

April **2008**

# **Assisting Units that Commit Extrajudicial Killings: A Call to Investigate US Military Policy toward Colombia**



## **Executive Summary and Immediate Recommendation:**

In 1996, in part because of the deplorable human rights record of the Colombian security forces, Congress passed the first version of the Leahy Amendment which currently states that “no assistance shall be furnished . . . to any unit of the security forces of a foreign country if the Secretary of State has credible evidence that such unit has committed gross violations of human rights”.

In 2000, when Congress approved the multi-billion dollar assistance package to Colombia known as Plan Colombia, it established human rights conditions that must be certified by the US Secretary of State as being met by the Colombian government before a certain percentage of military assistance is released.

Contrary to what one would expect given the tools in place to ensure that the United States is not funding abusive Colombian military units, initial findings from research by Amnesty International (AI) and the Fellowship of Reconciliation (FOR) show that geographic regions with the highest levels of reported extrajudicial executions of civilians by members of the armed forces in 2006 were also largely regions with the most military units receiving US assistance.

Between 2000 and 2003 security assistance to Colombia in the Foreign Operations Appropriations Act amounted to approximately US\$1.5 billion. During the four year period between 2004 and 2007, security assistance rose to US\$2.5 billion. During that second phase of Plan Colombia and four years into the Secretary’s certification process on Colombia’s human rights progress, reported extrajudicial executions and forced disappearances by members of the armed forces rose from 218 in 2004-05, to 267 in 2005-06, to 287 in 2006-07.

The below information presented by AI and FOR to the State Department, documents initial findings of non-compliance with the Leahy Amendment and conditions on military assistance to Colombia.

We urge Members of Congress to immediately:

- Request a Government Accountability Office report on the implementation and effectiveness of the human rights vetting process for Colombia and the human rights record of the Colombian armed forces in areas of Colombia where they operate with US assistance. The report should be produced and taken into consideration before the markup of FY2009 Foreign Operations appropriations and Defense Department appropriations, and should include consultation with non-governmental organizations in Colombia and the United States working on these issues.

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## US Law and Security Assistance to Colombia

For over three decades Amnesty International (AI) has documented widespread and systematic violations of human rights and breaches of international humanitarian law by the parties to Colombia's long-running armed conflict. The Fellowship of Reconciliation (FOR), an interfaith peace organization founded in 1915, has maintained a human rights accompaniment team in Colombia since 2002, and has been engaged in research on US military assistance in Colombia.

During the armed conflict, the Revolutionary Armed Forces of Colombia (FARC) and the much smaller National Liberation Army (ELN) guerrilla groups have participated in serious abuses of human rights such as kidnapping, hostage-taking, torture, violence against women and the deliberate and arbitrary killing of civilians, and in repeated violations of International Humanitarian Law (IHL). In particular, AI has condemned the persistent practice of hostage-taking and kidnapping by the FARC and ELN.

Meanwhile, the armed forces and the paramilitary Self-defense Forces of Colombia (AUC) have pursued a counter-insurgency strategy to prevent any imagined or real support from the civilian population to guerrilla groups, including the FARC and the ELN. Acts of violence are integral to this strategy: enforced disappearances, torture, sexual and other forms of violence against women, death threats, and killings of civilians are designed to break any real or suspected links between civilians and the guerrilla, and frequently target any independent social organization.

Partly as a result of the long history of serious human rights violations by Colombian security forces including collaboration with paramilitaries, Congress passed the first version of the Leahy Amendment in 1996 (now Sec. 651 of PL 110-161, see ANNEX I) whereby "no assistance shall be furnished . . . to any unit of the security forces of a foreign country if the Secretary of State has credible evidence that such unit has committed gross violations of human rights" unless the Secretary determines that "the government of such country is taking effective measures to bring the responsible members of the security forces unit to justice."

When the US Congress approved the multi-billion dollar assistance package to Colombia known as Plan Colombia in 2000, it established human rights conditions (see the most recent set of conditions in ANNEX II) to be met by the Colombian government requiring a certification by the Secretary of State before the release of 25 percent of the security assistance to Colombia contained in the Foreign Operations Appropriations Act. While the percentage of certifiable aid has fluctuated over the years and currently covers thirty percent of security assistance to Colombia through foreign operations appropriations, there are no such certification requirements on security assistance to Colombia through defense appropriations. Since 2000, the State Department as mandated by US law, has consulted with AI and other human rights organizations on the human rights situation in Colombia as part of the certification process. During the certification consultations AI and other organizations have presented memos to the State Department documenting hundreds of cases of human rights violations. When and where recognition for progress and positive developments was due, it was given. However, the overall human rights situation in Colombia reflected in the memos over a period of eight years has been one of persistent crisis.

State Department representatives have assured AI on many occasions that the memos we present are taken seriously and considered by the Secretary of State as she determines whether to certify Colombia's progress in key human rights areas. We have also been assured that cases implicating security force personnel in human rights violations are entered into databases used for tracking security force units credibly alleged to have committed gross human rights violations and used to vet security force units for human rights and for eligibility for US assistance.

Various tools have been created to ensure that the US is not providing assistance to abusive security force units in Colombia. Given the vetting process for the Leahy Amendment, we would hope that security force units deemed eligible for US assistance and benefiting from such assistance would have better human rights records than those deemed ineligible for US assistance. But after seven years and more than US\$5 billion in mostly security assistance to Colombia's military and police, the human rights situation remains critical, with changes and some improvements in some regions for some Colombian citizens, but overall still of grave concern and astonishingly with extrajudicial executions (EJEs) of civilians by the army steadily on the rise, together with reports of EJEs committed by units involved in operations counting on the support of US military advisers.

However, years of repeated and unheeded concerns expressed during the certification process, together with initial findings from research on where violations are occurring and on Colombian security force units implicated in gross human rights violations that were nonetheless vetted and deemed eligible for US assistance, have heightened concerns about the integrity and effectiveness of the certification and vetting process.

Specifically, AI and FOR are concerned that US assistance to Colombia is contributing to a brutal cycle of violence, in which perpetrators benefit from US assistance. For that reason, we focus this memo not on the dozens of cases of violations that we have documented since the last consultation with human rights groups in December 2007, but on the State Department's lack of compliance with US law. The concerns raised in this memo call into question the very compliance with and implementation of legislative mechanisms that are intended to protect human rights within US policy toward Colombia, and should bring into question for legislators how these mechanisms work in relation to other countries receiving significant US security assistance or being proposed to receive significant US security assistance particularly if the countries' security forces have long histories of serious human rights violations.

## **Problems with the Vetting Process**

- A. Training individuals from units that do not appear on the State Department list of vetted<sup>1</sup> units deemed eligible for US assistance:

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<sup>1</sup> Vetting is a process whereby the human rights record of units proposed to receive US security assistance are reviewed so as to ensure that the unit is not credibly alleged to have committed gross human rights violations. According to the State Department, for all practical purposes when they refer to a "vetted" unit they are referring to a unit that is "eligible" for US assistance, and when they refer to an "unvetted" unit they refer to a unit that is ineligible because of its poor human rights record as opposed to because it was not vetted or reviewed.

The United States is providing training to individuals from unvetted units, conferring benefits to those units, contrary to the intent of the Leahy Amendment. FOR compared the State Department's list of vetted units deemed eligible for US assistance as of July 2006 to the State Department's Foreign Military Training Report for 2006-2007. According to the Foreign Military Training Report, more than 200 individuals from **28 Army units and 20 Navy, Air Force, Police and Defense Ministry units** that were not included in the State Department's 2006 list of vetted units, received training in Fiscal Year 2006 (See ANNEX V). In December 2007, during the certification consultation meeting with NGOs, AI also posed several questions to the State Department regarding units that, according to the State Department's list were not vetted and deemed eligible for US assistance, but whose individual members had in fact received training. Some of the units whose individuals received US training according to the Foreign Military Report that were of particular concern were the "Army Engineer Battalion" of the 4<sup>th</sup> brigade functioning in Antioquia Department, the "Counter-Guerrilla Battalion" of the 56<sup>th</sup> Brigade in Popayán and Cauca, and the "Counter-Guerrilla Battalion" of the 32<sup>nd</sup> Brigade functioning in Villavicencio.

AI has consistently reported on human rights violations implicating members of various battalions of the 4<sup>th</sup> Brigade including paramilitary collaboration, abductions and extrajudicial executions since 2000 (see ANNEX IV). While in some cases it is difficult to know whether a unit is not included on the list of vetted units provided by the State Department because it was in fact vetted and deemed ineligible or simply because it was not vetted (or reviewed for assistance), in some cases, like in the case of the 4<sup>th</sup> Brigade and the 17<sup>th</sup> Brigade as well as many others, it is quite clearly because of their deplorable human rights record over many years. In other cases, it is also clear that the unit does not appear on the State Department's list of vetted units because of its poor human rights record because after appearing on the list and subsequently after numerous reports of violations, the unit was removed, as is the case with the 12<sup>th</sup> Mobile Brigade which appeared on the list of vetted units of 2006 but not on the list of vetted units of 2007 (See footnote 1 again).

One of the individuals who received training in 2006 according to the foreign Military Training Report was a member of the **17<sup>th</sup> Engineering Battalion** also known as the "**Bejarano Battalion**" of the **17<sup>th</sup> Brigade**. AI asked the State Department about this specific individual receiving US training because of the deplorable human rights record of the 17<sup>th</sup> Brigade, implicated in many of the more than 170 killings since 1997 of civilians in the Peace Community of San José de Apartadó located in the 17<sup>th</sup> Brigade's jurisdiction of northwestern Colombia. In February 2005, eight people, including an 18-month-old baby boy, a six-year-old girl, a boy of 11 and a girl of 15, were massacred. Some of the bodies had been beheaded, dismembered, and disemboweled, and witnesses claimed that the Colombian army's 17<sup>th</sup> Brigade was implicated in the killings. Before any investigation had begun, Colombian Vice President Santos publicly blamed the massacre on the FARC, while the Ministry of Defense stated publicly that army units were at least two days distance from the crime at the time, despite eyewitness reports from FOR and local residents to the contrary. Because of its brutality, that small children were among the victims, that those killed were protected by Inter-American Court measures, that one of the victims was a leader who had met with the Vice-President and other government officials, and

because witnesses said that the Colombian army was responsible, this atrocity has important implications.

The 2005 massacre was not the first massacre in which the 17<sup>th</sup> Brigade was implicated. In 2000 AI reported to the State Department that the 17<sup>th</sup> Brigade was accused of having allowed paramilitaries to massacre 11 civilians in the San José de Apartadó community in February and July of 2000. AI also documented numerous human rights violations committed within the course of joint 17th Brigade and paramilitary operations in the north of the department of Chocó in the late 1990s (see COLOMBIA. Return to Hope Forcibly displaced communities of Urabá and Medio Atrato region, AMR 23/23/00, 1 June 2000) and also in the early 2000s.

In public and private statements after the 2005 massacre, State Department officials said that the 17<sup>th</sup> Brigade would be excluded from US assistance “until all significant human rights allegations involving the unit have been credibly addressed.”<sup>2</sup> In a February 25, 2008 response to AI’s questions about the individual receiving training, the State Department stated that:

“As concerns training for individuals who are proposed by the Colombian security forces, as opposed to unit training, there are a number from unvetted units. As you know, the Department does not provide training to individuals who are from units that might be problematical, such as the 17<sup>th</sup> Brigade. However, when there are candidates for training from those units that have not been vetted, and for which there are no other indications of problems, the Department vets the individual and provides training if there is no adverse information. In the case of the one person from the 17<sup>th</sup> Engineering Battalion, a component unit of the 17<sup>th</sup> Brigade, that person was given medical assistance training in 2006.”

This response from the State Department raises several questions and concerns. In the opening sentence the State Department verifies that in fact a number of individuals from units that are not vetted or deemed eligible for US assistance are beneficiaries of US assistance in the form of training. Presumably in most cases these individuals are returned to the same unvetted unit, thus assisting a unit that has not been vetted.

In the second sentence the State Department contradicts its first sentence by saying that it does not provide training to individuals from units that are problematic like the 17<sup>th</sup> Brigade having just said that there are a “number [of individuals] from unvetted units”, receiving US assistance. The State Department then explains why it provides training to individuals from unvetted units deemed ineligible for US assistance based on the individual’s record, as opposed to the entire unit’s record, and further contradicts its second statement that it does not provide training to individuals from problematic units like the 17<sup>th</sup> brigade by saying that indeed it did provide training to an individual from the 17th brigade. The contradictions within the above statement reflect the confusion within a State Department policy to provide training to individuals of units with records of serious human rights violations. The policy is not in compliance with the intent of the Leahy Amendment to deny US assistance to units deemed ineligible for such assistance because of their human rights record.

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<sup>2</sup> Certification Memorandum by Secretary of State, August 2005

The type of assistance provided to the individual member of the 17<sup>th</sup> Engineering “Bejarano” Battalion was medical training, but this was the exception. Most of the officers from units not included on the State Department list of vetted units that received training in 2006 took courses such as “NCO Leadership Development”, “Command and General Staff Officer Preparation,” “Surface Warfare Officer Operations”, “International Intelligence Fellowship Program,” “Counterterrorism Fellowship Program”, “Resource Management,” etc. In other words, most of the courses given to members of unvetted units (many of which were not vetted and deemed eligible for US assistance because of their poor human rights record), to the extent that we were able to identify the content, were for leadership, reinforcing the concern that the training represented assistance to the unit, not just to an individual. This further violates the Leahy Amendment’s intent to deny assistance to units credibly alleged to have committed gross human rights violations.

According to information AI and FOR received in a March 2008 meeting with the State Department, the State Department’s policy toward the 17<sup>th</sup> Brigade changed after having provided the individual training to one of its members in 2006 at which point the Brigade fell into the category of security forces units whose individuals would also not be considered for individual training because of the units deplorable human rights record. The fact that this decision was not made either after the 2000 massacres of 11 people or after the 2005 massacre of 8 people, both of which implicated members of the 17<sup>th</sup> Brigade is disturbing. According to information received by AI and FOR in the March 2008 meeting with the State Department, the global vetting policy (affecting any country receiving security assistance) changed some time in 2007 (the State Department could not remember exactly when, but they said around May 2007), and the State Department will no longer consider providing individual training to soldiers from units credibly alleged to have committed gross human rights violations, because that would in effect result in providing assistance to the unit, in violation of US law. While AI and FOR are pleased to have learned about the long overdue change in policy, it did not appear in our meeting with the State Department that the majority of State Department representatives in the meeting were aware of the policy change. Furthermore, State Department officials declined to disclose the criteria used for vetting, contained in the revised policy, thus making meaningful consultation regarding vetting impossible.

B. Concerns over Extrajudicial Executions and other Human Rights Violations by Vetted Units and the State Department certification consultation with NGOs (See ANNEX IV)

The following represent some of the units that the State Department vetted and deemed eligible for US assistance, in spite of their documented records of abuses:

**18<sup>th</sup> Brigade:** In May 2003 during the certification consultation with NGOs AI reported to the State Department that the **18<sup>th</sup> Engineering Battalion (Navas Pardo Battalion) of the 18<sup>th</sup> Brigade** was implicated in an extrajudicial execution in 2003 in Pueblo Nuevo, Arauca Department, and raised the case again in 2005 because of a lack of progress into the investigation. In 2004 AI presented to State Department officials during the certification consultation its report on Arauca entitled “Colombia: A laboratory of War: Repression and Violence in Arauca”. The report included documentation of the alleged ransacking of a cooperative in Saravena by members of the **27<sup>th</sup> Counter-Guerrilla battalion of the 18<sup>th</sup>**



**Brigade.** It also presented information on the arbitrary detention of hundreds of civilians, some of whom were social activists accused of guerrilla-related charges seemingly arbitrarily, and others were witnesses of a paramilitary massacre in 2002 in the municipality of Arauquita. The report further implicated the 18<sup>th</sup> Engineering Battalion in setting up a post in an indigenous reserve in Tame in April 2003 while gunmen identifying themselves as paramilitaries threatened to kill members of the community, among them were soldiers identified by witnesses as members of the battalion. The **Heroes of Saraguro Battalion of the 18<sup>th</sup> Brigade** was also implicated in entering a home, shooting one civilian and raping his wife in 2002.

In February 2005 AI reported to the State Department that the **18<sup>th</sup> Brigade** was the subject of a preliminary investigation into a May 2003 incursion during which several children were raped and several other indigenous community members killed in the Municipality of Tame, Arauca and implicated in allowing paramilitaries to kill 11 civilians in 2004 in Tame. In 2006 AI reported that the **18<sup>th</sup> Cavalry Group (Gabriel Revéiz Pizarro Battalion) of the 18<sup>th</sup> Brigade** was implicated in the 2004 extrajudicial execution of three trade unionists in the municipality of Saravena, Arauca Department. In her April 2006 Justification Memorandum accompanying her certification of Colombia's progress in meeting human rights conditions, the Secretary of State reported that, "On May 2, the Inspector General's Office brought disciplinary charges against seven members of the Army's Mechanized Cavalry [Cavalry] Group 18 "Revéiz Pizarro" for causing the death of Jorge Prieto, Leonel Goyeneche, and Héctor Martínez while conducting the military operation "Tormenta 1" along the hamlet of Caño Seco in the rural zone of the municipality of Saravena (Arauca)." Disciplinary charges brought against perpetrators of a brigade implicated in widespread violations of human rights two years after the killings would not appear to exempt the Cavalry group or 18<sup>th</sup> Brigade from the Leahy Amendment by fulfilling the requirements of the exception "that the government of such country is taking effective measures to bring the responsible members of the security forces unit to justice" particularly given the history of brutality with which the 18<sup>th</sup> Brigade was reportedly operating. In August 2007, four soldiers of the **18<sup>th</sup> Cavalry Group** were sentenced to forty years in prison for the killings of the trade unionists. Although they were found guilty, months prior to the August sentencing, in July 2007 the State Department yet again deemed the 18<sup>th</sup> Brigade - including the 18<sup>th</sup> Cavalry Group - eligible for US assistance. However, possible chain-of-command responsibility has still to be established in this case.

In 2007 AI reported that the **1<sup>st</sup> Infrastructure Protection Battalion (Special Energy and Road Battalion General Juan Jose Neira) of the 18<sup>th</sup> Brigade** was implicated in 2007 in two extrajudicial executions in Arauca Department. The 1st Infrastructure Protection Battalion was also vetted and deemed eligible for US assistance in both 2006 and 2007. Between 2006 and 2007 when the entire 18<sup>th</sup> brigade including all of the Battalions mentioned above were vetted and deemed eligible for US assistance, eight extrajudicial executions attributed to members of the armed forces were registered by the Comisión Colombiana de Juristas committed in its jurisdiction (see section on Extrajudicial Executions and ANNEX III). AI has received no further information from the State Department on the progress of investigations into the other killings, arbitrary detentions, threats, rapes and paramilitary collaboration that the Brigade is implicated in further bringing into question why the unit was vetted in 2006 and 2007.

**4<sup>th</sup> Mobile Brigade:** In April 2006 AI reported to the State department that the **Counter-Guerrilla Battalion #42 and the Counter-Guerrilla Battalion #40** of the 4<sup>th</sup> Mobile Brigade, were both implicated in collusion with paramilitaries in Puerto Toledo, Meta Department, in 2005 and in 2006, with one member of each of the battalions being identified by civilians as part of a group of paramilitaries in 2005 in Puerto Toledo, municipality of Puerto Rico. Witnesses who spoke with AI said that the 4<sup>th</sup> Mobile Brigade was colluding with paramilitaries in 2005 in Matabambu and in the municipality of Vistahermosa, allowing killings and enforced disappearances to be carried out by paramilitaries. Both battalions mentioned above were vetted in July 2006 by the State Department and deemed eligible for US assistance. In December 2007 AI again reported that the 4<sup>th</sup> Mobile Brigade was implicated in an extrajudicial execution in 2007 in Puerto Rico Municipality. Between 2006 and 2007 when the entire 4<sup>th</sup> Mobile Brigade was vetted and deemed eligible for US assistance, 24 extrajudicial executions attributable to members of the armed forces in Meta were registered by the Comisión Colombiana de Juristas, where the brigade operates (see section on Extrajudicial Executions and ANNEX III). The entire 4<sup>th</sup> Mobile Brigade including the 40<sup>th</sup> and 42<sup>nd</sup> Counter-Guerrilla Battalions were vetted and deemed eligible for US assistance again in July 2007, despite the State Department’s claim that it is vigorously reviewing the rise in reports of extrajudicial executions by members of the army throughout Colombia.

**12<sup>th</sup> Mobile Brigade:** In June 2006 AI reported to the State Department that in April 2006 the 12<sup>th</sup> Mobile Brigade was implicated in the 2006 extrajudicial execution of 10 civilians in and around a schoolhouse where approximately 50 civilians had sought refuge in the San Juan de Arama Municipality, Meta Department. The brigade was also implicated in the detention and enforced disappearances of additional civilians who could not be located because of restrictions of movement of civilians reportedly imposed by the security forces. In July 2006, the State Department vetted the unit and deemed it eligible for US assistance. This incident was included in the Department’s 2007 Country Report on Human Rights Practices for Colombia.

The March 2007 Justification Memorandum accompanying the Secretary of State’s certification of Colombia’s progress in human rights states that:

“The Military Penal Justice system continues to investigate and adjudicate cases that the Prosecutor General has determined, in accordance with the MOU described below in Section (a)(2)(C), do not constitute human rights violations.

The Military Penal Justice System has opened an investigation into the April 10 homicide of 10 people, allegedly by soldiers from the 12<sup>th</sup> Mobile Brigade in the hamlet of Sanza in San Juan de Arama (Meta). According to Amnesty International, witnesses allege that members of the Brigade targeted unarmed civilians who had sought refuge in a schoolhouse during combat in the area. A military prosecutor (Fiscalía 28 Penal Militar) has been assigned to the case and is currently reviewing evidence to determine whether to bring charges.”

It is unclear why the Colombian authorities or the Secretary of State believed that the killing of 10 civilians does not constitute a human rights violation. It is of concern that the State Department would suggest that investigations by the Military Justice System in this case are an indication of progress (a) given the role of the Military Justice in repeatedly guaranteeing impunity; (b) given Colombia’s Constitutional Court ruling of 1997 calling for the exclusion of

human rights violations cases from military courts; (c) given repeated recommendations made by the Office of the UN High Commissioner on Human Rights for the complete exclusion of human rights violations cases from military courts; (d) given US human rights conditions calling for evidence of decisive action to investigate cases of human rights violations implicating members of the security forces including through exclusion of these cases from military courts.

*(Conditions include language calling for evidence of vigorous investigation and SECTION 556(a)(2)(B) The Government of Colombia is investigating and prosecuting, in the civilian justice system, those members of the Colombian Armed Forces, of whatever rank, who have been credibly alleged to have committed gross violations of human rights, including extra-judicial killings, or to have aided or abetted paramilitary organizations or successor armed groups (see Annex II).*

In December 2007 AI again reported that the 12<sup>th</sup> Mobile Brigade was implicated in two extrajudicial executions in 2007 in and around Vistahermosa Municipality, Meta Department, and that the **Counter-Guerrilla Battalion #85** was implicated in two extrajudicial executions in Meta Department in 2007. The brigade was not on the State Departments July 2007 list of vetted units deemed eligible for US assistance. While AI and FOR applaud the State Department's decision to deem the 12<sup>th</sup> Mobile Brigade ineligible for US assistance in 2007, the unit's poor human rights record during the time that it did receive US assistance raises serious questions about both the vetting process and the type of assistance afforded eligible units.

**14<sup>th</sup> Brigade:** In April 2006 AI reported to the State Department that the **14<sup>th</sup> Engineering Battalion (Calibio Battalion)** of the 14<sup>th</sup> Brigade was allegedly colluding with paramilitaries in Remedios Municipality, Antioquia Department, and implicated in the enforced disappearance of a civilian in 2006. On March 11 the **Calibio** Battalion reportedly detained two brothers in Puerto Matilde and tied them up, bound their eyes and threatened to cut them to pieces with a chainsaw and to castrate them with a knife. On March 12 the **Calibio** Battalion reportedly detained one more civilian in the Municipality of **Yondó** who was similarly threatened. Later in March 2006 the Calibio battalion was camped in close proximity to the Puerto Matilde Community, **Yondó** Municipality, when death threats were issued by paramilitaries. Despite these reports issued by AI the battalion was vetted and deemed eligible for US assistance in July 2006 and July 2007.

**30th Brigade:** In *Noche y Niebla No. 35*, published in the Fall of 2007, the Centro de Investigación y Educación Popular (CINEP) reported that soldiers from the **15th Infantry Battalion** of the 30th Brigade executed three peasant farmers on March 17, 2007 in Abrego, Norte de Santander, and claimed them as guerrillas killed in combat. According to community members and family, they were not members of guerrilla organizations. CINEP also reported that on April 23, 2007, troops from the **46th Counter-Guerrilla Battalion** detained and forcibly disappeared Uriel Quintero Rueda, a peasant farmer from Teorama, Norte de Santander. On May 1, according to CINEP, **15th Infantry Battalion** troops executed William Jaime, a developmentally disabled man. The battalion commander claimed Jaime was a guerrilla, but family members denied this and neighbors said he was arrested by troops and later appeared dead. Both battalions were newly vetted to receive US assistance in 2007-08.

**Geographic Analysis of Extrajudicial Executions and US-Assisted Units (see ANNEX III)**

The intent of this analysis is to see the overall outlines of where US assistance is geographically concentrated in Colombia and to compare this with where extrajudicial executions are taking place, not so much to focus on any one specific unit or territorial jurisdiction, although the overall analysis requires examination by jurisdiction. If the vetting mechanisms for denying assistance to units credibly alleged to have committed gross violations of human rights are being appropriately implemented, geographic areas where vetted units operate should have lower levels of abuse than areas in which unvetted units operate. But a review of extrajudicial executions committed directly by members of the Public Forces from July 2006 to June 2007, where the author was attributable, shows the opposite: in general, areas with the highest levels of executions tend to have more vetted units that have been deemed eligible for US assistance than in areas with fewer executions. We have not drawn conclusions regarding the causes of this outcome, which might be understood as the result of various factors. But because of the disturbing nature of these initial findings, we call for further investigation to shed light on why jurisdictions with US-supported units have such high levels of extrajudicial executions. We are also concerned that not only vetted units but units executing operations counting on the support of US military advisors are committing EJE and colluding with paramilitaries. For example, in its April 2006 memo to the State Department, AI noted:

“Not only does paramilitary activity continue in the department of Meta, but Amnesty International has received information referring to close collusion between the security forces and paramilitaries in areas where *Plan Patriota* is being implemented in the commission of human rights violations. This is of particular concern given that *Plan Patriota* is being conducted under the coordination and supervision of US military advisers.

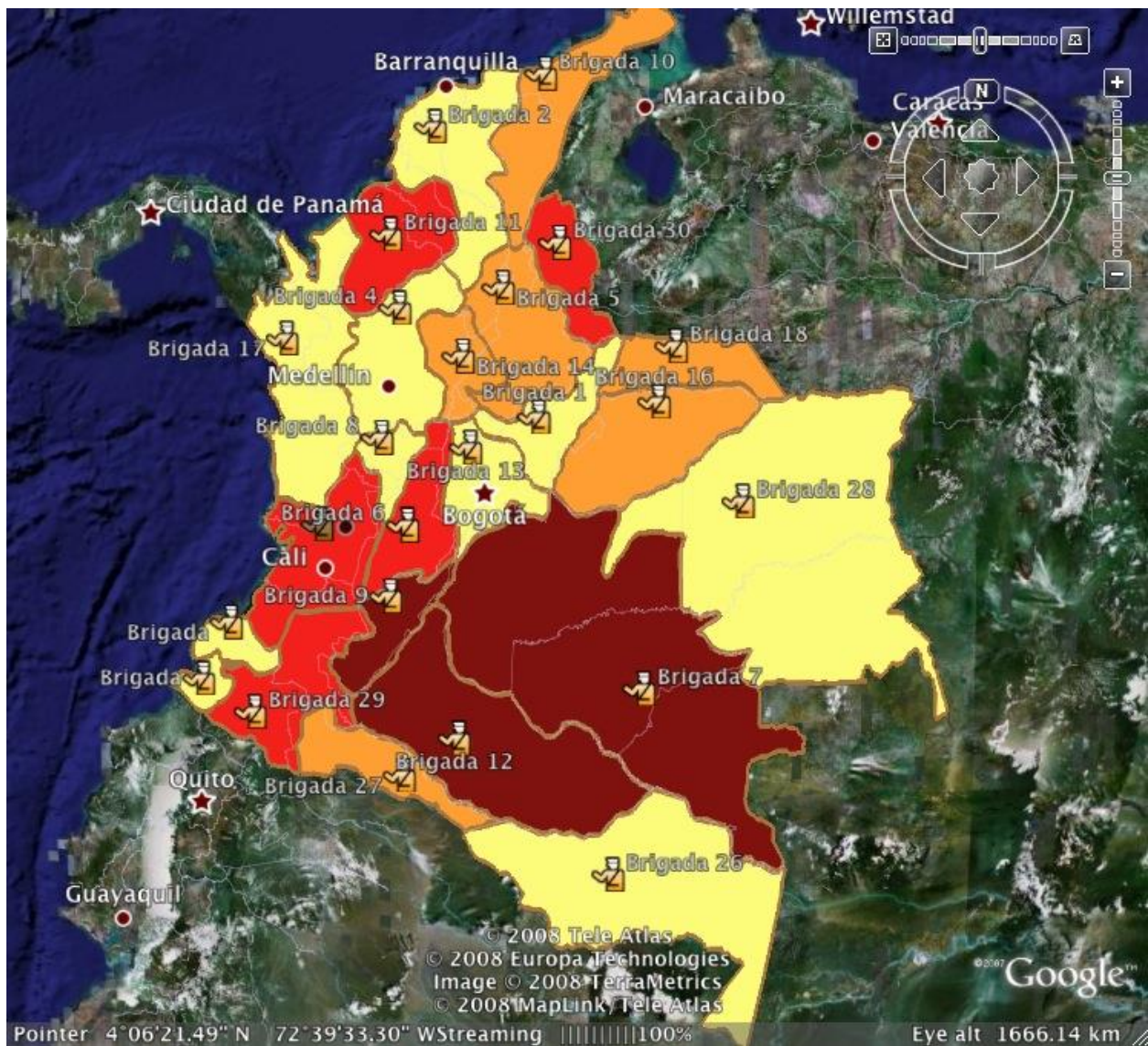
In some of the areas where *Plan Patriota* is presently being implemented, military units operated closely with paramilitary forces just before the operation was launched. This is of grave concern. Reports received in January 2002 indicate that *Fuerza de Despliegue Rápida* (FUDRA), Rapid Reaction Force were seen operating together with known paramilitaries in operations in the municipalities of Lejanías and El Castillo, department of Meta.”

The map on the following page shows the territorial jurisdictions of Army brigades in 2007. During this period, the **12th, 7th, 9th, 29th, 30th, and 3rd Brigades** had the territorial jurisdictions in which the most extrajudicial executions by members of the Public Forces occurred. (See ANNEX III) which shows the number of extrajudicial executions by army brigade jurisdiction, and the level of US support for units operating in those jurisdictions.)

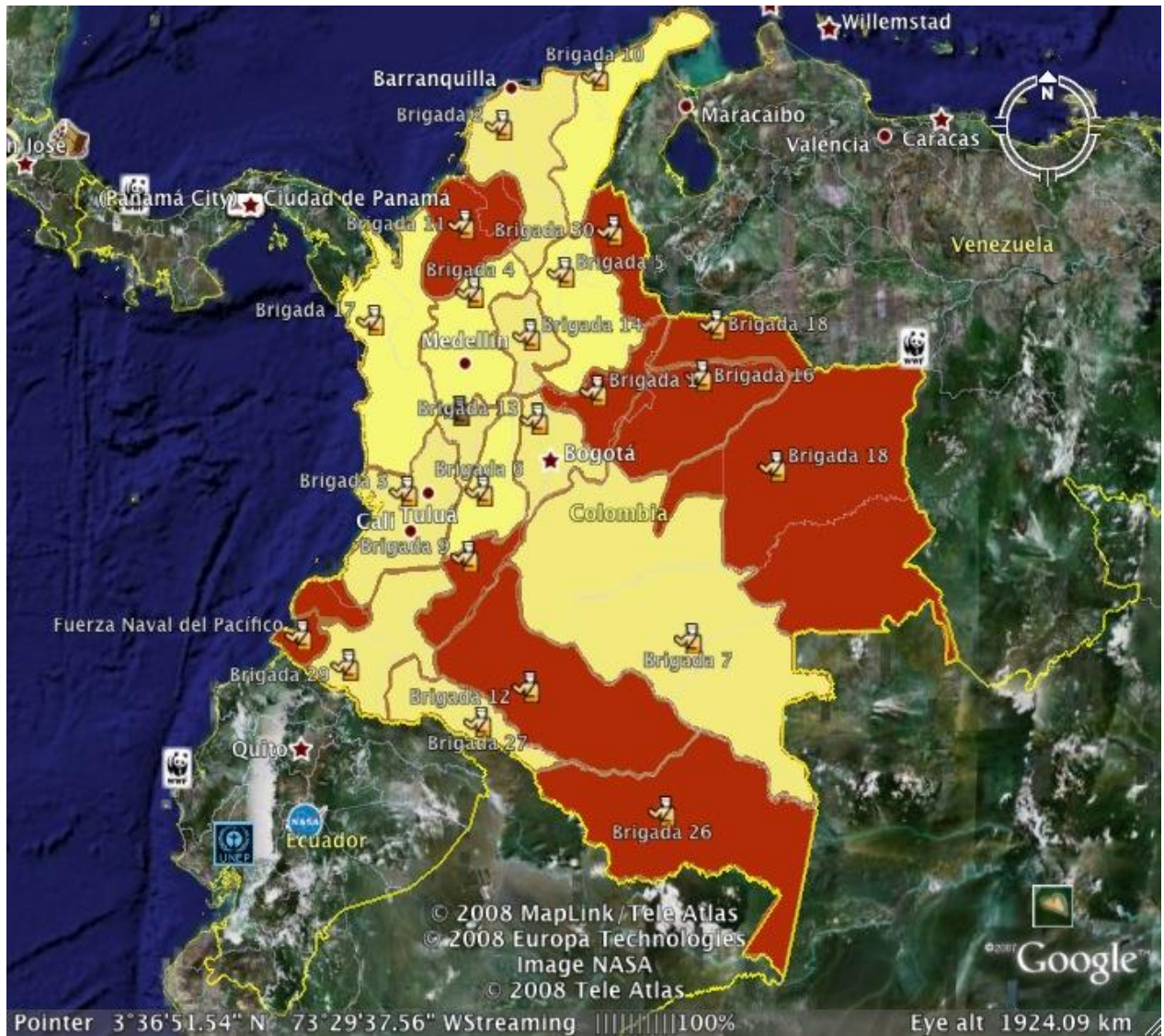
The **12th and 9th Brigades**, in whose jurisdictions 25 and 23 extrajudicial killings registered by the Comisión Colombiana de Juristas (CCJ) were committed in 2006-07 by Public Forces, respectively, were vetted in July 2006 for US assistance. The 9th Brigade, with jurisdiction in Huila, continues to receive US assistance, according to the State Department’s list of vetted units as of July 2007. The 12th Brigade is no longer vetted to receive assistance. In light of the high number of executions committed by members of the armed forces in Caquetá, AI and FOR applaud the exclusion of the 12<sup>th</sup> Brigade from US assistance. However, the fact that the 12<sup>th</sup> Brigade was receiving assistance in the year these executions occurred raises serious questions about the effectiveness of human rights instruction and monitoring for assisted units. Moreover,

three mobile brigades that operate in the 12<sup>th</sup> Brigade's jurisdiction (Caquetá) continue to receive US assistance (**10<sup>th</sup>, 13<sup>th</sup> and 22<sup>nd</sup> Mobile Brigades**). Units operating in the same areas often work together.

Similarly, 24 extrajudicial executions by Public Forces were registered by the Comisión Colombiana de Juristas in 2006-07 in Meta, where the US-assisted **4<sup>th</sup>, 7<sup>th</sup> and 9<sup>th</sup> Mobile Brigades** operate. (One battalion of the 7<sup>th</sup> Brigade, which also operates in Meta, is vetted as well.) These brigades are allegedly responsible for a number of extrajudicial killings, which AI and other groups have reported to the State Department (see ANNEX IV). On February 22, 2007, for example, **4<sup>th</sup> Mobile Brigade** troops reportedly executed Juan de Jesús Dancel Heredia and José Gerardo Cortés, two peasant farmers in the municipality of Puerto Rico, Meta Department, and presented them as guerrillas killed in combat. The bodies reportedly showed signs of torture according to CINEP.



Extrajudicial Executions 2006-07- by Army Brigade Jurisdictions	
1 - 5	Light Yellow
5 - 9	Orange
10 - 19	Red
20 or more	Dark Red



Army Brigade Jurisdictions & level of US support	
All battalions and/or command staff supported	
1-3 battalions, mobile brigade(s) supported	
Not vetted	

**The 30th Brigade**, whose jurisdiction is in Norte de Santander, was not listed as vetted or receiving assistance in 2006, but it has subsequently been vetted and deemed eligible for US assistance, in spite of 17 extrajudicial executions occurring in its jurisdiction in 2006-07.

Three battalions in the **3rd Brigade**, in whose jurisdiction 17 executions occurred in 2006-07, continued to be vetted for assistance in 2007-08 (**3rd Engineer Battalion; 9th Infantry Battalion; 3rd Cavalry Group**).

The **4th High Mountain Battalion of the 29th Brigade**, a brigade in whose jurisdiction 19 executions registered by the Comisión Colombiana de Juristas occurred in 2006, also continues to be deemed eligible for US assistance in 2007.

In short, those brigades in whose jurisdictions the most extrajudicial executions occurred in 2006-07 are receiving US assistance, in spite of the Leahy Amendment provisions for denying assistance to units credibly alleged to have committed gross human rights violations. Although the specific units that committed these executions often cannot be known, the higher level of killings by members of the armed forces in areas where units are receiving assistance should be cause for suspension of assistance to units operating in those areas, as well as investigation of the assistance program itself, according to US human rights conditions.

The Department's 2008 Country Report on Human Rights Practices for Colombia<sup>3</sup> notes that the level of political violence in Colombia has decreased in the last year. The more appropriate measure for release of military assistance, however, is not the overall level of violence but the record for respect of human rights and International Humanitarian Law by the institutions that benefit from the assistance – in this case, the Colombian armed forces. Extrajudicial executions and forced disappearances by the armed forces (where the author was identified) are not decreasing, but increasing over the last three years, from 218 in 2004-05, to 267 in 2005-06, to 287 in 2006-07, according to data from the Colombian Commission of Jurists.

### **Information Regarding Actions by General Mario Montoya**

“False positives” is the phenomenon whereby armed forces personnel kill civilians and later present them to the authorities as guerrillas killed in combat. Information indicates that the practice of claiming “false positives” is widespread.

In March 2002 a unit of the **4th Brigade** killed five people in their car and presented their corpses to the media as guerrillas in San Rafael Municipality, Antioquia Department. The bodies were dressed in military uniforms, and lay beside cables that the army said the youths had used to attempt to blow up a dam. According to the testimony given to Justice and Peace and officials of the Attorney General's office in late January 2008 by a demobilized paramilitary soldier, Parmenio de Jesús Usme García, the teenagers were students. At the time, the teenagers' families stated that the teenagers were not members of the guerrilla, but the Fiscalía transferred their case to a military court, which never issued a final decision. In his recent testimony, Usme Garcia testified that on March 9, 2002, he was driving in San Rafael when Érika Viviana Castañeda and Deisy Johana Carmona Usme, aged 13 and 14, signaled Usme García to stop, and asked for a ride to a party they were going to. He agreed, and picked up three other persons along the way. They were then fired upon near the hamlet of Jordan, San Rafael; all five except Usme García were killed, and the bodies were brought to the local hospital.

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<sup>3</sup> <http://www.state.gov/g/drl/rls/hrrpt/2007/100633.htm>



According to the hospital's records, General Mario Montoya Uribe, then commander of the **4<sup>th</sup> Brigade** and currently commander of the Colombian Army, reportedly called the hospital on the night of March 9, 2002 to say that for no reason should the bodies be turned over to any but military authorities, and that he, or someone in his complete confidence, would take care of the issue the following day. According to the investigation as recounted by *Cambio*<sup>4</sup>, the next day, General Leonardo Gallego, chief of the Medellín Metropolitan Police, arrived by helicopter and ordered the removal of the bodies to a salon in a home for the elderly, where they were presented to the press in military uniforms later that day, General Gallego at their side.

The alleged cover-up of the San Rafael killings is not an isolated incident. General Montoya reportedly presided over a disciplinary panel in December 2007 that punished a soldier, Sergeant Alexander Rodriguez, for denouncing the practice of false positives by the **15<sup>th</sup> Mobile Brigade** under the command of Colonel Santiago Herrera, who subsequently was promoted to become General Montoya's assistant.<sup>5</sup> Norte de Santander, where the 15<sup>th</sup> Mobile Brigade operates, had one of the highest levels of extrajudicial executions in 2006-07 (17 between July 2006 and June 2007, a majority of them committed by the 15<sup>th</sup> Mobile Brigade<sup>6</sup>), the period when Colonel Herrera was commander of the brigade. General Montoya's promotion of Colonel Herrera to be his assistant raises questions about his commitment to ending the practice of false positives in the Army.

In March 2007, the *Los Angeles Times* reported that a CIA report alleged that General Montoya had collaborated with paramilitary forces during Operation Orion in Medellín in 2002, when Montoya was commander of the **4<sup>th</sup> Brigade**.<sup>7</sup>

In a *Washington Post* article on March 30, 2008, General Montoya dismissed concerns about extrajudicial executions by saying, "What's the result of offensives? Combat. And if there's combat, there are dead in combat."<sup>8</sup>

In May 2007 Colombian investigators unearthed the bodies of 105 people believed to have been killed between 1999 and 2001 in the Department of Putumayo, following the discovery of hundreds more shallow graves in 2007. Most of the bodies found had been dismembered before burial.<sup>9</sup> General Montoya was commander of the Joint Task Force South in Putumayo during 1999-2001, a period of intense paramilitary and FARC violence in the department of Putumayo. A US Embassy cable in 2000 noted persistent allegations that the **24<sup>th</sup> Brigade**, under Montoya's

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<sup>4</sup> February 13, 2008, [http://www.cambio.com.co/paiscambio/763/ARTICULO-WEB-NOTA\\_INTERIOR\\_CAMBIO-3957336.html](http://www.cambio.com.co/paiscambio/763/ARTICULO-WEB-NOTA_INTERIOR_CAMBIO-3957336.html)

<sup>5</sup> January 26, 2008, [http://www.semana.com/wf\\_InfoArticulo.aspx?idArt=109046](http://www.semana.com/wf_InfoArticulo.aspx?idArt=109046)

<sup>6</sup> Comisión Colombiana de Juristas, "Ejecuciones extrajudiciales directamente cometidas por la fuerza pública", July 2006 to June 2007.

<sup>7</sup> "Colombia army chief linked to outlaw militias," Paul Richter and Greg Miller, *Los Angeles Times*, March 25, 2007.

<sup>8</sup> "Colombian Troops Kill Farmers, Pass Off Bodies as Rebels," Juan Forero, *The Washington Post*, March 30, 2008.

<sup>9</sup> May 6, 2007, <http://www.nytimes.com/2007/05/06/world/americas/06colombia.html>

command, had “been cooperating with illegal paramilitary groups that have been increasingly active in Putumayo.”<sup>10</sup> (See cable in ANNEX VII)

These matters raise at least two issues pertinent to the certification process. The first relates to the specific case in San Rafael, and what actions have been taken to move it into the civilian justice system and bring to justice those responsible for this apparent crime.

The second issue relates to the commitment of the Colombian army to end human rights violations, in a context in which military commanders repeatedly present extrajudicial executions as killings in combat. If there is credible evidence that General Montoya participated in the cover-up of an extrajudicial execution and he is not relieved of his command and prosecuted for this crime, it sends a message to the armed forces that such killings will not be punished, thus reinforcing the continued practice throughout the institution.

### **Movement between Units of Military Leadership Linked to Allegations of Violations**

General Montoya’s career demonstrates a serious flaw in the vetting regime: officers receive US training, but then move to units that have not been vetted, in many cases because of histories of serious human rights problems. After being at the center of US assistance efforts in Putumayo, General Montoya commanded the **4th Brigade**, which had a well-documented record for committing extrajudicial executions before, during and after his command there. There are dozens of examples of officers and soldiers who received training from the United States who subsequently were implicated in serious abuses. Five of the ten brigadier generals who have served as commanders of the **17th Brigade** received training at the US Army School of the Americas (currently the Western Hemisphere Institute for Security Cooperation -WHINSEC). Most recently, six of the officers in the **3rd Brigade** who were charged with involvement with drugs traffickers, including the 2006 attack in Jamundí that killed ten US-trained anti-drug police, had received US training; two of them had been instructors in 2003 at WHINSEC.<sup>11</sup> Three army officers under investigation for a series of false bomb attacks in Bogotá (and one real attack, which killed a civilian and injured 19 others) in 2006 had received US training.<sup>12</sup>

The reverse situation, in which officers assigned to a unit with a history of human rights abuses are moved to vetted units, also presents a problem. Some examples:

- Colonel Jorge Arturo Salgado Restrepo was chief of staff for the **17th Brigade** last year, until he was ascended in November to commander of the **11th Brigade**, which is currently vetted to receive US assistance.
- The **17th Brigade’s Bejarano Battalion**, suspected of participation in the February 2005 massacre in San José de Apartadó, functioned at the time under the command of Colonel Nestor Ivan Duque. We understand that Colonel Duque, as of last August, had been re-assigned as chief of staff of the **12th Brigade**, which was vetted to receive US assistance in 2006 but is now no longer eligible for US assistance, according to reports, because of credible allegations of gross human rights violations.

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<sup>10</sup> <http://www.gwu.edu/~nsarchiv/NSAEBB/NSAEBB69/part3.html> See Documents 69 and 70

<sup>11</sup> “SOA Instructors Served in Colombian Mafia,” [www.forcolombia.org/monthlyupdate/aug2007/#soa](http://www.forcolombia.org/monthlyupdate/aug2007/#soa)

<sup>12</sup> “School of Americas Graduates Implicated in Bogotá Bombing,” [www.forcolombia.org/monthlyupdate/jan2008/#soa](http://www.forcolombia.org/monthlyupdate/jan2008/#soa)

- Brig. Gen. Roberto Pico Hernández commanded the **4<sup>th</sup> Brigade** in November 2005, during a period when human rights groups have reported high numbers of extrajudicial executions by 4<sup>th</sup> Brigade units. General Pico Hernández was promoted in November to command the 7<sup>th</sup> Division. The 7<sup>th</sup> Division's command staff is vetted to receive US assistance.

While we are not suggesting that these individuals are themselves directly responsible for violations of human rights, they were in positions of command and oversight when their units were allegedly involved in gross violations of human rights.

FOR has been informed that service branch missions in the US Embassy attempt to ensure that Colombian officers and soldiers who receive US training are placed in units that will employ the skills in which they were trained. This implies that the United States has some influence over placement of soldiers receiving assistance. We recognize that the United States cannot control the Colombian military's practices of moving soldiers between units. But neither can the United States abdicate responsibility for training individuals who become commanders of units that commit violations of human rights, nor for assisting units led by officers transferred from units with histories of abuses. With such a massive training program over a long period of time, it is inevitable that this will occur. We believe this is one reason that the vetting regime has been ineffective in denying US assistance to units responsible for human rights violations.

### **Inconsistent information from the State Department and mixed messages on the vetting process**

Because of the history of human rights violations implicating the 17<sup>th</sup> Brigade and because of FOR's human rights accompaniment work in the 17<sup>th</sup> Brigade's jurisdiction, AI and FOR follow closely the investigations into said violations. The February 25, 2008 State Department response to AI's questions about the individual from the 17<sup>th</sup> Engineering "Bejarano" Battalion receiving medical training continued:

"In the case of the one person from the 17<sup>th</sup> Engineering Battalion, a component unit of the 17<sup>th</sup> Brigade, that person was given medical assistance training in 2006. At that time, the 17<sup>th</sup> Engineering Battalion was, in fact, vetted and undertaking civic action programs. Neither any other component unit of the 17<sup>th</sup> Brigade nor the brigade as a whole had been vetted. Since then, we have determined that the 17<sup>th</sup> Brigade and its component units fall into that category of unit for which we will not consider individual training either."

In the above text, the State Department says that the 17<sup>th</sup> Engineering "Bejarano" Battalion of the 17<sup>th</sup> Brigade, was in fact vetted (and deemed eligible for US assistance) in 2006, just one year after the massacre. AI pointed out to the State Department that it was obliged under US law to refrain from vetting the **17th Brigade** as long as there were credible allegations of its involvement in the massacre, until the Colombian justice system had taken effective measures to bring members of the brigade to justice.

AI also asked why, if the Battalion had been vetted in 2006, did it not appear on the State Department's list of vetted units for 2006. Department officials then said that "the 17<sup>th</sup> Engineering Battalion was NOT vetted in 2006." In a meeting with AI and FOR, however, the State department revealed that the 17<sup>th</sup> Engineering "Bejarano" Battalion was vetted and did

receive US assistance in 2003. AI had reported to the State Department in 2000, 2001 and 2002 that the 17<sup>th</sup> Brigade was accused of allowing paramilitaries to massacre 11 people in San José de Apartadó on February 18 and July 8, 2000. The investigation into the 2000 massacres as well as killings of five individuals in San José de Apartadó in 2001 remains in total impunity. No one has been held accountable or brought to justice.

Despite repeated public statements by the Ministry of Defense following the February 2005 massacre in San José de Apartadó that no soldiers were within two days' walking distance of the scene of the crime at the time of the massacre, in February 2007, two years after the massacre, the Attorney General's Office called on 69 soldiers from the 17<sup>th</sup> Brigade for questioning in connection to the atrocity. In June 2007 a Congressional office asked the State Department who at the Ministry of Defense had been questioned about its repeated public assertions that there were no military soldiers within two days' walking distance at the time of the killings. The State Department did not answer the question. Again in August 2007 the same congressional office asked the State Department in a round of follow-up questions who at the ministry of Defense had been questioned about the Ministry's repeated assertions that no military was in the area at the time of the massacre. The State Department ignored the question again. In September 2007 yet again the congressional office asked the same question and yet again it remained unanswered.

There is no explanation as to why the Ministry of Defense has not been questioned about what appears to have been an attempt to cover up the presence of military soldiers in the area at the time of the massacre, or completely erroneous information on the whereabouts and actions of its troops, which would constitute a startling sign of incompetence.

The Congressional office also asked whether the commander of the 17<sup>th</sup> Brigade at the time of the massacre, Brigadier General Fandino, had been questioned. The State Department responded that the authorities questioned the Commander of the 17<sup>th</sup> Engineering (Bejarano) Battalion, Colonel Nestor Ivan Duque, about the massacre rather than Brigadier General Fandino because the 17<sup>th</sup> Engineering battalion was closest to the incident. According to the State Department, Colonel Duque testified to the Attorney General's Office that his Battalion was not near the site of the massacre. Despite this claim, which contradicts the State Department's information, Colonel Duque is not being questioned in connection to the massacre. It is unclear where the State Department received the information provided to the congressional office. Brigadier General Fandino also remains in the Army as Director General of the Military Health Office. He is reportedly not under investigation despite the fact that it has been verified that soldiers from the **33<sup>rd</sup> Counter-Guerrilla Battalion**, the **Vélez Battalion** and the 17<sup>th</sup> Engineering Battalion all of the 17<sup>th</sup> Brigade were in the area at the time of the massacre.

Further demonstrating a surprising lack of clarity on the part of the State Department regarding the massacre, in response to the Congressional office the State Department also stated that the Attorney General's office was interviewing 69 members of Duque's battalion about the massacre. When asked by AI to confirm this, the State Department said that in fact none of the 69 soldiers under investigation were from the 17<sup>th</sup> Engineering Battalion.

In March 2008, arrest warrants were issued for 15 soldiers of the 17<sup>th</sup> Brigade in connection with the massacre which they apparently executed with paramilitaries despite the demobilization that had occurred in the area at the time.

The criminal investigations have implicated troops of the Vélez and 33<sup>rd</sup> Counter-Guerrilla battalions of 17<sup>th</sup> Brigade. Failure to advance investigations to establish chain-of command responsibility – given the role of two battalions of the 17<sup>th</sup> Brigade in the operation - is unacceptable given that it is unlikely that senior commanders were unaware of the troop movements of members of their brigade.

Inconsistent and unclear information from the State Department regarding whether or not a component unit of the 17<sup>th</sup> Brigade had been vetted or was undertaking civic action programs with US assistance is of serious concern. Questions about the credibility of statements and reports on assistance to the Colombian military make meaningful consultation by the Department extremely difficult. This information raises other questions about the 28 Army units and 20 Navy, Air Force, Police and Defense Ministry units from which over 200 individuals received US training in 2006. According to the State Department they have followed closely the investigation into the February 2005 massacre in the Peace Community of San José de Apartadó, but inconsistent and contradictory information regarding the case raises further concerns about State Department's ability to follow even one case adequately enough to certify Colombia's progress in human rights, let alone the hundreds of other cases that are brought to the attention of the State Department annually.

### **Questions for State Department**

We have the following questions for clarification which we would like the Department to address in writing:

1. Please explain the basis for vetting the Bejarano Battalion of Engineers in 2003, and what assistance it received. Please also explain what assistance other units of the 17<sup>th</sup> brigade received between 2000-2008 including indirectly to Marine Infantry units operating in unison with the 17<sup>th</sup> Brigade in the Chocó area in advance of the creation of the 15<sup>th</sup> Brigade, in addition to the individual training already noted.
2. Please provide a list of all units that have been vetted by the US but do not appear on the most recent State Department list of vetted units released to the FOR in February 2008 (attached). If there are vetted units deemed eligible for US assistance that do not receive US assistance, please provide a list of those units as well as a list of units that are vetted, deemed eligible for assistance and receiving assistance. In addition, please provide a list of unvetted units from which individual members are currently cleared to receive individual training, of any kind. Please clarify whether or not units, whose members received training in FY06 but were not on the list of vetted units provided by the State Department, were in fact also vetted and deemed eligible to receive assistance. (See ANNEX V)
3. Please provide lists of vetted units of the Colombian armed forces from the years 2000 to 2005.

4. What steps will the Department take, and when, to implement the Leahy Amendment provisions for denying assistance to units with poor human rights records unless effective measures have been taken to bring them to justice?
5. What criteria does the Department use for determining whether a unit is eligible for assistance under Leahy vetting standards? Specifically, what standard does the Department use to determine whether evidence of gross human rights violations is credible?
6. What is the State Department doing with information supplied by AI and other groups on armed forces units that commit violations? Is the information entered into the ACES database (or any successor to ACES that may be used)? How is this information used by the Department of Defense?

### **Concluding Recommendations to the Department of State**

1. The Secretary of State should refrain from certifying human rights conditions that would release further assistance to the Colombian armed forces at this time.
2. The State Department should evaluate the procedures for vetting and implementing the Leahy Amendment, and make any necessary improvements, to ensure that it is faithfully adhered to.
3. The Bureau of Democracy Human Rights and Labor should conduct a comprehensive investigation into the military assistance program to the Colombian armed forces. Such an investigation should address the “why” questions at the heart of the human rights crisis and US assistance, and not simply technical points or peripheral issues: Why have extrajudicial killings by the armed forces increased in the several years following massive US training? Why do geographical areas where US-assisted units operate not have lower levels of extrajudicial killings than areas not vetted for assistance? Why do areas where US-supported units operate often show higher levels of extrajudicial killings? In areas where units not vetted for assistance, such as the 15<sup>th</sup> Mobile Brigade, that are reportedly committing extrajudicial killings operate in the same areas as US-supported units (such as the 30<sup>th</sup> Brigade), what is the command, operational, logistical and intelligence relationship between these units fighting in the same terrain?

Thank you for your assistance.

Cc:

The Honorable Nancy Pelosi  
The Honorable James Clyburn  
The Honorable David R. Obey  
The Honorable Jerry Lewis  
The Honorable Nita Lowey  
The Honorable Frank R. Wolf  
The Honorable Howard Berman  
The Honorable Ileana Ros-Lehtinen  
The Honorable Eliot L. Engel  
The Honorable Dan Burton

The Honorable James McGovern

The Honorable Harry Reid

The Honorable Robert C. Byrd

The Honorable Thad Cochran

The Honorable Patrick Leahy

The Honorable Judd Gregg

The Honorable Joseph R. Biden

The Honorable Richard G. Lugar

The Honorable Christopher J. Dodd

The Honorable Bob Corker

## **ANNEX I: Leahy Amendment**

### **LIMITATION ON ASSISTANCE TO SECURITY FORCES**

SEC. 651. Chapter 1 of part III of the Foreign Assistance Act of 1961 is amended by adding the following section:

"SEC. 620J. LIMITATION ON ASSISTANCE TO SECURITY FORCES."

(a) IN GENERAL.-No assistance shall be furnished under this Act or the Arms Export Control Act to any unit of the security forces of a foreign country if the Secretary of State has credible evidence that such unit has committed gross violations of human rights.

(b) EXCEPTION.-The prohibition in subsection (a) shall not apply if the Secretary determines and reports to the Committee on Foreign Relations of the Senate, the Committee on Foreign Affairs of the House of Representatives, and the Committees on Appropriations that the government of such country is taking effective measures to bring the responsible members of the security forces unit to justice.

(c) DUTY TO INFORM.-In the event that funds are withheld from any unit pursuant to this section, the Secretary of State shall promptly inform the foreign government of the basis for such action and shall, to the maximum extent practicable, assist the foreign government in taking effective measures to bring the responsible members of the security forces to justice.



## **ANNEX II:**

### **LIMITATION ON ASSISTANCE TO SECURITY FORCES**

SEC. 651. Chapter 1 of part III of the Foreign Assistance Act of 1961 is amended by adding the following section:

"SEC. 620J. LIMITATION ON ASSISTANCE TO SECURITY FORCES."

#### **SEC. 649. (a) ASSISTANCE FOR THE COLOMBIAN ARMED FORCES**

(1) **FUNDING.**-Funds appropriated by this Act that are available for assistance for the Colombian Armed Forces, may be made available as follows:

(A) Up to 70 percent of such funds may be obligated prior to the certification and report by the Secretary of State pursuant to subparagraph (B).

(B) Up to 15 percent of such funds may be obligated only after the Secretary of State consults with, and subsequently certifies and submits a written report to, the Committees on Appropriations that the Government of Colombia is meeting the requirements described in paragraph (2).

(2) **REQUIREMENTS-** The requirements referred to in paragraph (1) are as follows:

(A) The Commander General of the Colombian Armed Forces is suspending or placing on administrative duty, if requested by the prosecutor, those members of the Armed Forces, of whatever rank, who, according to the Minister of Defense, the Attorney General or the Procuraduria General de la Nacion, have been credibly alleged to have committed gross violations of human rights, including extra-judicial killings, or to have aided or abetted paramilitary organizations or successor armed groups.

(B) The Government of Colombia is investigating and prosecuting, in the civilian justice system, those members of the Colombian Armed Forces, of whatever rank, who have been credibly alleged to have committed gross violations of human rights, including extra-judicial killings, or to have aided or abetted paramilitary organizations or successor armed groups.

(C) The Colombian Armed Forces are cooperating fully with civilian prosecutors and judicial authorities in such cases (including providing requested information, such as the identity of persons suspended from the Armed Forces and the nature and cause of the suspension, and access to witnesses, relevant military documents, and other requested information).

(D) The Colombian Armed Forces have taken all necessary steps to sever links (including denying access to military intelligence, vehicles, and other equipment or supplies, and ceasing other forms of active or tacit cooperation) at all levels, with paramilitary organizations or successor armed groups, especially in regions where such organizations have a significant presence.

(E) The Government of Colombia is dismantling paramilitary leadership and financial networks by arresting and prosecuting under civilian criminal law individuals who have provided financial, planning, or logistical support, or have otherwise aided or abetted paramilitary organizations or successor armed groups; by identifying and seizing land and other assets illegally acquired by such organizations or their associates and returning such land or assets to their rightful occupants or owners; by revoking reduced sentences for demobilized paramilitaries who engage in new criminal activity; and by arresting and prosecuting under civilian criminal law, and when requested, promptly extraditing to the United States members of successor armed groups.

(F) The Government of Colombia is ensuring that the Colombian Armed Forces are not violating the land and property rights of Colombia's indigenous and Afro-Colombian communities, and that the Colombian Armed Forces are implementing procedures to distinguish between civilians, including displaced persons, and combatants in their operations.

(3) The balance of such funds may be obligated 12 after July 31, 2008, if, before such date, the Secretary of State consults with, and submits a written certification to, the Committees on Appropriations that the Colombian Armed Forces are continuing to meet the requirements described in paragraph (2) and are conducting vigorous operations to restore civilian government authority and respect for human rights in areas under the effective control of paramilitary organizations or successor armed groups and guerrilla organizations.

(4) CERTAIN FUNDS EXEMPTED- The requirement to withhold funds from obligation shall not apply with respect to funds made available under the heading "Andean Counterdrug Programs" for continued support for the Critical Flight Safety Program or for any alternative development programs in Colombia administered by the Bureau of International Narcotics and Law Enforcement Affairs of the Department of State.

(5) REPORT -At the time the Secretary of State submits certifications pursuant to paragraphs (1)(B) and (3) of this subsection, the Secretary shall also submit to the Committees on Appropriations a report that contains, with respect to each such paragraph, a detailed description of the specific actions taken by both the Colombian Government and Colombian Armed Forces which support each requirement of the certification, and the cases or issues brought to the attention of the Secretary, including through the Department of State's annual Country Reports on Human Rights Practices, for which the actions taken by the Colombian Government or Armed Forces have been determined by the Secretary of State to be inadequate.

(d) CONSULTATION PROCESS.-Not later than 60 days after the date of enactment of this Act, and every 90 days thereafter until September 30, 2008, the Secretary of State shall consult with Colombian and internationally recognized human rights organizations regarding progress III meeting the requirements contained in subsection (c)(2).

### ANNEX III - Extrajudicial Executions, 2006-07 by Brigade Jurisdiction and US Assistance

MB=Mobile Brigade

Bat=Battalion

Department(s)	Army Brigade with Territorial Jurisdiction	Number of extrajudicial executions by armed forces, July 2006-June 2007 <sup>13</sup>	Army Units Operating in Area Assisted by United States in 2006-07 and 2007-08 <sup>14</sup>
Caquetá	Twelfth	25	Whole brigade (06-07, excluded in 07-08). 10 <sup>th</sup> , 13 <sup>th</sup> and 22 <sup>nd</sup> MBs (both years)
Meta, Vichada, Guainia	Seventh	24	Fourth MB, Seventh MB, Ninth MB
Huila	Ninth	23	Whole brigade (five battalions)
Cauca, Nariño	Twenty-ninth	21	4 <sup>th</sup> High Mountain Bat, 6 <sup>th</sup> MB
Cordoba, Sucre	Eleventh	17	Whole brigade (six battalions). Eleventh MB
Norte de Santander	Thirtieth	17	Brigade command and 3 battalions (newly vetted in 07-08)
Valle, Cauca, Chocó	Third	17	Third Brigade (3 Eng Bat, 9 Infantry Bat, 3 Cavalry Group) 14 <sup>th</sup> MB command staff
Tolima, Caldas	Sixth	12	First MB, 2 <sup>nd</sup> MB, 3 <sup>rd</sup> MB
Magdalena, Bolivar, Cesar	Second	11	2 <sup>nd</sup> Eng Bat 6 <sup>th</sup> High Mount Bat
Santander, Cesar, Bolivar, Boyacá	Fifth	9	None
Putumayo	Twenty-seventh	9	25 <sup>th</sup> & 49 <sup>th</sup> Infantry Bat, 59 <sup>th</sup> Counter-guerrilla Bat
Casanare	Sixteenth	9	Whole brigade (six battalions)
Cesar, Guajira	Tenth	9	None
Arauca	Eighteenth	8	Whole brigade (nine battalions), Fifth MB
Antioquia, Boyacá, Santander	Fourteenth	7	14 <sup>th</sup> Engineering Bat
Antioquia	Fourth	5	None
Quindio, Risaralda, Caldas	Eighth	3	8 <sup>th</sup> Engineering Bat
Bogota, Cundinamarca	Thirteenth	2	13 <sup>th</sup> Engineering Bat
Anitoquia, Chocó	Seventeenth	1	None
Boyacá	First	0	Command staff

<sup>13</sup> According to data from Colombian Commission of Jurists

<sup>14</sup> According to lists provided by State Department in September 2006 and February 2008

## ANNEX IV – Executions and other Violations Listed in Prior AI Memos to Department of State

The below memoranda have been presented to the Department of State by AI, in some cases in conjunction with other non-governmental organizations, as part of a yearly certification consultation process. They serve to provide information on human rights cases and security force units implicated in human rights abuses. For the purposes of this document the term “vetted” means vetted and deemed eligible for US assistance.

**All language is presented as it appeared in the Memo from which it was taken. Therefore, facts are stated in the present tense which is now in the past.**

### **2000 Memo “Colombia: Human rights and USA military aid to Colombia: A document published jointly by Amnesty International, Human Rights Watch and the Washington Office on Latin America,” published September 1, 2000. Index Number AMR 23/065/2000**

- **4th Brigade:** two officers implicated in the March 1999 murder of Alex Lopera were able to leave the base unimpeded during investigations into their crimes. General Carlos Ospina Ovalle is accused of extensive ties to paramilitaries, including during the 1997 El Aro massacre where he allowed paramilitaries to execute 4 people. Major Jesús María Clavijo was relieved of command pending the outcome of his trial on charges of helping form and direct paramilitary groups during his service. (last two cases mentioned again 2001, case of General Ospina mentioned in 2002 Document IV, final 2002 memo, May 2003 and November 2003 memos) (brigade received US training 2006)
- **Navy’s 1<sup>st</sup> Brigade:** General Rodrigo Quinones is linked to at least 57 murders of trade unionists, human rights activists, and community leaders in 1991 and 1992 while he was head of Navy Intelligence and ran Network 3, based in Barrancabermeja. A military tribunal decided that there was insufficient evidence against him, but he has not been brought to trial in the civilian justice system. He is also implicated in involvement in the February 2000 massacre in El Salado (Bolívar). (both cases mentioned again 2001, 2002 Document III and Document IV, final 2002 memo, May 2003 memo, first case mentioned November 2003 memo, last case mentioned February 2005 memo)
- **3<sup>rd</sup> Brigade:** Colombian government investigators found that Brigadier General Jaime Ernesto Canal Albán set up the paramilitary group Calima Front and provided them with weapons and intelligence while commander of the 3<sup>rd</sup> Brigade. General Jaime Humberto Cortés Parada was also implicated in this case. (both cases mentioned again 2001 and final 2002 memo) (brigade vetted 2006 and 2007-2008)
- **II Division:** General Freddy Padilla León and Colonel Gustavo Sánchez Gutiérrez were charged in 2000 with “omission” in connection with the massacre in Puerto Alvira in June 1997. (mentioned again 2001 and final 2002 memo)
- **3<sup>rd</sup> Brigade, Palace Battalion:** accused of killing thirteen people in the village of El Bosque, in the Municipality of Riofrío on October 5, 1993. The victims were presented as combat deaths. (mentioned again 2001, 2002 Document III and final 2002 memo) (brigade vetted 2006 and 2007-2008)
- **5<sup>th</sup> Brigade:** General (ret.) Fernando Millán, former Commander was accused of setting up the Las Colonias CONVIVIR in Lebrija, Santander, while he commanded the Fifth Brigade. The group committed at least 15 targeted killings. General Millan is also accused of threatening a prosecutor assigned to investigate the May 1998 massacre of 11 people in Barrancabermeja, resulting in the prosecutor fleeing the country. General (ret.) Alberto Bravo Silva is accused of not acting to prevent the killing of at least 20 people and the abduction of at least 15 more by paramilitaries on May 29, 1999 (both cases mentioned again 2001 and final 2002 memo)

- **7<sup>th</sup> Brigade:** General (ret.) Jaime Uscátegui accused of leading the 7<sup>th</sup> Brigade during a paramilitary-led massacre of civilians in Mapiripán, Meta, in July 1997. The brigade is also possibly implicated in the death of 1 human rights activist in 1996 after months of alleged harassment and threats by intelligence officers of the brigade. (both cases mentioned again 2001 and final 2002 memo, second case mentioned 2002 Document III and Document IV) (brigade vetted 2006 and 2007-2008)
- **17<sup>th</sup> Brigade:** General (ret.) Rito Alejo del Río, 17th Brigade had an investigation opened by Fiscalía in 1998 into his support and tolerance for paramilitary activity in the Urabá region in 1996 and 1997 while he was commander. The brigade is also accused of allowing paramilitaries to massacre 11 civilians on February 19 and July 8, 2000 in **San José de Apartadó**. (both cases mentioned again 2001 and 2002 Document III, first case mentioned again final 2002, November 2003, and February 2005 memos) (Bejarano Battalion received US training 2006)
- **14th Brigade:** General (ret.) Farouk Yanine Díaz was arrested in October 1996 for alleged complicity in the massacre of 19 merchants in the Middle Magdalena region in 1987. Eyewitnesses, including a military officer, testified that he supported paramilitaries who carried out the massacre and had operated in the area since 1984, when Yanine was commander of the 14th Brigade in Puerto **Berrío**. (mentioned again 2001 and 2002 Document III and final 2002 memo) (brigade vetted 2006 and 2007-2008)
- **30<sup>th</sup> Brigade, Counter-guerrilla Battalion #46:** accused of collusion with paramilitaries, allowing 14 people to be killed and 30 abducted by paramilitaries in Tibu on August 20, 1999. Also charged with allowing another massacre in Tibu less than 1 kilometer from their base on April 6, 2000. (both massacres mentioned again 2001) (battalion vetted 2006 and 2007-2008)

**2001 Memo “Colombia: Human Rights and USA Military Aid to Colombia II: A document published jointly by Amnesty International, Human Rights Watch and the Washington Office on Latin America,” published January 1, 2001. Index Number AMR 23/004/2001**

- **4<sup>th</sup> Brigade:** We have received reliable information that even in supposed detention, Major Jesus Maria Clavijo remains on active duty and is working in military intelligence, an area that has often been used to maintain links to paramilitary groups. (brigade received US training 2006)
- **Navy Riverine Battalion #50:** accused of collusion with paramilitaries, allowing them to operate freely in the Uraba region and kill 2 members of the Peace Community in Apartadó.
- **24<sup>th</sup> Brigade, 25<sup>th</sup> Battalion:** accused of allowing meetings in their army base of local army and police officers and paramilitary leaders according to the municipal authority charged with receiving reports of abuses from the citizenry (mentioned again 2002 Document III).

**2002 Memo “Colombia: Human rights and USA Military Aid to Colombia III,” published jointly by Amnesty International, Human Rights Watch and the Washington Office on Latin America February 1, 2002. Index Number AMR 23/030/2002**

- **17<sup>th</sup> Brigade (battalion not specified):** accused of collusion with paramilitaries on March 5, 2001 when they left the area of San Jose de Apartado shortly before paramilitaries arrived, setting fire to houses and threatening to kill civilians and members of an international non-governmental organization who were with them. Troops of the 17<sup>th</sup> Brigade appeared immediately after the paramilitaries left but did not attempt to pursue them (mentioned again 2002 final memo) (Bejarano Battalion received US training 2006)
- **Combat Air Command No. 1:** accused of firing a rocket that killed 7 children the village of Santo Domingo (Arauca) on December 13, 1998. The remains of an American-made rocket were present in samples. The crew was reportedly flying a US-funded helicopter. (mentioned again final 2002 memo and 2004 Arauca report)

**2002 Memo “Colombia: Human Rights and USA Military Aid to Colombia IV: a document published jointly by Amnesty International, Human Rights Watch and the Washington Office on Latin America,” published October 1, 2002. Index Number AMR 23/122/2002**

- **24<sup>th</sup> Brigade:** General Gabriel Díaz, now commander of the Second Brigade, was implicated at his previous command at the Twenty-Fourth Brigade of regularly working with and supporting paramilitary groups in the department of Putumayo. (mentioned again final 2002 and November 2003 memos)
- **4<sup>th</sup> Brigade:** Army Second Sergeant Humberto Blandón Vargas and Army Major Álvaro Cortés Murillo implicated in criminal acts and in contributing to the long string of human rights abuses committed under the command of General Carlos Ospina Ovalle (brigade received US training 2006)
- **13<sup>th</sup> Brigade:** Army Major César Alonso Maldonado Vidales and Army Captain (ret.) Jorge Ernesto Rojas Galindo were detained in relation to the December 2000 attack on trade unionist (brigade vetted 2006 and 2007-2008)
- **Navy’s 1<sup>st</sup> Brigade:** Navy Sergeant Rúben Darío Rojas Bolívar and Navy Sergeant Euclides Bosa Mendoza were charged in relation to the 2001 Chengue massacre under General Quinones. The lead human rights prosecutor was forced to flee the country due to threats, and General Quinones remains on active duty. (mentioned again 2002 final memo)
- **Navy Riverine Battalion #50:** accused of letting large groups of guerrillas and paramilitaries move freely in the area of Boyajá, Chocó.

**2002 Final Certification Memo (not published)**

- **5<sup>th</sup> Brigade:** General Martín Carreño Sandoval is accused of collaboration with paramilitaries in San Blas, outside of San Pablo, throughout 2000.
- **3<sup>rd</sup> Brigade:** The Attorney General collected compelling and abundant evidence indicating that under the command of General Rafael Ruiz at the Third Division, the Army’s Third Brigade set up and directed “paramilitary” groups in the departments of Valle del Cauca, Cauca, and Nariño, in southern Colombia. However, he remains on active duty. (brigade vetted 2006 and 2007-2008)
- **7<sup>th</sup> Brigade:** update on General (ret.) Jaime Uscátegui, who was punished with little more than a slap on the hand by a military-disputed civilian jurisdiction in 2002. He retired in 1999, is currently studying law in a military university and has not been rearrested. (brigade vetted 2006 and 2007-2008)

**Memo “Human Rights in Colombian and US Certification Decision,” May 21, 2003 (not published)**

- **5<sup>th</sup> Brigade, Battalion Nueva Granada** – implicated in the extrajudicial execution of 2 civilians and the detention without a judicial warrant of 4 peasant leaders in 2002 in Brisas de Yanacué, Cantagallo Municipality, Bolívar Department (mentioned again November 2003 and February 2005 memos)
- **18<sup>th</sup> Brigade, 18<sup>th</sup> Engineering Battalion (Navas Pardo Battalion)** – implicated in 1 extrajudicial execution in 2003 in Pueblo Nuevo, Arauca Department (mentioned again February 2005 memo) (battalion vetted 2006 and 2007-2008)
- **17<sup>th</sup> Brigade (battalion not specified):** implicated in collusion with paramilitaries, allowing them to operate in the Cacarica River Basin, Tumaradó and the River Atrato, and also in the community of La Unión, part of the Peace Community of San José de Apartadó. In another instance in the Cacarica River Basin, several members of a paramilitary group were seen wearing military uniforms bearing the XVII Brigade insignia (first two cases mentioned again February 2005 memo) (Bejarano battalion received US training 2006)
- **Riverine Battalion No. 20:** implicated in collusion with paramilitaries, allowing them to operate in the Cacarica River Basin, Tumaradó. (mentioned again November 2003 and February 2005 memos) (20<sup>th</sup> Fluvial Battalion vetted in 2006 and 2007-2008, received US training 2006)

- **Navy's 1st Brigade:** on January 17, 2001, government prosecutors established that troops under Quiñónez's command allowed heavily armed paramilitaries to travel past them to the village of Chengue, Sucre. In March 2002, the Office of the Attorney General summoned Quiñónez for questioning in relation to the Chengue massacre. In the same month his appointment to a diplomatic post in the Colombian Embassy in Israel was announced. In August 2002, the US State Department referred to the case against Quiñónez as an example that the Colombian authorities were making efforts to end impunity in cases of human rights violation in its certification request to the US Congress.
- **17th Brigade, Voltígeros Battalion:** armed men wearing the insignia of this Brigade and Battalion entered the Puerto Lleras area along with paramilitaries, detained 5 civilians, and launched 2 grenades at a group of 12 women and children. (Bejarano Battalion received US training 2006)

#### Memo to State Department by AI November 5, 2003 (not published)

- **Fluvial Battalion No. 30:** a paramilitary checkpoint has been able to operate in close proximity to security force units in La Rompida, Yondó Municipality, department of Antioquia, an area on the Magdalena River situated opposite the city of Barrancabermeja and close to the unit's base. After a March 24, 2000 abduction and murder at the checkpoint, witnesses later reportedly claimed that they had recognized members of the Colombian Navy amongst men on the checkpoint.
- **17th Brigade (battalion not specified):** despite the close proximity of forces, a large number of paramilitaries entered the community of El Rosario and surrounding areas in the municipality of Arauca on June 21, 2002 and were able to operate unhindered until August 14, 2002. (Bejarano Battalion vetted 2003 and received US training 2006)
- **1st Mobile Brigade (battalion not specified):** suspected of collusion with paramilitaries, operating with them in carrying out 8 abductions in the community of Corosito, Tame Municipality on February 8, 2003. (brigade vetted 2006 and 2007-2008)
- **3rd Mobile Brigade (battalion not specified):** suspected of collusion with paramilitaries, operating with them in carrying out 8 abductions in the community of Corosito, Tame Municipality on February 8, 2003. (brigade vetted 2006 and 2007-2008)
- **18th Brigade:** Accused of acting with members of the police to detain four members of the Peasant Farmer Association of Arauca on May 16, 2003. The men were reportedly beaten, had plastic bags put over the heads, and were forced under water. They were subsequently released without charge. (mentioned again in 2004 Arauca report) (brigade vetted 2006 and 2007-2008)

#### 2004 Amnesty International report "Colombia: Laboratory of war – Repression and violence in Arauca," published April 20, 2004. Index Number AMR 23/004/2004.

- **18th Brigade, 27th Counter-guerrilla Battalion:** accused of ransacking the Coagrosarare Cooperative in the hamlet of Alto Satoka in Saravena on August 10, 2002. (battalion vetted 2006 and 2007-2008)
- **18th Brigade (battalion not specified):**
  - Accused of detaining 42 social activists and human rights defenders in Saravena on August 21, 2003. All the human rights defenders and social activists detained that day are reportedly still in prison facing guerrilla-related charges.
  - Accused of threatening civilians by telling them that they would be killed by paramilitaries during the Arawac Operation, a large-scale military offensive which concluded on 17 September 2001.
  - Accused of reportedly detaining two members of the Peasant Farmer Association of Arauca and 30 other people along with members of the Office of the Attorney General in Aguachica, Arauquita Municipality. One man was charged with rebellion

- Accused of detaining Dr. Ciro Alejandro Pena Lopez on 12 January 2003. He had carried out autopsies on the bodies of the 1998 Santo Domingo massacre and his detention reportedly coincided with the decision taken by the United States to stop aid to the air force unit that participated in the bombing.
- Accused of detaining at least 60 people in El Triunfo, in the area of La Esmeralda, municipality of Arauquita, on September 2, 2002. Among those detained were eight witnesses to the La Esmeralda paramilitary massacre of five people on 21 July 2001. They are reportedly facing charges of subversion in relation with supposed attacks against the pipeline.
- Accused of numerous other instances of collusion with paramilitaries in the municipality of Arauca, including involvement in killings, torture and "disappearances." (brigade vetted 2006 and 2007-2008)
- **16th Brigade, 25th Counter guerrilla Battalion (Heroes de Paya):** accused of collusion with paramilitaries in the rape and murder of 1 pregnant woman and the murders of 4 more civilians in the community of La Cabuya, Tame Municipality on November 19 and 20, 1998. Also accused of threatening civilians by telling them that they would be killed by paramilitaries during the Arawac Operation, a large-scale military offensive which concluded on 17 September 2001. (many other battalions of this brigade vetted, but not the 25<sup>th</sup> CG BN)
- **3<sup>rd</sup> Mobile Brigade (battalion not specified):** accused of threatening civilians by telling them that they would be killed by paramilitaries during the Arawac Operation, a large-scale military offensive which concluded on 17 September 2001. (brigade vetted 2006 and 2007-2008)
- **18<sup>th</sup> Brigade, 18<sup>th</sup> Engineering Battalion (Navas Pardo Battalion):** reportedly set up a post in the indigenous reserve (resguardo) of Velasqueros in Tame Between 30 March and 3 April 2003. During this time gunmen allegedly identifying themselves as paramilitaries threatened members of the community. Also, gunmen from a paramilitary group were identified by witnesses as from this battalion on April 27 and 28, 2003 in Flor Amarillo, Tame. (battalion vetted 2006 and 2007-2008)
- **18<sup>th</sup> Brigade, Heroes of Saraguro Battalion:** accused of entering a home, shooting 1 civilian and raping his wife on October 2, 2002 in the community of Las Blancas, Arauquita Municipality. (brigade vetted 2006 and 2007-2008, not this specific battalion)

**Memo “Human Rights in Colombian and US Certification Decision,” February 22, 2005 (not published)**

- **4<sup>th</sup> Artillery Battalion** – implicated in 3 separate cases (a total of 6 extrajudicial executions of civilians) in 2004 in the Granada Municipality (1 in San Francisco in the Santa Ana jurisdiction, 2 in La María, and 3 in the community of La Estrella)
- **1<sup>st</sup> Marine Infantry Brigade (battalion not specified)** – implicated in collusion with paramilitaries in the area in advance of the 2001 Chengue massacre (brigade vetted 2006 and 2007-2008)
- **Riverine Brigade, 20<sup>th</sup> Fluvial Battalion** – implicated in collusion with paramilitaries and participating in a joint military-paramilitary strategy to intimidate the Jiguamiandó River Basin Afro-descendant communities and other civilian communities in Choco Department (battalion vetted in 2006 and 2007-2008, received US training 2006)
- **17<sup>th</sup> Brigade (battalion not specified)** – implicated in collusion with paramilitaries and participating in a joint military-paramilitary strategy to intimidate the Jiguamiandó River Basin Afro-descendant communities and other civilian communities in the department of Chocó (Bejarano Battalion received US training 2006)
- **18<sup>th</sup> Brigade (battalion not specified)**– the subject of preliminary investigations into a May 2003 incursion during which several children were raped and several other indigenous community members killed in the municipality of Tame, Arauca Department, and implicated in allowing



paramilitaries to kill 11 civilians in 2004 in Tame, Arauca Department (brigade vetted 2006 and 2007-2008)

- **5<sup>th</sup> Mobile Brigade (battalion not specified)** – implicated in collusion with paramilitaries, allowing them to kill 11 civilians in 2004 in Tame, Arauca Department (brigade vetted 2006 and 2007-2008)

**Memo “Human Rights Cases in Colombia and US Certification,” December 7, 2005 (not published)**

- **Battalion for the Protection of Road and Energy Infrastructure** – implicated in collusion with paramilitaries, allowing them to carry out 8 extrajudicial executions and the abduction of 1 minor during one week in 2004 in Valle del Guamues, the department of Putumayo
- **4<sup>th</sup> Brigade, 4<sup>th</sup> Mechanized Cavalry Group (Juan del Corral Battalion)** – implicated in the extrajudicial executions of 2 civilians in 2005 in Sonsón, department of Antioquia (brigade received US training 2006)
- **4<sup>th</sup> Brigade, 4<sup>th</sup> counter-guerrilla battalion (Granaderos Battalion)** – implicated in the 2005 extrajudicial execution of 1 civilian in the municipality of Argelia (brigade received US training 2006)
- **4<sup>th</sup> Brigade (battalion not specified)** – implicated in extrajudicial executions of 3 peasant farmers in 2005 in the municipality of Argelia (brigade received US training 2006)
- **29<sup>th</sup> Brigade, 9<sup>th</sup> Infantry Battalion (Boyacá Battalion)** – implicated in the killing of 7 police officers and 4 civilians in 2004 in Guaitarilla municipality, Nariño department
- **17<sup>th</sup> Brigade (battalion not specified)** – implicated in 2 cases, the first in which they are suspected of the extrajudicial executions of 8 civilians while carrying out operations in Peace Community of Apartado, and 1 separate extrajudicial execution of a leader of the Peace Community. (Bejarano Battalion received US training 2006)
- **6<sup>th</sup> Brigade, 6<sup>th</sup> counter-guerrilla Battalion (Pijaos Battalion)** – implicated in the killing of 5 civilians in Cajamarca Municipality, department of Tolima during a military operation
- **18<sup>th</sup> Brigade, 18<sup>th</sup> Cavalry Group (Gabriel Reveis Pizarro Battalion)** – implicated in 2004 of the extrajudicial execution of 3 trade unionists in municipality of Saravena, Arauca Department (battalion vetted 2006 and 2007-2008)

**Memo “Human Rights Cases in Colombia and US Certification,” April 11, 2006 (not published)**

- **7<sup>th</sup> Brigade, 21<sup>st</sup> Infantry Battalion (Vargas Battalion)** – implicated as possibly responsible for the death of 1 civilian in the municipality of El Castillo, Meta Department in January 2006, either by direct extrajudicial execution or collusion in allowing area paramilitary forces to execute him. Also implicated in 1 extrajudicial execution in 2006 in the Meta Department, and 1 abduction in Lejanías Municipality, Meta Department.
- **4<sup>th</sup> Mobile Brigade, counter-guerrilla battalion #42** – implicated in 2005 of acting in collusion with paramilitary forces to issue threats of attacks to the communities of Matabambú and Puerto Toledo, in Meta Department. In 2006 in Puerto Toledo one of its members was identified as part of a group of paramilitaries in municipality of Puerto Rico (battalion vetted 2006 and 2007-2008)
- **4<sup>th</sup> Mobile Brigade, counter-guerrilla battalion #40** – implicated in collusion with paramilitaries in 2005 in Matabambú, and in 2006 in Puerto Toledo, with one of its members being identified as part of a group of paramilitaries in 2006 in Puerto Toledo, municipality of Puerto Rico (battalion vetted 2006 and 2007-2008)
- **4<sup>th</sup> Mobile Brigade (battalion not specified)** – implicated in collusion with paramilitaries in 2005 in Matabambu, and again in municipality of Vistahermosa, Meta department, allowing killings, disappearances, and the abduction of 1 woman and her child to be carried out by paramilitaries (brigade vetted 2006 and 2007-2008)
- **2<sup>nd</sup> Mobile Brigade (battalion not specified)** – implicated in the detention of 8 civilians in 2005 in Meta Department, only one of which has returned, the whereabouts of the 7 others remain

unknown. Also implicated in 1 extrajudicial execution in Meta Department in 2006 (**brigade vetted 2006 and 2007-2008**)

- **2<sup>nd</sup> Mobile Brigade, 17<sup>th</sup> counter-guerrilla Battalion (Motilones Battalion)** – implicated in the abduction of 1 civilian in Meta Department in 2006 whose whereabouts remain unknown (**battalion vetted 2006 and 2007-2008**)
- **Road and Energy Plan Battalion No.7.** – 1 member implicated as a member of a paramilitary organization in the area of Bocas del Don Juan
- **14<sup>th</sup> Brigade, 14<sup>th</sup> Engineering Battalion (Calibio Battalion)** – implicated in the disappearance of 1 civilian or collusion with paramilitary forces to disappear 1 civilian in 2006 in the municipality of Remedios, and 3 instances of detention of civilians accompanied by death threats in the municipality of Remedios (**battalion vetted 2006 and 2007-2008**)
- **17<sup>th</sup> Brigade (battalion not specified)** – implicated in collusion with the paramilitaries in the Jiguamiandó and Curvaradó River Basins, department of Chocó, reportedly threatening inhabitants of the community of Pueblo Nuevo, and collusion with paramilitaries in their commitment of over 200 human rights violations in the Chocó and Antioquia departments from 1997-1998 (**Bejarano Battalion received US training 2006**)
- **11<sup>th</sup> Brigade (battalion not specified)** – implicated in 1 abduction and extrajudicial execution in 2005 in the Peace Community of San José de Apartadó (**brigade vetted 2006 and 2007-2008**)
- **17<sup>th</sup> Brigade, Bejarano Battalion (Bejarano Munoz Battalion of Engineers)** – commander suspended for dereliction of duty for failing to ensure the security of Peace Community inhabitants (**battalion received US training 2006**)
- **14<sup>th</sup> Brigade, 4<sup>th</sup> Infantry Battalion (Nariño Battalion)** – implicated in 2 extrajudicial executions and the abduction of 1 civilian whose whereabouts remain unknown in the municipalities of Tiquisio, Río Viejo, and Montecristo
- **10<sup>th</sup> Brigade, Rondon Battalion** – implicated in 3 extrajudicial executions of members of the Wiwa indigenous communities in 2006 La Guajira Department
- **10<sup>th</sup> Brigade, La Popa Artillery Battalion No. 2** – implicated in 2 2005 extrajudicial executions in Cesar Department
- **High Mountain Battalion No. 13** –implicated in 3 extrajudicial executions in 2005 in Cundinamarca Department
- **9<sup>th</sup> Brigade, 26<sup>th</sup> Infantry Battalion (Piguanza Battalion)** – implicated in 2 extrajudicial executions and death threats to the victims’ family members in 2006 in Cauca Department (**battalion vetted 2006 and 2007-08, brigade received US training 2006**)
- **29<sup>th</sup> Brigade, High Mountain Battalion No. 4** – implicated in 3 extrajudicial execution sin 2005 in Cauca Department (**battalion vetted 2006 and 2007-2008**)
- **3<sup>rd</sup> Brigade, 3<sup>rd</sup> Artillery Battalion (Palace Battalion)** – implicated in 4 extrajudicial executions in 2006 in Valle del Cauca Department
- **BRIM1, 1<sup>st</sup> Marine Infantry Brigade, Rifle Battalion of Marine Infantry** – implicated in multiple instances of collusion with paramilitaries, including support for a massacre carried out by paramilitary forces in El Salado Department (**brigade vetted 2006 and 2007-2008**)
- **4<sup>th</sup> Brigade, 4<sup>th</sup> Mechanized Cavalry Group (Juan del Corral Battalion)** – implicated in 1 extrajudicial execution and the rape of a 14-year-old girl in 2006 in the municipality of Argelia, Antioquia Department.

**Memo “Human Rights Cases in Colombia and US Certification,” June 22, 2006 (not published)**

- **12<sup>th</sup> Mobile Brigade (battalion not specified)** – implicated in the 2006 extrajudicial execution of 10 civilians during a schoolhouse massacre in Meta Department, and the detention and disappearances of additional civilians (**brigade vetted 2006**)
- **7<sup>th</sup> Brigade, 21<sup>st</sup> Infantry Battalion (Vargas Battalion)** – implicated in extrajudicial execution of 2 civilians in 2005 in Meta Department

- **ESMAD – Mobile Anti-Riot Squad** – implicated in at least 3 extrajudicial executions in Cauca and Nariño Departments in 2006, excessive use of force in security operations against demonstrators in Cauca and Nariño, and the beating to death or shooting of at least 5 more civilians in the area in 2005
- **29<sup>th</sup> Brigade (battalion not specified)** – implicated in 1 extrajudicial execution, Department of Nariño, in 2005 (**brigade vetted 2006 and 2007-2008**)
- **29<sup>th</sup> Brigade, 7<sup>th</sup> Infantry Battalion (Jose Hilario Lopez Battalion)** – implicated in 1 extrajudicial execution in 2005 in Cauca Department
- **4<sup>th</sup> Brigade** – implicated in the extrajudicial execution in 2005 of 8 civilians in Antioquia Department (**brigade received US training 2006**)
- **4<sup>th</sup> Brigade, 4<sup>th</sup> Artillery Battalion** – implicated in 4 extrajudicial executions in 2005 in Antioquia Department
- **10<sup>th</sup> Brigade, 2<sup>nd</sup> Artillery Battalion (La Popa Battalion)** – implicated in 4 extrajudicial executions in Cesar Department (**brigade received US training 2006**)
- **Marine Infantry No. 4 Rifle Battalion** – implicated in 1 extrajudicial execution in Sucre Department
- **1<sup>st</sup> Marine Infantry Brigade (battalion not specified)** – implicated in 2005 of 2 extrajudicial executions in Sucre Department (**brigade vetted 2006 and 2007-2008**)
- **Jungle Brigade 27** – implicated in 2005 extrajudicial execution of 1 civilian in Putumayo Department
- **High Mountain Battalion No. 3** – implicated in killing of 10 DIJIN agents in 2006 and 4 extrajudicial killings in 2004 in municipality of Santiago de Cali

**Memo “Cases of Human Rights Violations in Colombia and U.S. Certification,” December 11, 2007 (not published)**

- **4<sup>th</sup> Brigade, 4<sup>th</sup> Mechanized Calvary Group (Juan del Corral unit)** – implicated in 1 2006 extrajudicial execution in Antioquia Department (**brigade received US training 2006**)
- **5<sup>th</sup> Brigade, Nueva Granada Anti-Aircraft Battalion** – implicated in 1 2006 extrajudicial execution of a union leader in Department of Bolivar
- **18<sup>th</sup> Brigade, 29<sup>th</sup> Battalion** – implicated in 1 extrajudicial execution in 2007 in Boyacá Department
- **18<sup>th</sup> Brigade, 1<sup>st</sup> Infrastructure Protection Battalion (Special Energy and Road Battalion General Juan Jose Neira)** – implicated in 2007 of 2 extrajudicial executions in Department of Arauca (**battalion vetted 2006 and 2007-2008**)
- **16<sup>th</sup> Brigade (battalion not specified)** – implicated in 2 extrajudicial executions in Department of Casanare in 2007 (**brigade vetted 2006 and 2007-2008**)
- **16<sup>th</sup> Brigade, 16<sup>th</sup> Cavalry Battalion (Casanare Guides)** – implicated in 1 extrajudicial execution in 2007 in the Department of Casanare (**battalion vetted 2006 and 2007-2008**)
- **Anti-Kidnapping United Action Groups (GAULA)** – implicated in the torture and extrajudicial execution of 2 people in 2007 in Hato Corozal Municipality
- **7<sup>th</sup> Brigade, 19<sup>th</sup> Infantry Battalion (Joaquin Paris Battalion)** – implicated in 1 2007 extrajudicial execution in Department of Guaviare and 1 extrajudicial execution in Department of Meta
- **7<sup>th</sup> Brigade, 21<sup>st</sup> Infantry Battalion (Vargas Battalion)** –implicated in one 2007 extrajudicial execution and multiple threats in Puerto Esperanza, Meta Department
- **7<sup>th</sup> Mobile Brigade (battalion not specified)** –implicated in two 2007 extrajudicial executions in Department of Guaviare (**brigade vetted 2006 and 2007-2008**)
- **10<sup>th</sup> Brigade, Rondon Battalion** – implicated in the extrajudicial execution of 1 member of the Wiwa indigenous community in the La Jagua del Pilar area

- **12<sup>th</sup> Mobile Brigade (battalion not specified)** –implicated in 2 2007 extrajudicial executions in Department of Meta, Vistahermosa municipality (**brigade vetted 2006, received US training 2006**)
- **12<sup>th</sup> Mobile Brigade, counter-guerrilla battalion 85** – implicated in 2 extrajudicial executions in Meta Department in 2007 (**battalion vetted 2006, brigade received US training 2006**)
- **4<sup>th</sup> Mobile Brigade(battalion not specified)** –implicated in 1 extrajudicial execution in 2007 in Puerto Rico Municipality (**brigade vetted 2006 and 2007-2008**)
- **15<sup>th</sup> Mobile Brigade, counter-guerrilla battalion 95** – implicated in 1 extrajudicial execution in Department of Norte de Santander in 2007
- **1<sup>st</sup> Marine Infantry Brigade, Battalion of Fusiliers No. 4** – implicated in 2007 extrajudicial execution of a labor leader in Sucre Department (**brigade vetted 2006 and 2007-2008**)
- **17<sup>th</sup> Brigade** – implicated in the 2007 killing of a well-known peasant farmer near the area of the Peace Community in Apartado (**Bejarano Battalion received US training 2006**)

## **ANNEX V: Unvetted Military Units Trained by the United States**

The following are units of the Colombian Public Forces listed in the Foreign Military Training report for FY2006 (<http://www.state.gov/t/pm/rls/rpt/fmtrpt/2007/92089.htm> ) as having receiving US training, that are not included in the list of vetted Colombian units, provided by the State Department in September 2006 (see <http://ciponline.org/colombia/0609units01.htm>).

There may be some instances of units that were vetted but were simply not listed, such as the Colombian National Police Headquarters. But most of the nearly 50 units listed here, which received training in FY06, were clearly omitted from the list of vetted units provided by the State Department. Some of them have histories of serious human rights violations associated with them, such as the Engineer Battalion in the Army 17<sup>th</sup> Brigade.

### **Army Units:**

ARMY INFANTRY SCHOOL HQS, BOGOTA, D.C.  
ARMY INFORMATION OPERATIONS DIRECTORATE, BOGOTA, D.C.  
COLOMBIAN ARMY 1ST BRIGADE, TUNJA, BOYACA  
COLOMBIAN ARMY ANTI-KIDNAPPING UNIT, BUCARAMANGA, SANTANDER  
COLOMBIAN ARMY ANTI-KIDNAPPING UNIT, YOPAL, CASANARE  
COLOMBIAN ARMY ARMOR GP SILVA PLAZAS, BONZA, BOYACA  
COLOMBIAN ARMY CAS3 SCHOOL HQS, BOGOTA, D.C.  
COLOMBIAN ARMY CAVALRY SCHOOL, BOGOTA, D.C.  
COLOMBIAN ARMY COMBAT SERVICES SUPPORT BN NO. 10, VALLEDUPAR, CESAR  
COLOMBIAN ARMY COMMANDO BN NO. 1, TOLEMAIDA, CUNDINAMARCA  
COLOMBIAN ARMY COUNTERGUERRILLA BN NO. 32, VILLAVICENCIO, META  
COLOMBIAN ARMY COUNTERGUERRILLA BN NO. 56, POPAYAN, CAUCA  
COLOMBIAN ARMY COUNTERGUERRILLA BN NO. 89, LARANDIA, CAQUETA  
COLOMBIAN ARMY COUNTERGUERRILLA BN NO. 1, LARANDIA, CAQUETA  
COLOMBIAN ARMY COUNTERGUERRILLA BN NO. 3, POPAYAN, CAUCA  
COLOMBIAN ARMY ENERGY INFRASTRUCTURE SECURITY UNIT #9  
COLOMBIAN ARMY ENGINEER BN NO. 17, CAREPA, ANTIOQUIA  
COLOMBIAN ARMY ENGINEER BN NO. 2, MALAMBO, ATLANTICO  
COLOMBIAN ARMY ENGINEER BN NO. 4, BELLO, ANTIOQUIA  
COLOMBIAN ARMY INF BN NO. 38, FACATATIVA, CUNDINAMARCA  
COLOMBIAN ARMY MILITARY ACADEMY, BOGOTA, D.C.  
COLOMBIAN ARMY SERVICES BN NO. 1, TUNJA, BOYACA  
COLOMBIAN ARMY SERVICES BN NO. 4, MEDELLIN, ANTIOQUIA  
COLOMBIAN ARMY SERVICES BN NO. 8, CALARCA, QUINDIO  
COLOMBIAN ARMY SF BDE NO. 3, MELGAR, TOLIMA  
COLOMBIAN ARMY SF GP NO. 11, NEIVA, HUILA  
COLOMBIAN ARMY XIII BDE HQS, BOGOTA, D.C.  
DISAN (Health Directorate), Bogotá

### **Naval /Marine Units:**

20th MARINE CORPS RIVERINE BATTALION, TURBO, ANTIOQUIA

COAST GUARD HEADQUARTERS, BOGOTA  
Colombian Navy, GREAS  
GENERAL MARITIME DIRECTOR, BOGOTA  
NAVAL AVIATION / TRANSPORTATION GROUP, BOGOTA  
Naval Operations Directorate, Bogota  
NAVY INTELLIGENCE HEADQUARTERS

Air Force Units:

Air Force Special Operations Group, Bogota  
Aircraft Battalion, Bogota  
Colombian Air Force Air Operations Directorate  
Colombian Air Force General Command, Bogota  
Colombian Air Force Intelligence Directorate  
Colombian Air Force NCO School, Madrid Cundinamarca  
SATENA (Colombian Air Force Aviation Company), Bogota

Police Units:

Colombian National Police, DIJIN  
National Police of Colombia Headquarters, Bogota

Other:

Center for Hemispheric Defense Studies  
COLOMBIAN MINISTRY OF DEFENSE CABINET  
Externado de Colombia University, Academic Hemispheric Relations Coordination  
Military Aeronautical Institute, Bogota

Note: A number of units additional to this list received training for which it is not clear from the list provided by the State Department in September 2006 whether these units were vetted to receive training.

*Data compiled by the Fellowship of Reconciliation, December 2007, based on State Department documents. Revised March 2008.*

## **ANNEX VI: List of Vetted Units, Released to FOR in February 2008**

**SUBJECT: HUMAN RIGHTS VETTING APPROVAL: COLOMBIAN SECURITY FORCES UNITS ANNUAL CERTIFICATION**

As of July 31, 2007, the Department of State possesses no credible evidence of gross violations of human rights by the units of the Colombian Security forces listed below selected to receive USG assistance for the fiscal year 2007-2008.

### **COLAR ARMY UNITS:**

Colombian Military Joint Task Force JTF-Omega HQ-Larandia  
Colombian  
Military Joint Command-One Caribe-Santa Marta  
Colombian Joint Special Operations Command HQ(CCOPE)-Bogota  
COLAR Special Operations Command (COESE)  
COLAR Lancero Group (AGLAN)  
COLAR Commando BN (BACOA)  
Special Forces Urban Anti-Terrorism Group (AFEAU)-Bogota  
Apiay Military Hospital-Apiay  
Mobile Medical Trauma Team (GATRA)  
1st GATRA-San Jose Del Guaviare, Guaviare  
2nd GATRA-San Vicente Del Caguan, Caqueta  
3rd GATRA-Tres Esquinas, Caqueta  
Joint Intelligence Operations Center (COJIC)-Bogota  
COLAR Intelligence Center (CIME) - Bogota  
Regional Military Intelligence Center (RIME 04)-V/vicencio  
Regional Military Intelligence Center (RIME 06)-Medellin  
Regional Military Intelligence Center (RIME 07)-Bogota  
Regional Military Intelligence Center (RIME 08)-Florencia  
COLAR Military Counter-Intelligence Center (CECIM)-Bogota  
COLAR Technical Intelligence Center (CITEC)-Bogota  
COLAR Logistics Brigade (BRALOG)-Bogota  
Supply BN (BAABS)-Bogota  
Maintenance BN (BAMAN)-Bogota  
Quartermaster BN (BAINT)-Bogota  
Medical BN (BASAN)-Bogota  
Transportation BN (BATRA)-Bogota  
Combat Support and Services BN (BAS21)-Bogota  
Dispensary Detachment (DICEN)-Bogota  
Colombia Army Engineer School (ESING)-Bogota  
Colombia Army Engineer Maintenance BN (BAMAI)-Bogota  
COLAR Logistics School (ESLOG)-Bogota  
COLAR Equestrian School (ESEQ)-Bogota  
COLAR Civil Military Relations School (ESRCM)-Bogota

COLAR Army Aviation School (ESAVE)  
COLAR Lancero School (ESLAN)-Tolemaida  
COLAR Special Forces School (ESFER)-Barrancon  
COLAR Professional Soldier School (ESPRO)-Tolemaida  
COLAR Re-Training Center (CERTE)

#### COLAR DIV 01

First Division Command and Staff Section (COD01)-Santa Marta  
Explosive Ordinance Disposal Group 01(GMARD01)-Santa Marta  
Second Engineer BN (BIVER)-Malambo  
Sixth High Mountain BN (BAMRU)-Sierra Nevada de Santa Marta

#### COLAR DIV 02

Second Division Command and Staff Section (COD02) B/manga  
27th Counter Guerrilla BN (BCG27)-Saravena  
Explosive Ordinance Disposal Group 02(GMARD 02)

Fifth Mobile Brigade (BRM-5)-Tame  
43rd Counter Guerrilla BN (BCG43)-Tame  
44th Counter Guerrilla BN (BCG44)-Tame  
45th Counter Guerrilla BN (BCG45)-Tame  
47th Counter Guerrilla BN (BCG47)-Tame  
27th Combat Services Support Company (CPS27)-Tame

Twenty Second Mobile Brigade (BRM22)-Larandia  
5th Counter Guerrilla BN (BCG05)-Larandia  
14th Counter Guerrilla BN (BCG14)-Larandia  
25th Counter Guerrilla BN (BCG25)-Larandia  
36th Counter Guerrilla BN (BCG36)-Larandia  
35th Service and Support Company (CPS35)-Neiva

18th Brigade (BR18)-Arauca  
18th Calvary BN (GMRPI)-Saravena  
1st Engineer Construction BN (BICON1)-Arauca

18th Engineer BN (BIRAN)-Tame  
24th Counter Guerrilla BN (BCG24)-Saravena  
30th Counter Guerrilla BN (BCG30)-Panama  
49th Counter Guerrilla BN (BCG49)-Araucuita  
1st Infrastructure Protection BN (PEEV01)-Samora  
18th Support and Services BN (BAS18)-Arauca

30th Brigade HQ (CBR30)-Cucuta, N de Santander  
15th Infantry BN (BISAN)-Ocana



5th Mechanized Calvary (GMMAZ)-Cucuta  
46th Counter Guerrilla BN (BCG46)-Araucuita

#### COLAR DIV 03

Third Division Command and Staff Section (COD03)-Cali  
Explosive Ordinance Disposal Group 03(GMARD03)-Cali

Sixth Mobile Brigade (BRM06)-Popayan  
48th Counter Guerrilla BN (BCG48)-Popayan  
50th Counter Guerrilla BN (BCG50)-Popayan  
56th Counter Guerrilla BN (BCG56)-Popayan  
60th Counter Guerrilla BN (BCG60)-Popayan  
28th Combat Service Support Company (CPS28)-Popayan

14th Mobile Brigade HQ (CBRM14) - Cali, Valle

Third Engineer BN (BICOD)-Palmira

Eighth Engineer BN (BICIS) - Pueblo Tapao

Ninth Infantry BN (BIBOY)-Pasto  
4th High Mountain BN (BAMHE)-San Sebastian

#### COLAR DIV 04

Fourth Division Command and Staff Section (COD03)-V/cencio  
Explosive Ordinance Disposal Group 04(GMARD 04)-V/cencio

Fourth Mobile Brigade (BRM04)-Granada Meta  
39th Counter Guerrilla BN (BCG39)-Vista Hermosa  
40th Counter Guerrilla BN (BCG40)-Vista Hermosa  
41st Counter Guerrilla BN (BCG41)-Uribe  
42nd Counter Guerrilla BN (BCG42)-Mesetas  
26th Service and Support Company (CPS26)-Larandia

Seventh Mobile Brigade (BRM07)-San Jose de Guaviare  
61st Counter Guerrilla BN (BCG61)-San Jose  
62nd Counter Guerrilla BN (BCG62)-San Jose  
63rd Counter Guerrilla BN (BCG63)-San Jose  
64th Counter Guerrilla BN (BCG64)-San Jose  
29th Combat Service Support BN (CPS29)-San Jose

Seventh Engineer BN (BIALB)-V/vicencio

Sixteenth Brigade (BR16)-Yopal, Casanare

44th Infantry BN (BIRNA)-Tauramena  
16th Cavalry Group (GMGDC)-Yopal  
23rd Counter Guerrilla BN (BCG23)-Yopal  
29th Counter Guerrilla BN (BCG29)-Yopal  
65th Counter Guerrilla BN (BCG65)-Yopal  
16th Service BN (BAS16)-Yopal

Twenty Eighth Brigade Command Section (CBR28)-Puerto Carreno,  
Vichada

43rd Infantry BN (BIROJ)-Cumaribo, Vichada  
45th Infantry BN (BIPIN)-Puerto Carreno  
32nd Counter Guerrilla BN-(BCG32) Vista Hermosa, Meta  
38th Counter Guerrilla BN-(BCG38) Villavicencio, Meta

Eastern Specified Command (CEO)-Puerto Carreno, Guania

COLAR DIV 05

Fifth Division Command and Staff Section (COD05)-Bogota  
Explosive Ordinance Disposal Group 05(GMARD05)

Eighth Mobile Brigade (BRM08)-Facatativa  
66th Counter Guerrilla BN (BCG66)-Prado  
67th Counter Guerrilla BN (BCG67)-Facatativa  
68th Counter Guerrilla BN (BCG68)-Rio Blanco  
69th Counter Guerrilla BN (BCG69)-Rio Blanco  
30th Combat Service Support Company (CPS30)-Facatativa

Tenth Mobile Brigade (BRM10)-Larandia  
75th Counter Guerrilla BN (BCG75)-Larandia  
76th Counter Guerrilla BN (BCG76)-Larandia  
77th Counter Guerrilla BN (BCG77)-Larandia  
78th Counter Guerrilla BN (BCG78)-Larandia  
24th Combat Service Support Company (CPS24)-Larandia

First Brigade HQ (CBR01)-Tunja, Boyaca

Sixth Brigade HQ (CBR06)-Ibague, Tolima

Ninth Brigade (BR09)-Neiva, Huila  
26th Infantry BN (BIPIG)-Garzon  
27th Infantry BN (BIMAG)-Pitalito  
9th Artillery BN (BATEN)-Neiva  
9th Counter Guerrilla BN (BCG09)-Neiva  
9th Service Support BN (BAS09)-Neiva

Thirteenth Engineer BN (BIBYA)-Ubala

COLAR DIV 06

Sixth Division Command and Staff Section (COD06)-Florenca  
Explosive Ordnance Disposal Group 06(GMARD06)

Ninth Mobile Brigade (BRM09)-Granada, Meta  
70th Counter Guerrilla BN (BCG70)-Granada  
71st Counter Guerrilla BN (BCG71)-Granada  
72nd Counter Guerrilla BN (BCG72)-Granada  
73rd Counter Guerrilla BN (BCG73)-Granada  
31st Combat Service Support Company (CPS31)-Granada

Thirteenth Mobile Brigade (BRM13)-Larandia, Caqueta  
87th Counter Guerrilla BN (BCG87)-Larandia  
88th Counter Guerrilla BN (BCG88)-Larandia  
89th Counter Guerrilla BN (BCG89)-Larandia  
90th Counter Guerrilla BN (BCG90)-Larandia  
36th Combat Service Support Company (CPS36)-Larandia

26th Jungle Brigade (BR26)-Leticia, Amazonas  
50th Infantry Jungle BN (BILAC)-Leticia  
74th Counter Guerrilla BN (BCG74)-Leticia  
26th Service Support BN (BAS26)-Leticia  
Coast Guard Detachment (CGLET) - Leticia

49th Infantry Jungle BN (BISOL)-La Tagua, Putumayo  
59th Counter Guerrilla BN (BCG59)-La Hormiga, Putumayo  
25th Infantry BN (BIROR)-Villagarzon, Putumayo

COLAR DIV 07

Seventh Division Command and Staff Section (COD07)-Medellin  
Regional Urban Anti-Terrorist Special Forces Group  
05(AFEAUR05)-Medellin

Eleventh Mobile Brigade (BRM11)-Monteria, Cordoba  
79th Counter Guerrilla BN (BCG79)-Ituango, Antioquia  
80th Counter Guerrilla BN (BCG80)-Ituango, Antioquia  
81st Counter Guerrilla BN (BCG81)-Medellin, Antioquia  
82nd Counter Guerrilla BN (BCG82)-Tierralta, Antioquia  
33rd Combat Service Support Company (CPS33)-Monteria

Eleventh Brigade (BR11)-Monteria  
31st Infantry BN (BIRIF)-Caucasia

33rd Infantry BN (BIJUN)-Monteria  
10th Counter Guerrilla BN (BCG10)-Monteria  
11th Counter Guerrilla BN (BCG11)-Larandia  
5th Infrastructure Protection Unit (PEEV05)-Zaragoza

11th Service Support BN (BAS11)-Monteria

Fourteenth Engineer BN (BICAB)-Cantimplora, Santander

#### COLAR FORCES (TROPAS EJERCITO)

Rural Special Forces Brigade (BRFER)-Tolemaida  
2nd Special Forces BN (BFER1)-Tolemaida  
2nd Special Forces BN (BFER2)-Tolemaida  
3rd Special Forces BN (BFER3)-Tolemaida  
4th Special Forces BN (BFER4)-Tolemaida

Rapid Deployment Force (FUDRA)-Tolemaida

1st Mobile Brigade (BRM01)-Melgar, Tolima  
19th Counter Guerrilla BN (BCG19)-Melgar  
20th Counter Guerrilla BN (BCG20)-Melgar  
21st Counter Guerrilla BN (BCG21)-Melgar  
22nd Counter Guerrilla BN (BCG22)-Melgar  
22nd Support and Services Company (CPS22)-Melgar

2nd Mobile Brigade (BRM02)-Melgar  
15th Counter Guerrilla BN (BCG15)-Melgar  
16th Counter Guerrilla BN (BCG16)-Melgar  
17th Counter Guerrilla BN (BCG17)-Melgar  
18th Counter Guerrilla BN (BCG18)-Melgar  
23rd Support and Services Company (CPS23)-Melgar

3rd Mobile Brigade (BRM03)-Melgar  
51st Counter Guerrilla BN (BCG51)-Melgar  
52nd Counter Guerrilla BN (BCG52)-Melgar  
53rd Counter Guerrilla BN (BCG53)-Melgar  
54th Counter Guerrilla BN (BCG54)-Melgar  
25th Support and Services Company (CPS25)-Melgar

Army Aviation Brigade-25th Brigade (BRIAV)-Bogota  
Army Aviation Support BN 01 (BAAV1)  
Army Aviation Regiment (BAHEL)-Tolemaida  
Army Aviation Air Assault BN 02(BAAV2)-Bogota  
Army Aviation Cargo and Transport BN 03(BAAV3)  
Army Aviation Reconnaissance and Escort BN 04(BAAV4)

Army Aviation Air Movement BN 05(BAAV5)  
Army Aviation Air Maintenance BN 06 (BAAV6)  
Army Aviation Air ASPC (BAAV7)  
Instruction BN Army Aviation School(CERTA)-Tolemaida

Counter Narcotics Brigade (BRCNA)-Larandia  
1st Counter Narcotics BN (BACNA1)-Larandia  
2nd Counter Narcotics BN (BACNA2)-Larandia  
3rd Counter Narcotics BN (BACNA3)-Larandia  
Counter Narcotics Service and Support BN (BASCN)-Larandia

## COLNAV NAVY UNITS

Marine Corps Headquarters (CIMAR)-Bogota  
Mobile Training Group (GRUMEN)  
Marine Corps Formation and Training Center (CFENIM)-Covenas  
Marine Corps Anti-Explosives School  
Riverine Combat School (ESCOFLU)  
First Marine Brigade (BRIM01)-Corozal  
Command and Support BN 01 (BACAIM 1)  
Formerly listed as Combat Service Support and Security Company  
1st Infantry BN (BAFIM 1)  
2nd Infantry BN (BAFIM 2)  
3rd Infantry BN (BAFIM 3)  
4th Infantry BN (BAFIM 4)  
1st Counter Guerrilla BN (BACIM1)  
2nd Counter Guerrilla BN (BACIM2)  
Anti-Kidnapping Unit (GAULA)  
First Marine Riverine Brigade 01 (BRIFLIM 1)-Bogota  
Marine Riverine BN 20 (BAFLIM20)  
Marine Riverine BN 30 (BAFLIM30)  
Marine Riverine BN 40 (BAFLIM40)  
Marine Riverine BN 50 (BAFLIM50)  
Marine Riverine BN 60 (BAFLIM60)  
Second Marine Riverine Brigade 02 (BRIFLIM 2)-Buenaventura,  
Valle  
Renamed from Second Marine Brigade (Brigada de I.M. 2)  
Marine Riverine Assault BN 1 (BASFLIM 1)  
Renamed from 6th Infantry BN (BAFIM 6)  
Marine Riverine Assault BN 3 (BASFLIM 3)  
Renamed from 7th Infantry BN (BAFIM 7)  
Marine Riverine Assault BN 4 (BASFLIM 4)  
Renamed from 8th Infantry BN (BAFIM 8)  
Marine Riverine BN 10 (BAFLIM10)  
Formerly part of 1st Riverine Brigade (BRIFLIM1)

Marine Riverine BN 70 (BAFLIM70)  
Renamed from 9th Infantry BN (BAFIM 9)  
Marine Riverine BN 80 (BAFLIM 80)  
Renamed from 3rd Counter-Guerrilla BN (BACIM 3)  
Marine Special Forces BN (BFEIM)-Cartagena  
Navy Urban Anti-Terrorist Special Forces Group Unit 1  
(NAVAFEUR 1)  
Naval Forces South (FNS)-Puerto Leguizamo  
Naval Forces Caribbean (FNC)-Cartagena  
San Andres/Providencia Specific Command (CESYP)  
Caribbean Submarine Fleet (CFSUBFC)  
Caribbean Naval Air Group (CGANC)  
Caribbean Surface Fleet (CFSUPFC)  
Training Ship Gloria (ARC Gloria)  
Caribbean Coast Guard (CGAC)  
Naval Special Dive Unit (UBEN)-Cartagena  
Naval Forces Pacific (FNP)-Buenaventura  
Pacific Naval Regional Intelligence Center (RINPA)  
Pacific Surface Fleet (CFSUP)  
Pacific Naval Air Group (CGANPA)  
Pacific Coast Guard (CGAPO)  
Pacific Training Center (CENPA)

#### COLAF AIR FORCE UNITS

2nd Air Combat Command (CACOM 2)-Apiay-V/vicencio, Meta  
3rd Air Combat Command (CACOM 3)-Malambo, Atlantico  
4th Air Combat Command (CACOM 4)-Melgar, Tolima  
5th Air Combat Command (CACOM 5)-Rio Negro, Antioquia  
6th Air Combat Command (CACOM 6)-Tres Esquinas, Caqueta  
Military Air Transport Command (CATAM)-Bogota, D.C.  
Air Maintenance Command (CAMAN)-Madrid, Cundinamarca  
Air Group East (GAORI)-Marandua, Vichada  
Air Group Caribbean (GACAR)-San Andres

Military Aviation School (EMAVI)-Cali  
Cadets Group Department  
Academic Group Department  
Aeronautical Education Department  
Combat Group Department  
Technical Group Department  
Support Group Department  
Air Defense Group Department

#### CNP COLOMBIAN NATIONAL POLICE

Carabineros-Group 1  
Anti-Narcotics Police (DIRAN)  
Anti-Narcotics Chemical Unit  
Junglas-Elite Squad  
Special Operations Command (COPES)  
Airport Police Unit-Bogota

#### MUNICIPAL POLICE UNITS

##### BOYACA DEPARTMENT

La Victoria Municipal Police  
Maripi Municipal Police  
Muzo Municipal Police  
Otanche Municipal Police  
Pauna Municipal Police  
Quipama Municipal Police  
San Pablo de Borbur Municipal Police  
Tunungua Municipal Police  
Coper Municipal Police

##### CUNDINAMARCA DEPARTMENT

El Penon Municipal Police  
La Palma Municipal Police  
Pacho Municipal Police  
Paima Municipal Police  
Puerto Salgar Municipal Police  
San Cayetano Municipal Police  
Topaipi Municipal Police  
Yocapi Municipal Police

##### SANTANDER DEPARTMENT

Albania Municipal Police  
Barbosa Municipal Police  
Bolivar Municipal Police  
Florian Municipal Police  
Jesus Maria Municipal Police  
La Belleza Municipal Police  
Puente Nacional Municipal Police

Santa Helena de Opon Municipal Police  
Sucre Municipal Police

ANNEX VII: US Embassy expresses concern over Montoya's 24<sup>th</sup> Brigade

MORI DocID: 913728

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1.4 (d)

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TO RUEHBO/AMEMBASSY BOGOTA 0000  
INFO RUEKJCS/JOINT STAFF WASHDC 0000  
RUEKJCS/SECDEF WASHDC 0000  
RUMIAAA/USCINCSO MIAMI FL  
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CONTROLS  
STATE 127701

E.O. 12958: DECL: 07/05/2010

TEXT  
TAGS: PHUM, PGOV, PREL, MARR, MASS, SNAR, CO  
SUBJECT: APPROACH TO MOD ON 24TH BRIGADE

REF: A. (A) BOGOTA 5571  
B. (B) BOGOTA 3972

1. CLASSIFIED BY WHA/AND OFFICE DIRECTOR PHIL CHICOLA, REASON 1.5(B) AND (D).
2. (C) SUMMARY AND ACTION REQUEST: THE DEPARTMENT HAS NO OBJECTION TO THE DEPLOYMENT MENTIONED IN REFTTEL A. THE EMBASSY IS REQUESTED TO APPROACH THE COLOMBIAN MOD AS SOON AS POSSIBLE TO DISCUSS THE STATUS OF THE 24TH BRIGADE, AND MAY DRAW ON THE TALKING POINTS IN PARA 7. END SUMMARY AND ACTION REQUEST.
3. (C) WITH REGARD TO THE PROPOSED DEPLOYMENT IN REFTTEL A, THE DEPARTMENT HAS NO OBJECTION. WE NOTE THAT IT IS ACCEPTABLE FOR A UNIT CURRENTLY APPROVED TO RECEIVE USG

Dept. of State, RPS/IPS, Margaret P. Grafeldt, Dir.  
( ) Release ( ) Excise ( ) Deny ( ) Declassify in full  
Date 8/10/05 Exemption B1 (d)

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ASSISTANCE TO ACCEPT MATERIAL SUPPORT FROM OR OPERATE JOINTLY WITH A UNIT THAT IS NOT. HOWEVER, U.S. ASSISTANCE PROVIDED TO THE UNIT THAT HAS BEEN APPROVED MAY NOT BE SHARED WITH THE UNIT THAT HAS NOT.

B1 (d)

6. (U) THE DEPARTMENT AGREES THAT EMBASSY SHOULD APPROACH THE COLOMBIAN MOD TO EXPRESS OUR CONCERNS ABOUT THE 24TH BRIGADE AND PRESS FOR PROMPT AND THOROUGH INVESTIGATION OF THE SAN MIGUEL INCIDENT AND REPORTS OF PARAMILITARY INVOLVEMENT WITH THE 24TH BRIGADE. EMBASSY MAY DRAW UPON THE FOLLOWING TALKING POINTS.

7. (U) TALKING POINTS

-- WE ARE CONCERNED BY ALLEGATIONS OF 24TH BRIGADE INVOLVEMENT IN THE KILLING OF CIVILIANS ON JANUARY 17, 1998 NEAR THE TOWN OF SAN MIGUEL. WE UNDERSTAND THAT THE 24TH BRIGADE STILL HAS A PENAL INVESTIGATION OF THIS INCIDENT UNDER WAY.

-- WE URGE THE GOC TO COMPLETE THIS INVESTIGATION AND ISSUE FINDINGS AS SOON AS POSSIBLE.

-- THE USG TAKES THESE ALLEGATIONS VERY SERIOUSLY, AND CANNOT PROVIDE ASSISTANCE TO THE 24TH BRIGADE UNTIL THE INVESTIGATION IS COMPLETED, AND THEN ONLY IF THAT INVESTIGATION IS THOROUGH AND EITHER DISPROVES THE ALLEGATIONS OR RECOMMENDS APPROPRIATE SANCTIONS FOR THOSE INVOLVED.

-- THE PARTICIPATION OF THE 24TH BRIGADE IS CRITICAL FOR COUNTERNARCOTICS OPERATIONS AND THE SUCCESS OF PLAN COLOMBIA. WE VERY MUCH WANT TO BE ABLE TO PROVIDE SUPPORT TO IT, AND URGE YOU TO DO WHATEVER POSSIBLE TO ENSURE A RAPID AND CREDIBLE INVESTIGATION OF THE SAN MIGUEL INCIDENT.

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[REDACTED]

-- WITH REGARD TO THIS CASE, WE ALSO NOTE THAT THE EMBASSY LEARNED OF THIS INVESTIGATION FROM NGOS OTHER SOURCES, AND NOT FROM THE MOD. THE EXPLANATION GIVEN WAS THAT THIS AS ONLY A PRELIMINARY INVESTIGATION, NOT YET A FORMAL ONE BECAUSE NO DEFENDANT HAD YET BEEN NAMED.

-- WE THINK IT IMPORTANT THAT THE MOD INFORM THE EMBASSY OF EVEN PRELIMINARY INVESTIGATIONS OF UNITS THAT ARE RECEIVING U.S. ASSISTANCE. IT IS IN THE MOD'S INTEREST TO DO SO, SO THAT THE EMBASSY CAN HAVE MORE TO RELY ON THAN JUST NFO REPORTS ON INCIDENTS OF THIS TYPE.

-- FINALLY, WE ALSO NOTE WITH CONCERN PERSISTENT REPORTS THAT THE 24TH BRIGADE, AND THE 31ST COUNTERGUERRILLA BATTALION IN PARTICULAR, HAS BEEN COOPERATING WITH ILLEGAL PARAMILITARY GROUPS THAT HAVE BEEN INCREASINGLY ACTIVE IN PUTUMAYO. 12

-- WE URGE YOU TO TAKE STRONG AND RAPID ACTION TO ENSURE THAT THE 24TH BRIGADE AND ITS MEMBERS REMAIN FREE OF ALL TIES TO ILLEGAL PARAMILITARY GROUPS. THIS BRIGADE IS VITAL TO THE SUCCESS OF COUNTERNARCOTICS OPERATIONS IN THE REGION, BUT ANY TAINT ARISING FROM ASSOCIATION WITH ILLEGAL PARAMILITARY GROUPS WILL MAKE IT IMPOSSIBLE FOR THE USG TO PROVIDE SUPPORT.

END TALKING POINTS.  
ALBRIGHT

ADMIN  
END OF MESSAGE  
[REDACTED]

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[REDACTED]