5-27-2005

US Troops Caught Selling Paramilitaries Weapons and Smuggling Cocaine

LADB Staff

Follow this and additional works at: https://digitalrepository.unm.edu/notisur

Recommended Citation

This Article is brought to you for free and open access by the Latin America Digital Beat (LADB) at UNM Digital Repository. It has been accepted for inclusion in NotiSur by an authorized administrator of UNM Digital Repository. For more information, please contact amywinter@unm.edu.
Calls to allow the prosecution of US soldiers in Colombia have emerged after a number of incidents where US troops assigned to that country were caught committing felonies. Five soldiers were caught smuggling several kg of cocaine from Colombia, and, shortly after that, two others were caught allegedly attempting to deliver weaponry to a paramilitary group. The two incidents, on top of news that Colombian prosecutors were investigating an incident near Villavicencio where a US soldier allegedly killed two Colombian soldiers in a car crash, sparked demands for an end to diplomatic immunity for US soldiers and a demand that the US ambassador appear to testify before Congress.

Two soldiers allegedly tried trafficking arms to death squad

Demands that Colombian authorities be allowed to interrogate the apprehended soldiers went unheeded, as the US sent each of the accused troops north to face prosecution. The incidents led some Colombian lawmakers to call for a change in the bilateral agreement that protects American military personnel from prosecution in Colombia. In the most troubling of the recent incidents involving US soldiers, two military men were apprehended in Tolima with a stash of arms, forcing the US government to deny that it was directly arming the groups responsible for a majority of human rights crimes in Colombia's war.

In May, Colombian authorities captured Army Warrant Officer Allan N. Tanquary and Sgt. Jesus Hernandez in a house near the Colombian military base of Tolemaida, where US military personnel are regularly stationed. The raid brought in more than 40,000 rounds of ammunition, allegedly headed for illegal right-wing paramilitary groups. Tanquary and Hernandez members of the 7th Special Forces Group based at Fort Bragg, North Carolina were arrested at a luxury gated estate where authorities discovered the ammunition. The paramilitary group for whom the ammunition was supposedly destined is considered a terrorist organization by the US.

The outlawed paramilitary factions have been waging a dirty war against leftist rebels and their suspected collaborators. The discovery of Tanquary's and Hernandez's munitions stash, along with other interdictions of weapons shipments, have led to speculation that paramilitary groups are rearming in defiance of demobilization agreements with the government (see NotiSur, 2004-12-17).

Colombian Sen. Jairo Clopatofsky called for hearings to determine whether other Americans are involved. "You do not do this alone, not just two guys," said Clopatofsky, a member of the foreign relations committee in Congress. "There are others, and we have to find out how this network was formed."
In March, five US military personnel were detained on charges of smuggling 16 kg of cocaine from Colombia into the US aboard military aircraft. In both cases, the suspects were rapidly whisked off to the US, where they will face military tribunals. The Colombian prosecutors office later said that it had detained three individuals involved in the cocaine-trafficking plot, two of whom were former soldiers in the Colombian Air Force.

**Congress members want end to diplomatic immunity**

The suspects' quick removal angered many Colombians who felt they should have faced trials there. Colombia's inspector general even tried to block the exit of Tanquary and Hernandez without success. "What we want, as Colombians, is that these types of crimes be judged with the same severity as Colombians would be judged for the same crimes," said Sen. Jimmy Chamorro, one of many lawmakers asking the government to review the treaty giving immunity to the US troops in Colombia. US regulations cap the US military presence in Colombia at 800 soldiers and 600 contractors.

A US Embassy spokesperson said 7,000 soldiers have rotated through the country in the past two and a half years. A recent cover story in the nation's top newsweekly, Semana, was titled, "Out of Control," with a cover caricature of the US flag dropping bullets to the ground in reference to the arms scandal. "We're worried that Colombia renounced its jurisdiction in these cases," Chamorro said. "What we want is that the United States informs us."

A Colombian diplomatic source speaking to The Miami Herald said the government had discussed proposing to the US what he termed as "more flexibility" with the treaty, which might mean more access for Colombian prosecutors and journalists to the judicial process in the US as well as more thorough vetting of US soldiers sent to Colombia. The protections enjoyed by US military personnel have been especially offensive to some because Colombian President Alvaro Uribe has extradited close to 200 suspected drug traffickers to the US to face trial.

"On one side, they extradite Colombians for crimes committed here to face charges in the United States. And on the other, Colombians can't judge the soldiers here," said Rafael Nieto, a former interior minister. Nieto and others say there is the belief that Colombians are treated with more severity.

In 2000, Col. James Hiett, a former military attache at the US Embassy in Colombia, got five months in a US prison for laundering drug money that his wife and their Colombian driver had earned by shipping cocaine through the US Embassy's mail system. Hiett's wife was sentenced to five years in a US jail. The driver got eight years in a Colombian jail. "We extradite Colombians for committing crimes here in Colombia and the justice system in the United States is very hard on them," Nieto said.

Ambassador William Wood has defended the US-Colombian treaty on military personnel, arguing that the US troops involved in the scandals could face more severe punishment under the US
military justice system than under the US civilian justice system. US officials point out that under
the bilateral treaty, the US sent home three Colombian military personnel after they were captured
in Fort Lauderdale in 1998 while allegedly transporting drugs on military aircraft.

Other cases that have besmirched the US military reputation include an investigation of a US
soldier for assault and battery in an altercation along a road in southern Colombia, and investigators
checked into allegations that US soldiers were making pornographic videos with local women.
Colombian investigators eventually dropped the pornography case. In its own investigation, the
US Embassy scrutinized the tapes down to the alleged soldiers' tattoos and determined that a
California-based company made the videos and that no active or retired US soldiers were involved.

Call for US ambassador to appear before Congress

Colombian lawmakers angered by the arrests of US soldiers in the drug- and arms-smuggling plots
said on May 11 that they want Washington’s ambassador to appear before Congress. Sen. Chamorro
said his committee (foreign relations) was sending an invitation to Ambassador Wood. "We are
obviously very concerned about the allegations and want the ambassador to keep us updated," he
said. Congress cannot order the US envoy to appear for the hearing and can only issue an invitation.
The rare act underscores the simmering anger many Colombians feel because the US soldiers
involved in the recent incidents were flown to the US. Gen. Bantz J. Craddock, head of US Southern
Command (SOUTHCOM), insisted the arrested soldiers would face justice.

"I can assure you that, within the US military, investigations will be thorough and complete," said
the commander of all US military operations in Latin America and the Caribbean. "The required
persons will be held accountable." Craddock made the comments during a visit to Sumapaz, a high-
plains region south of Bogota, where he toured a Colombian army base and inaugurated a new
elementary school partially funded by the US.

"We are initiating a complete review of our procedures, processes, and security standards in order
to preclude any recurrences" of wrongdoing by US service members in Colombia, Craddock told
reporters.

The tour by Craddock, recently appointed head of the Miami-based SOUTHCOM, was clearly
aimed at repairing the US military's battered image. The US also made a show of donating a
majority of the money to build a US$170,000 library in the southern department of Caqueta, with
Ambassador Wood attending its opening.

The publicity appearances did little to prevent Bogota daily El Tiempo from publishing a May 25
editorial calling for the bilateral compact that "bestows immunity in our country to US military
personnel working in cooperation programs like Plan Colombia" to be revised. The worst of it,
according to the editorial, was that the US has agreements with 105 countries allowing soldiers
to be prosecuted for crimes not associated with their duties, but "Colombia, along with Iraq and
Afghanistan, is one of the only three or four nations in the world that gives total immunity." The
editors expressed the hope that the recent visit of Gen. Craddock would bring about a solution to the "enraging problem that the compact presents."

**US officials praise Plan Colombia even at its bloodiest**

US rhetoric during top-level military visits to Colombia seemed to be out of touch with the Colombian reality. On an April 17 visit, Craddock's superior, Chairman of the Joint Chiefs of Staff Gen. Richard Myers, claimed that the Colombian military was triumphing against rebel forces, even after it had suffered its worst single loss of troops since Uribe came to power. Seventeen Colombian soldiers died in the bombardment of their barracks that week and 70 have died in the past three months. The military is killing larger numbers of guerrillas, but fighting has shown little sign of abating.

In April, the Ejercito de Liberacion Nacional (ELN), the second-largest rebel group in the country, broke off peace negotiations in which Mexico had been mediating (see NotiSur, 2004-06-25) to protest Mexico's vote against Cuba in a human rights censure at the UN Human Rights Commission (UNHCR) in Geneva.

Nonetheless, influential members of the US Congress recently sent a letter requesting US$150 million in additional military aid for Colombia, providing a boost to President Uribe's efforts to obtain more equipment for his anti-drug aerial-spraying program. The letter, addressed to Rep. Jerry Lewis (R-CA), chair of the House Appropriations Committee, claimed it is "in our nation's interest" to provide Colombia with the additional funding next year for Plan Colombia.

US President George W. Bush had already asked for US$589 million for Colombia in his budget request, about US$60 million less than what Colombia was allotted for this year, according to the Center for International Policy (CIP), a group that monitors Plan Colombia funding. The letter came after the Appropriations Committee had already decided to cut Bush's foreign aid request by US$2.5 billion, reducing the money available for Plan Colombia.

The Latin America Working Group, an advocacy organization that is lobbying Congress against Plan Colombia, says US policy toward Colombia is "pouring fuel on the fire." Colombian Nobel laureate Gabriel Garcia Marquez recently published memoirs recounting how he had told former US President Bill Clinton that "the US anti-drug policy worked as a nefarious magnifier of Colombia's historical violence." Clinton would go on to establish Plan Colombia, which has, to date, delivered about US$3.3 billion in mostly military aid.

The additional funds called for in the letter to Rep. Lewis would be used to buy four AT802 Air Tractor fumigation airplanes and six Huey II and two Black Hawk helicopters, among other equipment. The letter was signed by Reps. Henry Hyde (R-IL), chair of the House International Relations Committee; Tom Davis (R-VA), chair of the House Government Reform Committee; Dan Burton (R-IN), chair of the subcommittee on the Western Hemisphere of the House International Relations Committee, and Mark Souder (R-IN), chair of the subcommittee on criminal justice, drug policy and human resources of the Government Reform Committee.
Some US aid came under risk of losing its certification earlier this year when Colombian soldiers were accused of committing a massacre in the self-declared peace community of San Jose de Apartado (see NotiSur, 2005-03-18).

-- End --