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Colombia's Attorney General's Office Reopens Investigation into Former President Álvaro Uribe's Links to Paramilitaries

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In the midst of a relatively peaceful spring in which the Fuerzas Armadas Revolucionarias de Colombia (FARC) observed a unilateral cease-fire, and, in Cuba, the government of President Juan Manuel Santos and the FARC rebels continued some auspicious conversations to cement the peace, the nefarious parapolítica scandal returned to the forefront of Colombian institutional life (NotiSur, Sept. 12, 2008). Parapolítica is a popular term coined to describe the murky intrigue in which the interests of rightist politicians and criminal groups (drug traffickers and paramilitaries) overlapped.

And there, on center stage, ex-President Álvaro Uribe Vélez (2002-2010) suddenly reappeared. For two years, various "friendly" judges had tried to keep all investigations that had Uribe as a protagonist closed. But on Jan. 8, the attorney general's office reopened the investigation into ties between the former president and the paramilitary Autodefensas Unidas de Colombia (AUC) while Uribe was governor of the northeastern department of Antioquia (1994-1997). The belated judicial decision reviews a denunciation by Polo Democrático Alternativo (PDA) Deputy Iván Cepeda, who, in early 2011, presented several audiotapes of two jailed paramilitaries who provided overwhelming evidence against the former president.

After the principal criminal leaders, who had been extradited to the US, denounced Uribe as a key figure in the armed groups of the Colombian right, two paramilitaries housed in local jails agreed to talk with Cepeda, who visited them in his role as president of the Comisión de Derechos Humanos of the Chamber of Deputes. Juan Guillermo Monsalve and Pablo Hernán Sierra—held in different jails after availing themselves of the "demobilization program" for guerrillas and paramilitaries—gave similar information that put Uribe in a bind legally (NotiSur, Nov. 4, 2011, and May 25, 2012).

Monsalve, the son of the overseer at Las Guacharacas estate, one of Uribe's properties in Antioquia, said that he joined the AUC's Bloque Metro as soon as he was of legal age. He said the ex—president created that paramilitary group and his assistants were his brother Santiago and cousins Luis and Juan Villegas Uribe.

Monsalve's story to Cepeda agrees with that of Sierra, especially in two points that, if confirmed, could lead to a lengthy prison sentence for the former president. Both paramilitaries said that Uribe was the military chief of Bloque Metro and, as such, ordered various mass killings of campesinos, most notably one in the municipality of San Roque in which 67 people were killed. Uribe put his cousin Luis in charge of handling the group's businesses, basically involving the cocinas and the tubos, said Monsalve. The jailed paramilitary said that, in the jargon of the criminal gangs, cocinas referred to the laboratories where cocaine was produced and tubos to the practice of stealing fuel by puncturing pipelines, a common paramilitary practice that results in costly losses to the Colombian state.
Not the only allegations of wrongdoing by Uribe

If the allegations against Uribe are proven, he would become the highest-ranking politician linked to parapolitica. "This is the first time a legal investigation has been opened against the ex-president for serious crimes, which even involve massacres like that of San Roque, which happened in Antioquia during his time as governor," said Cepeda in an interview Jan. 8 with the conservative Colombian daily El Espectador.

Previously, the opposition deputy had alleged that Uribe was responsible for the scandal involving espionage and harassment of political leaders, judges, journalists, and human rights activists carried out by the now-defunct Departamento Administrativo de Seguridad (DAS), the domestic intelligence service that reported directly to the president (NotiSur, May 12, 2006).

Cepeda was also the first to allege wrongdoing by Gen. Mauricio Santoyo, Uribe's personal security chief, who is now detained in the US, where he has pleaded guilty to complicity with drug-trafficking and paramilitary groups (NotiSur, July 27, 2012).

The parapolitica investigations have already led to the prosecution of more than 100 legislators and 33 others who were sent directly to jail (NotiSur, March 2, 2007, and May 4, 2007). The list includes four former presidents of Congress, among them Mario Uribe Escobar, another cousin of the president (NotiSur, May 16, 2008). Other Uribe relatives (brothers, cousins, a sister-in-law, a niece, even his late father) are either under investigation or in jail for involvement in the parapolitica scandal or for having ties with drug traffickers.

US companies allegedly involved in criminal activities

One month before reopening the investigation of Uribe, the attorney general's office also reopened a case involving the US-based banana producer Chiquita Brands International. The multinational is accused of financing the activities of paramilitaries operating in Antioquia while Uribe was governor, beginning in the mid-1990s.

In 2012, a prosecutor in Medellín, the department capital, closed the case against executives of the company and its subsidiary Banadex, which was later bought by multinational Banacol. He said payments by Chiquita to criminal groups (some US$30 million) had not been made voluntarily but rather under coercion.

The first complaints against Chiquita were made to the US judiciary by the same paramilitary leaders who implicated Uribe in criminal activities. Reopening the case was viewed favorably after Chiquita Brands admitted to the US Justice Department that it had financed the paramilitaries and made a plea bargain that included a US$25 million fine, the Spanish news agency EFE reported on Dec. 8 (NotiSur, May 18, 2007).

Uribe is also under investigation by a court in Alabama, where plaintiffs in a lawsuit against the US coal giant Drummond Company accuse it of paying a paramilitary group to murder three of the company's union leaders and 67 others, relatives of the victims or linked to employees of the mining company (April 18, 2008). To date, Uribe has managed to avoid action by the US Justice Department because of his tacit immunity as an ex-president, said EFE.
Talks between government and rebels continue

While Uribe was making headlines as a focus of investigations into one of the darkest chapters of the country's political life, in Havana, representatives of the Colombian government and the FARC resumed peace talks on Jan. 13 after a brief recess. They said they were optimistic about the possibility of reaching some agreements. After the recess, negotiators confirmed that mechanisms developed to allow society to participate in the process and negotiators to receive individual and collective suggestions from Colombians were running smoothly. Those mechanisms include: 1) a Web page on which ordinary citizens can express their ideas and forward proposals; 2) more than 130 forums to be held throughout the country at which various UN agencies and the Universidad Nacional will coordinate discussions led by 1,314 delegates from 522 civil agencies.

In the first hours after the Web site (www.mesadeconversaciones.com.co) was launched, it received almost 3,000 messages, the best sign that Colombians are committed to ending the war and the existence of the mafias—paramilitaries and drug traffickers—who have terrorized the country with thousands of murders and who are linked to the political leadership of the right. In the final meeting in Bogotá, those 522 organizations of campesinos, indigenous, Afro-Colombians, women, trade unionists, business people, and victims of the internal conflict released a package of 546 proposals, mostly referring to the critical issue of land.

"Demobilized" paramilitaries are back

Sectors not associated with the political establishment as well as national and international human rights organizations say that both the "demobilization" of paramilitaries and the disarming of guerrillas were in reality a farce contrived by the Uribe administration to benefit hundreds of criminals who, in exchange for a few years in jail, had their criminal records wiped clean (NotiSur, July 22, 2005, and May 20, 2011).

In April 2010, Human Rights Watch (HRW) said that, "Between 2003 and 2006 [three of the four years of Uribe's first term], the Colombian government implemented a demobilization process for the...AUC . The government claimed success....Since then, the government has repeatedly said that the paramilitaries no longer exist. But almost immediately after the demobilization process had ended, new groups cropped up all over the country, taking the reins of the criminal operations that the AUC leadership previously ran. Today, these successor groups are quietly having a dramatic effect on the human rights and humanitarian situation in Colombia."

After two years of fieldwork, the HRW report "Paramilitaries' Heirs, the New Face of Violence in Colombia" described the participation of those new groups in "widespread and serious abuses against civilians, including massacres, killings, rapes, threats, and extortion" in the country's 32 departments. The new armed groups managed to set up in rural and urban areas, among them Medellín, the country's second-largest city, where in 2012 "the homicide rate nearly doubled." The national police said that those new groups had between 4,000 and 5,000 core members in eight major groups.

In February 2012, HRW's perspective was confirmed when the attorney general called for the detention of Luis Carlos Restrepo, head of a prominent Colombian family, whom Uribe had put in charge of the fake demobilization process. He remains a fugitive, presumably living in New York.