RELEASED IN FULL

PTQ7143

PAGE 01

BOGOTA 00272 01 OF 02 152236Z

ACTION ARA-01

INFO  LOG-00  ACDA-08  ACDE-00  INLB-01  AID-00  AS-01  INL-01
OASY-00  SRPP-00  DS-00  EB-00  OIGO-01  IM-01  TEDE-00
INR-00  L-01  ADS-00  PM-00  SGHD-00  PMB-00  DSSC-00
DRL-04  /019W

O 152219Z JAN 98
FM AMEMBASSY BOGOTA
TO SECSTATE WASHDC IMMEDIATE 0858
INFO DEPT OF JUSTICE WASHDC
SECDEF WASHDC
DEPT OF TREASURY WASHDC
USIA WASHDC 3730
NSC WASHDC
USCINCSO QUARRY HEIGHTS PM
DIROC WASHDC
CIA WASHDC
DIA WASHDC
FBI WASHDC
DIRNSA FT GEORGE G MEADE MD
SECDEF WASHDC//OCDEPS//
NDIC JOHNSTOWN PA
DEA WASHDC

Page 01

CURRENT

PAGE 02

BOGOTA 00272 01 OF 02 152236Z

STATE FOR ARA/AND, INL, DRL, PM, L/LEI
NSC FOR JAMES DOBBINS
ONDCP FOR JANET CRIST
SOUTHCOM ALSO FOR POMAD
DEA FOR OF, OFL, OC, AX
JUSTICE FOR CRIM. WARREN, RICHARD AND NDSS/VAN VLIEGT
FBI FOR CID/IRS/IRU2
USIA FOR AR, L/GAR
TREASURY FOR FINCEN

E.O. 12958: DECL: 07/02/98

Current Class: CONFIDENTIAL
1. (C) SUMMARY: EMBASSY HAS RENEWED EFFORTS TO GET THE DEFENSE MINISTRY TO PROVIDE THE COLOMBIAN ARMY HUMAN RIGHTS CERTIFICATION REQUIRED UNDER THE END USE MONITORING AGREEMENT. AFTER ADDITIONAL ROUNDS OF EMBASSY MEETINGS BY CHARGE, EMBOFFS AND MILGROUP AT ALL LEVELS IN THE MINISTRY, THERE CAN BE NO MISUNDERSTANDING AS TO WHAT IS STILL REQUIRED BY THE COLOMBIAN GOVERNMENT. END SUMMARY.

TIME'S A'WASTING....

2. (C) SINCE THE DISCOVERY OF A SYSTEMATIC ERROR IN THE COLOMBIAN MINISTRY OF DEFENSE'S INITIAL HUMAN RIGHTS CERTIFICATION FOR THE SIX ARMY UNITS PROPOSED TO RECEIVE U.S.

3. (C) FOLLOWING THE STAFF-LEVEL MEETING WHICH CONFIRMED THE MOD'S MUFFING THE CERTIFICATION, CHARGE SENT DEFENSE MINISTER ECHEVERRI A LETTER ON DECEMBER 4. THAT LETTER CONFIRMED OUR UNDERSTANDING THAT THE INITIAL REPORT WAS IN ERROR AND, AS PER THE EUM AGREEMENT, FORMALLY REQUESTED A NEW CERTIFICATION CONCERNING ALL ATTORNEY GENERAL, PROSECUTOR GENERAL OR MILITARY JUSTICE INVESTIGATIONS FOR ALLEGED HUMAN RIGHTS ABUSES COMMITTED BY MEMBERS OF THE SIX UNITS. SO AS ASSURE THAT THERE BE NO FURTHER ERRORS, THE LETTER ALSO ENUMERATED THE SIX PROPOSED UNITS, SPECIFICALLY REQUESTED THAT THE CASES OF MAPIRIPAN AND MIRAFLORES (REF B) BE INCLUDED, AND REVIEWED THE PRECISE INFORMATION EMBASSY WOULD LIKE TO RECEIVE WITH REGARDS TO EACH CASE IDENTIFIED (I.E., INVESTIGATING AGENCY AND CASE NUMBER; UNIT INVOLVED; RANKS OF IMPlicated; CHARGES; DATE OF INCIDENT; DATE OF OPENING OF INVESTIGATION; CURRENT STATUS OF CASE).

4. (C) DESPITE MOD AND ARMY HOPES THAT THE NEW CERTIFICATION WOULD BE ACCOMPLISHED BEFORE THE CHRISTMAS HOLIDAYS SHUT DOWN BOGOTA -- AND DESPITE EFFORTS BY CHARGE, EMBOFFS AND MILGRO TO PUSH FOR A RAPID REVIEW -- THAT PROVED NOT POSSIBLE. AS
COLOMBIANS TRICKLED BACK INTO WORK THE WEEK OF JANUARY 5, EMBASSY RENEWED DAILY EFFORTS TO MOVE THE PROCESS FORWARD. UNSATISFIED WITH THE SLOW RESPONSE, EMBASSY DELIVERED A NON-PAPER FRIDAY, JANUARY 9, TO THE MINISTRY OF DEFENSE. THE CHARGE ALSO DISCUSSED THE MATTER DIRECTLY WITH MINISTER OF DEFENSE ECHEVERRI ON MONDAY, JANUARY 12.

CONFIDENTIAL


6. (C) DEFENSE MINISTER ECHEVERRI, HAVING SEEN WEEKEND PRESS REPORTS PICKING UP ON THE JANUARY 10 WASHINGTON POST ARTICLE ("U.S. AID IN LIMBO AS COLOMBIAN ARMY FAILS TO PROVIDE EVIDENCE ON RIGHTS ABUSES"), WAS SURPRISED, CONFUSED AND IRRITATED TO REALIZE THE MOD'S CERTIFICATION WAS STILL LACKING.

DOWN TO BRASS TACKS

UNCLASSIFIED
7. (C) POL/ECONCOUNS, MILGP HUMAN RIGHTS OFFICER AND EMBASSY HUMAN RIGHTS OFFICER MET WITH THE MOD'S SECRETARY GENERAL, BRIG. GEN. MEDINA, FOR ONE HOUR IN HIS OFFICE EARLY THE AFTERNOON OF JANUARY 14. ALSO PRESENT WERE NAVY CAPTAIN TORRALVO, HEAD OF THE MOD HUMAN RIGHTS OFFICE, AND MR. GUEVARA, STAFF ATTORNEY FOR THE ARMY'S HUMAN RIGHTS OFFICE. EMBASSY OFFICERS REVIEWED FOR MEDINA THE PROCESS TO DATE AND BRIEFED HIM ON WHAT INFORMATION WE ARE...
STILL LACKING -- AND WHICH
IS NECESSARY TO PROCEED WITH ASSISTANCE TO THE ARMY. EMBOFFS
CONFIRMED RECEIPT IN DAYS PREVIOUS OF SEVERAL DOCUMENTS RELATED
TO THE MOD'S INTERNAL INVESTIGATION OF THE MAPIRIPAN MASSACRE
(SEPTEL), BUT EXPLAINED THAT WHILE THIS WAS VERY MUCH
APPRCIATED, IT WAS NOT WHAT WAS REQUIRED UNDER THE TERMS OF THE
EUROPEAN AGREEMENT.

PAGE 03

8. (C) GENERAL MEDINA THEN HOUNED IN ON THE CHARGE'S DECEMBER 4
LETTER AND, LINE BY LINE, GRILLED HIS HUMAN RIGHTS OFFICERS AS TO
WHETHER THEY WERE IN AGREEMENT WITH THE FACTS AS LAID OUT BY THE
EMBASSY. (LINE BY LINE, THEY SHEEPISHLY AGREED.) THE GENERAL
SUMMED UP BY STATING, "IT IS CLEAR THAT MY UNDERSTANDING WAS IN
ERROR, AND THAT THE EMBASSY IS 100 PERCENT CORRECT. I WILL
REPORT THE SAME TO THE MINISTER."

9. (C) MEDINA, BY INTERROGATING HIS STAFF, THEN DETERMINED THAT:
ONLY PARTIAL INFORMATION HAD BEEN OBTAINED SO FAR FROM THE
PROSECUTOR GENERAL; NO INFORMATION WAS YET AVAILABLE FROM THE
ATTORNEY GENERAL (IT ARRIVED JUST HOURS AFTER THIS MEETING); AND
NO INFORMATION HAD BEEN REQUESTED (MUCH LESS OBTAINED) FROM THE
MILITARY COURTS SYSTEM. MEDINA COUNTERED HIS STAFF'S ASSUMPTION
THAT THE ALL HUMAN RIGHTS-RELATED CASES HAD BEEN TRANSFERRED TO
THE CIVILIAN COURTS FOLLOWING THE AUGUST CONSTITUTIONAL COURT
DECISION BARRING MILITARY TRIALS FOR HUMAN RIGHTS ABUSES BY
SAYING, "THEN LET THEM CERTIFY THAT TO YOU -- AND THEN YOU
CONFIRM IT."

10. (C) GENERAL MEDINA CONCLUDED THE DISCUSSION BY ASKING THAT
THE EMBASSY PERMIT HIM A BRIEF LAPSE OF TIME (NOT FURTHER
SPECIFIED) IN ORDER TO OBTAIN A THOROUGH AND ACCURATE
CERTIFICATION. THE LAST THING ANY OF US NEED, HE OBSERVED, IS
ANOTHER INCOMPLETE OR INACCURATE CERTIFICATION.

COMMENT

11. (C) GENERAL MEDINA CLEARLY HEARD THE MESSAGE. SO, TOO, THE
MINISTER. NOR IS THERE ANY DOUBT THAT THEIR STAFFS DID EITHER.
AND, GIVEN GENERAL MEDINA'S NO-NONSENSE STYLE (AND BLISTERING

PAGE 04

UNCLASSIFIED
REPUTATION AMONGST HIS STAFF) WE HAVE NO DOUBT THAT EMBASSY WILL SOON BE IN RECEIPT OF A REVISED ARMY CERTIFICATION, PROBABLY BEFORE THE END OF JANUARY.

12. (C) ONLY THEN, HOWEVER, WILL THE REAL FUN BEGIN -- WHEN WE SEEK TO DOUBLE-CHECK THE CERTIFICATION AND, BASED ON EMBASSY’S FINDINGS AND WASHINGTON’S DECISIONS, SEEK TO DETERMINE WHICH OF THE SIX ARMY UNITS CAN RECEIVE AID IMMEDIATELY, WHICH CAN RECEIVE AID BASED UPON THE SECRETARY OF STATE’S CERTIFICATION TO CONGRESS UNDER THE LEAHY LAW, AND WHICH UNITS HAVE HUMAN RIGHTS CONCERNS SUCH THAT U.S. AID IS OUT OF THE QUESTION.

GARZA

CONFIDENTIAL

NNNN