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**FROM**

FM AMEMBASSY BOGOTA

**TO**

TO RUEHC/SECSTATE WASHDC 6462  
RUEHZP/AMEMBASSY PANAMA 0390  
RUEHCV/AMEMBASSY CARACAS 6482  
RUEHQT/AMEMBASSY QUITO 4343  
RUEHBR/AMEMBASSY BRASILIA 1168  
RUEHPE/AMEMBASSY LIMA 4355

RELEASED IN PART  
B1, 1.4(B), 1.4(D)

**CONTROLS**

CONFIDENTIAL BOGOTA 006939

E.O. 12958: DECL: 08/09/10

**BODY**

**TAGS**

TAGS: PGOV, PREL, PHUM, PINR, CO

SUBJECT: COLOMBIAN ARMY GENERALS UNDER INVESTIGATION

REF: A) 99 BOGOTA 03760 B) 99 BOGOTA 05406

C) 99 BOGOTA 08278 D) 99 BOGOTA 08429

CLASSIFIED BY AMBASSADOR CURTIS W. KAMMAN. REASON: 1.5  
(C AND D)

1. (U) SUMMARY: FIVE COLOMBIAN GENERALS AND OTHER RANKING OFFICERS ARE CURRENTLY BEING INVESTIGATED BY THE ATTORNEY GENERAL'S OFFICE (PROCURADURIA) FOR FAILING TO PROTECT RESIDENTS FROM PARAMILITARY MASSACRES. IN JULY, THE ATTORNEY GENERAL'S OFFICE REOPENED THE CASE AGAINST FOUR ARMY GENERALS AND ONE LIEUTENANT COLONEL FOR FAILING TO TAKE APPROPRIATE MEASURES TO PROTECT THE RESIDENTS OF PUERTO ALVIRA IN META DEPARTMENT FROM A MAY 1998 PARAMILITARY ATTACK. COMMANDER OF THE ARMY GENERAL JORGE ENRIQUE MORA RANGEL RESPONDED PUBLICLY TO THE PUERTO ALVIRA CHARGES, STATING THAT THE INVESTIGATION IS A RESULT OF SYSTEMATIC ACTIONS BY THE ATTORNEY GENERAL'S OFFICE TO ADVERSELY AFFECT THE MORALE OF THE TROOPS. ONE OF THE ACCUSED GENERALS IN THE PUERTO ALVIRA CASE, GENERAL JAIME HUMBERTO USCATEGUI, WAS REARRESTED ON JULY 31, 2000 IN CONNECTION WITH THE 1997 MAPIRIPAN MASSACRE. THIS RECENT ARREST SUGGESTS THAT, IN THE EYES OF THE MILITARY JUDICIARY, THE MAPIRIPAN CASE AGAINST GENERAL USCATEGUI WILL LIKELY MERIT A TRIAL. THE ATTORNEY

UNITED STATES DEPARTMENT OF STATE

REVIEW AUTHORITY: ALAN H FLANIGAN

CLASSIFICATION: CONFIDENTIAL REASON: 1.4(B), 1.4(D)

DECLASSIFY AFTER: 8 AUG 2025

DATE/CASE ID: 22 JAN 2009 200805922

CONFIDENTIAL

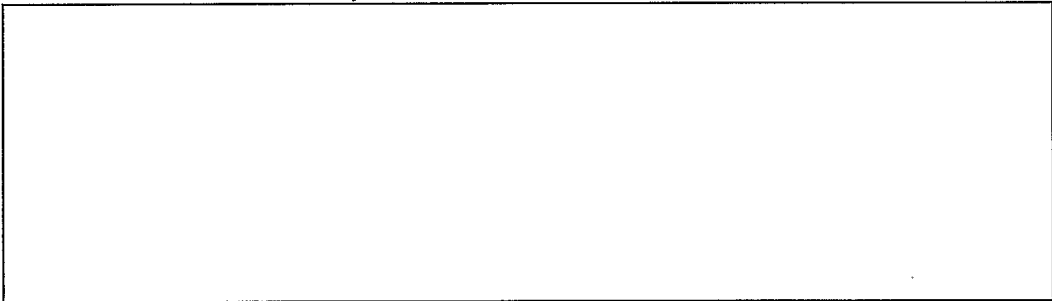
page 2

UNCLASSIFIED

GENERAL'S OFFICE ALSO OPENED AN INVESTIGATION INTO THE FORMER COMMANDER OF THE 5TH BRIGADE, GENERAL ALBERTO BRAVO SILVA, AND FOUR OTHER OFFICERS FOR FAILURE TO ACT TO PREVENT THE AUGUST 21-22, 1999 PARAMILITARY MASSACRE IN THE AREAS OF TIBU AND LA GABARRA. END SUMMARY.  
**PUERTO ALVIRA: FIVE ARMY OFFICIALS ACCUSED**

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2. (U) ON MAY 4, 1998, 200 PARAMILITARY MEMBERS ENTERED THE TOWN OF PUERTO ALVIRA IN META DEPARTMENT AND KILLED 18 PEOPLE, DUMPING MANY OF THE BODIES INTO THE NEARBY RIVER. ACCORDING TO DOCUMENTATION BY THE HUMAN RIGHTS OMBUDSMAN'S OFFICE AND PROVIDED TO THE ATTORNEY GENERAL, FIVE ARMY OFFICERS WERE AWARE OF THE PARAMILITARY PRESENCE IN PUERTO ALVIRA PRIOR TO THE MAY 1998 MASSACRE, BUT FAILED TO TAKE PREVENTIVE MEASURES TO PROTECT THE TOWN FROM PARAMILITARY THREATS.

3. (U) THE FIVE ARMY OFFICERS CHARGED BY THE ATTORNEY GENERAL'S OFFICE (PROCURADURIA) ARE FORMER COMMANDERS OF THE ARMY'S 4TH DIVISION, GENERALS AGUSTIN ARDILA URIBE (RETIRED) AND JAIME HUMBERTO CORTES PARADA; FORMER COMMANDER OF THE 7TH BRIGADE, GENERAL JAIME HUMBERTO USCATEGUI (SEPARATED FROM SERVICE FOR DISCIPLINARY REASONS); CURRENT COMMANDER OF THE 2ND BRIGADE, GENERAL FREDY PADILLA DE LEON; AND FORMER COMMANDER OF THE "JOAQUIN PARIS" BATTALION, LIEUTENANT COLONEL GUSTAVO SANCHEZ GUTIERREZ. (NOTE: THE ATTORNEY GENERAL'S OFFICE CAN IMPOSE ONLY ADMINISTRATIVE SANCTIONS AGAINST STATE AGENTS. END NOTE.)



PARAMILITARY PRESENCE IN PUERTO ALVIRA.

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5. (U) ACCU LEADER CARLOS CASTANO PUBLICLY DECLARED PUERTO ALVIRA A MILITARY OBJECTIVE IN SEPTEMBER 1997. ACCORDING TO PRESS REPORTS, THE HUMAN RIGHTS OMBUDSMAN INFORMED THE MINISTRY OF DEFENSE AND MILITARY AUTHORITIES

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OF THE PARAMILITARY PRESENCE IN PUERTO ALVIRA IN OCTOBER 1997. IN DECEMBER 1997, THE HUMAN RIGHTS OMBUDSMAN FOR META DEPARTMENT CALLED ON VARIOUS CIVILIAN AND MILITARY AUTHORITIES, INCLUDING GENERAL JAIME USCATEGUI, TO PROTECT THE TOWN FROM THE PARAMILITARY THREATS.

6. (U) ACCORDING TO PRESS REPORTS, IN DECEMBER OF 1997, THE HUMAN RIGHTS OMBUDSMAN SENT ANOTHER LETTER TO COMMANDER OF THE 4TH DIVISION, JAIME HUMBERTO CORTES PARADA, ABOUT THE PARAMILITARY PRESENCE IN PUERTO ALVIRA. A MILITARY RESPONSE WAS RECEIVED VIA FAX ON JANUARY 15, 1998, SIGNED BY GENERAL FREDY PADILLA, STATING THAT TROOPS HAD NOT BEEN BILLETED TO PUERTO ALVIRA BECAUSE NOT ENOUGH WERE AVAILABLE FOR PERMANENT DEPLOYMENT.

7. (U) IN DOCUMENTS PROVIDED TO THE ATTORNEY GENERAL'S OFFICE BY THE HUMAN RIGHTS OMBUDSMAN, NOTATIONS IN THE DAILY LOGS OF THE "JOAQUIN PARIS DE SAN JOSE DEL GUAVIARE" BATTALION REPORTEDLY RECOMMENDED THAT THE BATTALION INVESTIGATE THE PARAMILITARY SITUATION IN PUERTO ALVIRA. HOWEVER, THE COMMANDER OF THE BATTALION, LIEUTENANT COLONEL GUSTAVO SANCHEZ GUTIERREZ, DID NOT DEPLOY ANY TROOPS.

8. (U) GENERALS AGUSTIN ARDILA URIBE AND JAIME USCATEGUI WERE REPORTEDLY NOT IN META DEPARTMENT AT THE TIME OF THE PUERTO ALVIRA MASSACRE. GENERAL USCATEGUI HAS ASSERTED PUBLICLY THAT HE WAS STATIONED IN PUTUMAYO DEPARTMENT AT THE TIME. GENERAL USCATEGUI HAS ACCUSED THE ATTORNEY GENERAL'S OFFICE OF PERSECUTING HIM, AND ACCORDING TO PRESS REPORTS, STATED PUBLICLY THAT THE ATTORNEY GENERAL'S INVESTIGATION IS A "WRONG DECISION THAT AFFECTS MY REPUTATION."

GENERAL MORA AND ATTORNEY GENERAL BERNAL SPEAK OUT

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9. (U) ARMY COMMANDER GENERAL MORA HAS BEEN VOCAL IN RESPONDING TO THE CHARGES AGAINST THE FIVE ARMY OFFICERS IN THE PUERTO ALVIRA MASSACRE. ACCORDING TO PRESS REPORTS, GENERAL MORA COMMENTED THAT IT IS "UNHEARD OF" TO LAUNCH AN INVESTIGATION OF SUCH HIGH-RANKING INDIVIDUALS FOR THEIR ALLEGED FAILURE TO HEAD OFF A MASSACRE, CITING THAT GENERALS ARDILA AND USCATEGUI HAD LEFT THEIR POSTS IN META DEPARTMENT FIVE MONTHS PRIOR TO THE MASSACRE. THIS TYPE OF INVESTIGATION AFFECTS THE TROOPS' MORALE, GENERAL MORA REPORTEDLY STATED, AND IT IS

IMPOSSIBLE FOR THE MILITARY TO BE PRESENT AT EVERY MASSACRE SITE.

10. (U) BOTH GENERAL MORA AND GENERAL USCATEGUI'S COMMENTS ON THE CASE HAVE PROMPTED REACTIONS FROM ATTORNEY GENERAL JAIME BERNAL CUELLAR, WHO HAS ASKED THAT THE MILITARY RESPECT HIS INSTITUTION'S EFFORTS IN THE INVESTIGATION. ACCORDING TO PRESS REPORTS, THE ATTORNEY GENERAL SUGGESTED THE EVIDENCE ON THE PUERTO ALVIRA MASSACRE BE PUBLICLY DEBATED.

GENERAL USCATEGUI LINKED TO THE 1997 MAPIRIPAN MASSACRE

11. (U) GENERAL USCATEGUI WAS ARRESTED ON MAY 20, 1999, IN CONNECTION WITH THE JULY 1997 MASSACRE IN MAPIRIPAN, META DEPARTMENT, WHERE PARAMILITARY MEMBERS KILLED DOZENS OF PEOPLE (SEE REF A). IN AUGUST 1999, THE SUPERIOR JUDICIAL COUNCIL SENT THE CRIMINAL CASE AGAINST GENERAL USCATEGUI TO THE MILITARY JUDICIARY, CITING THAT THE CHARGES WERE RELATED DIRECTLY TO ACTS OF SERVICE. GENERAL USCATEGUI WAS RELEASED IN NOVEMBER 1999 AFTER 180 DAYS IN DETENTION BECAUSE MILITARY PROSECUTORS HAD YET TO COMPLETE PROSECUTION (SEE REF B).

12. (U) ACCORDING TO THE RULES OF THE MILITARY JUDICIARY, ARMY COMMANDER MORA (ACTING AS JUDGE OF FIRST INSTANCE) HAD TO MAKE A DECISION ON THE MERIT OF THE EVIDENCE IN THE USCATEGUI CASE BY THE END OF MARCH TO DETERMINE IF IT SHOULD GO TO TRIAL. HOWEVER, THE MILITARY JUDICIARY ACCEPTED GENERAL MORA'S ARGUMENT THAT HIS PERSONAL TIES WITH GENERAL USCATEGUI WOULD IMPEDE AN IMPARTIAL DECISION AND REMOVED HIM FROM HIS POSITION AS JUDGE OF FIRST INSTANCE.

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INVESTIGATING GENERAL BRAVO

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14. (U) ON AUGUST 21, 1999, PARAMILITARIES KILLED 27 PEOPLE IN THE AREAS OF TIBU AND LA GABARRA. THIS MASSACRE WAS ONE AMONG 15 MASSACRES COMMITTED IN AND AROUND THE TOWNS OF LA GABARRA AND TIBU IN NORTE DE SANTANDER DEPARTMENT BETWEEN MAY 29 AND SEPTEMBER 1, 1999, WHICH LEFT CLOSE TO 200 PERSONS DEAD.

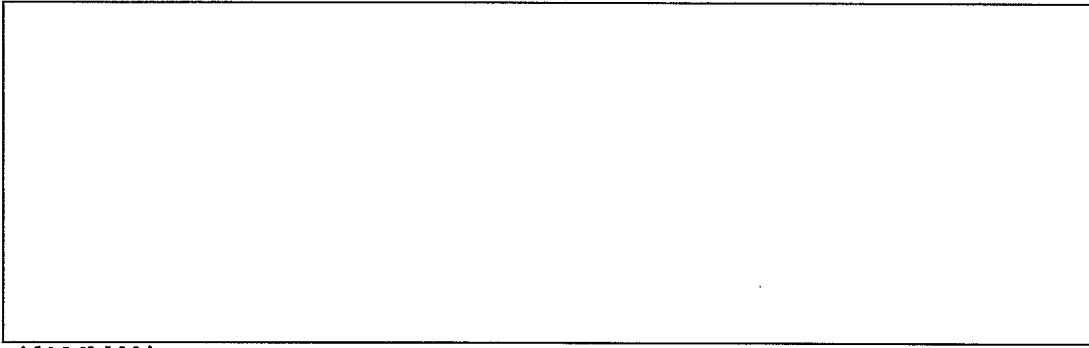
15. (C) IN JULY, THE ATTORNEY GENERAL'S OFFICE OPENED A FORMAL INVESTIGATION AGAINST GENERAL BRAVO AND FOUR OTHER OFFICIALS, FOR FAILING TO PROTECT THE RESIDENTS IN THE AREAS OF TIBU AND LA GABARRA DURING THE AUGUST 21, 1999 PARAMILITARY MASSACRE. GENERAL BRAVO WAS RELIEVED OF HIS COMMAND ON AUGUST 30, 1999 FOR OMISSION AND INSUBORDINATION AND WAS FORCIBLY RETIRED BY PRESIDENT PASTRANA ON SEPTEMBER 2, 1999 (SEE REFS C AND D).

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KAMMAN  
BT  
ADMIN  
#6962

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