSERTED'' GUERRILLAS IN THE CHINITA NEIGHBORHOOD OF APARRADO, URABA REGION (ANTIOQUIA) (REF B), THE FISCALIA HAS COLLECTED AND PROCESSED ENOUGH EVIDENCE TO LINK A TOTAL OF 43 INDIVIDUALS TO THE ATTACK, 35 OF WHOM ARE ALREADY BEING HELD BY POLICE AND JUDICIAL AUTHORITIES. FURTHERMORE, 19 OF THESE PERSONS ARE ABOUT TO BE INDICTED ON CHARGES OF HOMICIDE IN SUPPORT OF TERRORIST ACTIVITIES, TO INCLUDE A FORMER COMMUNIST PARTY (UP) MAYOR AND A UP CONGRESSIONAL CANDIDATE.


EL CASTILLO AND THE BLACK SERPENT

8. (U) IN A SEPARATE HUMAN RIGHTS DEVELOPMENT, APPROXIMATELY 1500 - 2000 PEASANT FARMERS CONVERGED ON THE TOWN SQUARE OF EL CASTILLO (META DEPARTMENT) BEGINNING IN THE MIDDLE OF JANUARY TO PROTEST THE INCREASING INSECURITY
IN THE SURROUNDING COUNTRYSIDE DUE TO VIOLENT PARAMILITARY ATTACKS. FOLLOWING SEVERAL DISAPPEARANCES AND ASSASSINATIONS OF LOCAL WORKERS AND COMMUNITY LEADERS THAT STARTED SHORTLY BEFORE LAST CHRISTMAS, THE PEASANTS ABANDONED THEIR SMALL SUBSISTENCE PLOTS OF LAND AND FORMED A "CAMPESINO" COMMISSION DURING THE LAST WEEK OF JANUARY IN EL CASTILLO'S TOWN SQUARE THAT CALLED ON LOCAL AUTHORITIES TO TAKE REMEDIAL ACTION.

9. (U) THE COMMUNIST PARTY MAYOR OF EL CASTILLO, JORGE ENRIQUE TENORIO, LED A DELEGATION OF THESE PEASANT LEADERS TO BOGOTA ON FEBRUARY 1 FOR A JOINT MEETING WITH THE PRESIDENT'S HUMAN RIGHTS ADVISOR, CARLOS DE ROUX, MINISTER OF GOVERNMENT HORACIO 'SERPA,' DEFENSOR DEL PUEBLO, JUAN CORDOBA, NATIONAL POLICE SUBDIRECTOR MONTENEGRO, ARMY CHIEF HAROLD BEDOYA AND PROCURADURIA DELEGATE FOR HUMAN RIGHTS HERNANDO VALENCE VILLA. ALSO IN ATTENDANCE WERE NATIONAL COMMUNIST PARTY LEADERS AID ABELLA, HERNAN MOTTA AND JESUS ANIBAL SUAREZ. DURING THE REUNION, THE GOC PROMISED TO FORM A SPECIAL INVESTIGATIVE COMMISSION TO LOOK INTO THE ATTACKS IN AND AROUND EL CASTILLO. ADDITIONALLY, THE GOC PROMISED TO FORM A SPECIAL INVESTIGATIVE COMMISSION TO ADDRESS THE SERIOUS LACK OF INFRASTRUCTURE IN THE REGION.

10. (C) EMBASSY OFFICERS HAD PREVIOUSLY RECEIVED IN MID-JANUARY FAXES FROM THE HUMAN RIGHTS NGO "PEACE BRIGADES INTERNATIONAL" WHICH INFORMED US THAT THE GROUP INTENDED TO SEND REPRESENTATIVES TO EL CASTILLO TO LOOK INTO THE ALLEGATIONS OF PARAMILITARY AND ARMY VIOLENCE. EMBASSY OFFICERS ALSO MET FEBRUARY 2 WITH MEMBERS OF A SEPARATE U.S.-BASED GROUP, "WITNESS FOR PEACE," FOLLOWING THEIR RETURN FROM EL CASTILLO.

11. (C) THE GROUP CONFIRMED PRESS AND GOC REPORTS OF THE GOVERNMENT'S QUICK MOBILIZATION OF A HIGH-LEVEL COMMISSION TO MEET AND DEAL WITH THE EL CASTILLO PEASANT COMMITTEE AND EXPRESSED ITS PLEASURE AT THIS DEVELOPMENT. ADDITIONALLY, THEY FORWARD A LETTER TO MOG SERPA APPLAUDING HIS ACTION AND ENCOURAGING HIM TO PUSH FOR INVESTIGATIONS AND PROSECUTIONS OF THE PERPETRATORS. GROUP MEMBERS STATED THAT MOST OF THE CAMPESINO REFUGEES ATTRIBUTED THE VIOLENCE TO A PARAMILITARY GROUP KNOWN AS "THE BLACK SERPENT," ALLEGEDLY SPONSORED BY EMERALD MAGNATE VICTOR CARRANZA. APPARENTLY THE FARMERS BELIEVE THAT CARRANZA, A VIRULENT ANTI-COMMUNIST AND MAJOR LANDOWNER IN THE AREA, IS COMMITTED TO DEBILITATING ANY EFFORT ON BEHALF OF THE LOCAL COMMUNITY TO ORGANIZE COLLECTIVELY FOR ECONOMIC OR POLITICAL PURPOSES.

12. (C) WE QUERIED THE GROUP AS TO THE POSSIBILITY THAT THE ATTACKS MIGHT HAVE BEEN PROMPTED BY CARRANZA'S OR OTHER LANDOWNERS' DESIRES TO MOVE THE PEASANTS OFF THEIR LANDS FOR CATTLE GRAZING OR NARCOTICS CULTIVATION. THIS HYPOTHESIS SEEMED NOT TO BE JUSTIFIED IN THE GROUP'S OPINION SINCE, FROM THEIR OBSERVATIONS, THE LANDS IN
QUESTION ARE NOT SUITED TO EITHER OF THESE ACTIVITIES. THEY POINTED TO EL CASTILLO'S LONG TRADITION OF VIOLENCE AGAINST LEFTWING POLITICIANS AND ORGANIZERS (TWO FORMER UP MAYORS WERE ASSASSINATED) AND HELD THAT PARAMILITARY AND ARMY CONTEMPT FOR COMMUNIST OR SOCIALIST IDEOLOGIES WAS THE ROOT CAUSE OF THE ATTACKS.

13. (U) AS A RESULT OF THE GOC'S MEETING WITH EL CASTILLO'S AND THE UP'S LEADERS, THE PEASANTS HAVE SINCE RETURNED TO THEIR LAND WHERE THEY WILL WAIT FOR THE GOVERNMENT TO MAKE GOOD ON ITS PROMISES. IN THE MEANTIME, HOWEVER, THERE IS LITTLE EVIDENCE TO SUGGEST THAT "THE BLACK SERPANT" HAS BEEN RENDERED INOPERATIVE AND FUTURE ATTACKS MAY OCCUR.

THE DIRTY RIVER MASSACRE

14. (U) JUST FOUR DAYS AFTER THE COUNTRY EXPERIENCED A COLLECTIVE SIGH OF RELIEF AT THE GOVERNMENT'S FRANK AND HONEST ADMISSION FOR ITS RESPONSIBILITY IN THE TRUJILLO ABUSES, COLOMBIANS WERE ONCE AGAIN CONFRONTED WITH FRONT PAGE ACCOUNTS OF A GRISLY MASSACRE WHICH LEFT NINE MEMBERS OF A PEASANT FAMILY DEAD, ALONG WITH FOUR UNINVOLVED BYSTANDERS, IN THE RIO SUCIO (DIRTY RIVER) MUNICIPALITY OF CALDAS DEPARTMENT. ACCORDING TO PRESS REPORTS, NINE MEMBERS OF THE DIAZ FAMILY, TO INCLUDE THE 80-YEAR-OLD PATRIARCH, A THREE-YEAR-OLD AND A PREGNANT WOMAN WERE EXECUTED IN GANGLAND STYLE FEBRUARY 3 WHILE PRAYING A ROSARY FOR A RELATIVE WHO HAD BEEN MURDERED TWO WEEKS EARLIER.

15. (U) INITIAL INDICATIONS POINT TO A PERSONAL VENDETTA AS THE MOTIVE FOR THE ATTACK WHICH WAS PERPETRATED BY TWO MASKED MEN CARRYING AUTOMATIC WEAPONS AND A SHOTGUN. FLEEING THE SCENE OF THE CRIME, THE ASSASSINS COMMANDERED A VEHICLE WITH THREE PASSENGERS WHOM THEY EVENTUALLY EXECUTED AND INCINERATED WITH GASOLINE FROM THE TRUCK. THE KILLERS ALSO MORTALLY WOUNDED AN INCAPACITATED OFF-DUTY POLICEMEN IN A WHEELCHAIR, PRESUMABLY AFTER HE RECOGNIZED THEM DURING THEIR ESCAPE. NO SOLID LEADS IN THE CASE HAVE YET BEEN ANNOUNCED BY THE LOCAL OR NATIONAL POLICE AUTHORITIES, HOWEVER, THE GENERAL CONSENSUS IN THE REGION APPEARS TO BE THAT NON-POLITICAL MOTIVES WERE AT WORK IN PROVOKING THE ATTACK.

AND MORE INTERNATIONAL SCRUTINY

16. (U) THE RIO SUCIO ATTACK COMES AT A TIME WHEN THE INTERNATIONAL NGO COMMUNITY IS ABOUT TO ELEVATE THE LEVEL OF SCRUTINY GIVEN TO THE HUMAN RIGHTS SITUATION IN COLOMBIA IN SEVERAL DISTINCT FORA. THE ONE THAT HAS THE GOC MOST WORRIED IS THE "EUROPEAN CONFERENCE ON HUMAN RIGHTS IN COLOMBIA" WHICH WILL BE HELD IN THE EUROPEAN PARLIAMENT (BUT PRIVATELY SPONSORED) IN BRUSSELS ON FEBRUARY 9 AND 10. A VARIETY OF PRIVATE EUROPEAN HUMAN
RIGHTS NGO'S LED BY THE DUTCH GROUP "THE NATIONAL	COOPERATIVE CENTER FOR DEVELOPMENT" WILL EXAMINE THE	COLOMBIAN STATE'S ROLE IN FOSTERING OR ABETTING
PARAMILITARY AND CONFLICT-RELATED VIOLENCE THROUGHOUT THE
COUNTRY. THE SAME NGO'S UNEXPECTEDLY CALLED FURTHER
ATTENTION TO THE ISSUE WITH THE FEBRUARY 3 PUBLICATION OF
A REPORT ENTITLED "HIDDEN EPISODES OF THE DIRTY WAR:
PARAMILITARISM AND COVERT OPERATIONS IN COLOMBIA."

17. (U) THE REPORT, RESEARCHED AND PUBLISHED BY MANY OF
THE SAME GROUPS THAT CONTRIBUTED TO THE 1994 STUDY
ENTITLED, "STATE TERRORISM IN COLOMBIA," ALLEGES THAT,
DESPITE THE POSITIVE RHETORIC OF THE SAMPER ADMINISTRATION
AND SYMBOLIC GESTURES SUCH AS THE SIGNING OF PROTOCOL
II AND THE TRUJILLO COMMISSION, THE COLOMBIAN ARMED FORCES
CONTINUE TO SUPPORT AND FINANCE THE MORE THAN 250 (SIC)
PARAMILITARY GROUPS THAT PERPETRATE HUMAN RIGHTS ABUSES
THROUGHOUT THE COUNTRY.

18. (U) TO DEFEND THE GOC FROM THESE CRITICS AND PRESENT
THE ADMINISTRATION'S VIEW OF THE HUMAN RIGHTS PANORAMA,
THE GOVERNMENT IS SENDING TO BRUSSELS MOD BOTERO, HIS
HUMAN RIGHTS ADVISOR PILAR GAITAN, PRESIDENTIAL HUMAN
RIGHTS ADVISOR VICENT DE ROUX, AND FORMER PROCURADOR GENERAL AND
CURRENT COLOMBIAN AMBASSADOR TO HOLLAND GUSTAVO ARRIETA.
THE GOC'S AMBASSADOR TO BELGIUM, VETERAN DIPLOMAT CARLOS
MARULANDA, WILL ALSO BE PRESENT AT THE CONFERENCE.

GAITAN WORRIED

19. (C) PILAR GAITAN TOLD US THAT SHE EXPECTS "TO BE
CRUCIFIED" IN BRUSSELS AND IS EXTREMELY WORRIED THAT THE
HOSTILE ENVIRONMENT CREATED BY THE NGO'S WILL AFFECT
EUROPEAN GOVERNMENT THINKING. THIS, SHE CLAIMED COULD
HAVE SERIOUS REPERCUSSIONS ON INTERNAL MOD POLICIES SINCE
THE UNIFORMED LEADERSHIP IS LIKELY TO ARGUE THAT NO AMOUNT
OF GOC-SPONSORED HUMAN RIGHTS REFORM WILL EVER SATISFY
"LEFTIST" IDEOLOGUES WHO USE HUMAN RIGHTS ISSUES TO
DEBILITATE THE MILITARY AND SUPPORT THE GUERRILLAS.

IACHR

20. THIS WEEK NATIONAL HUMAN RIGHTS OMBUDSMAN (DEFENSOR
DEL PUEBLO) JAIME CORDOBA WILL TRAVEL TO WASHINGTON TO
PRESENT TO THE OAS' INTERAMERICAN COMMISSION ON HUMAN
RIGHTS (IACHR) THE GOC'S REPORT FROM THE TRUJILLO
COMMISSION. (NOTE: CORDOBA IS ALSO BEGINNING A THREE
WEEK USIS-SPONSORED IV VISIT.) THE PRESENTATION OF THE
REPORT IS PART OF THE ADMINISTRATION'S DESIRE TO REACH AN
"AMICABLE SETTLEMENT" WITH THE COMMISSION BY SHOWING THAT
BODY THAT THE GOC IS WILLING AND ABLE TO ADDRESS
ADEQUATELY ITS HUMAN RIGHTS SITUATION WITHOUT THE NEED FOR
OAS SANCTION IN THE INTERAMERICAN COURT.

21. (U) LASTLY, THE GOC CONTINUES TO BE PREOCCUPIED BY
THE POSSIBILITY, HOWEVER REMOTE, THAT COLOMBIA MIGHT BE INTRODUCED AS AN AGENDA ITEM AT THE ONGOING SESSIONS OF THE UN COMMISSION ON HUMAN RIGHTS IN GENEVA. AS REPORTED REF C, THE GOC FEELS SUCH ACTION IS TOTALLY UNCALLED FOR AND BELIEVES IT WOULD CRIPPLE THE NASCENT EFFORTS AT HUMAN RIGHT AND IMPUNITY REFORM BEGUN BY THIS ADMINISTRATION.

COMMENT

22. (C) THE HUMAN RIGHTS RELATED EVENTS OF THE PAST FEW WEEKS HAVE LED TO A GOOD DEAL OF PUBLIC AND PRESS SOUL SEARCHING. JUST WHEN MOST COMMENTATORS HAD FINISHED PATTING THE GOC ON THE BACK FOR ITS PAINFUL BUT NECESSARY ADMISSION OF GUILT ON TRUJILLO AND BEGUN TO EXHORT COLOMBIANS TO MOVE INTO A NEW ERA OF PACIFIC DIALOGUE AND COOPERATION, THE GRISLY AND DEPRESSING NEWS OF THE RIO SUCIO MASSACRE JOLTED THE NATION BACK TO REALITY.

23. (C) THE ADMINISTRATION, APPARENTLY WORRIED MORE BY EUROPEAN REACTION AND CRITICISM ON HUMAN RIGHTS THAN BY SIMILAR U.S. COMPLAINTS, HAS MOBILIZED ITS HUMAN RIGHTS "BIG GUNS" FOR THE MEETING IN BRUSSELS. NONETHELESS, THE GOC IS WORRIED THAT IT IS UP AGAINST INSURMOUNTABLE ODDS AND IS BY NO MEANS CONFIDENT THAT IT WILL EXPERIENCE THE SAME LIMITED SUCCESS AMONG THE RADICAL EUROPEAN NGO'S THAT IT HAS ACHIEVED WITH NATIONAL GROUPS.


25. (C) IN THE FINAL ANALYSIS, THE HORRORS OF RIO SUCIO AND EL CASTILLO SERVE TO DRIVE HOME A FUNDAMENTAL POINT ABOUT THE CRITICAL LEVELS OF VIOLENCE AND HUMAN RIGHTS ABUSE IN COLOMBIA; NAMELY, THAT THE SAMPER ADMINISTRATION'S COMMODABLE IF OVERTIME EFFORTS TO FOCUS PROSECUTORIAL AND POLICY REFORMS ON ABUSES COMMITTED BY STATE AGENTS, WILL ULTIMATELY ONLY ADDRESS A VERY SMALL PERCENTAGE OF THE VIOLENT CRIMES THAT ARE COMMITTED DAILY IN COLOMBIA. FRENCHETTE

END OF MESSAGE

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