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Deborah Tyroler

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Central American Human Rights Commission Report On Death Toll, U.S. Conduct In Invasion Of Panama

by Deborah Tyroler

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[Appearing below are excerpts from a summary report released March 6 by the Central American Human Rights Commission (CODEHUCA, San Jose, Costa Rica) and the Panamanian Human Rights Commission (CONADEHUPA). The summary is based on more lengthy report resulting from a Jan. 20-30 fact-finding visit by the joint delegation. CODEHUCA's five-member team, working in conjunction with the Panamanian Commission, visited and photographed areas sustaining the greatest damage in the US invasion. Interviews were conducted with survivors, and representatives of opposition parties, union leaders, physicians, humanitarian organizations, Panama's Attorney General, and members of the Colegio de Abogados, among others. According to the report, CODEHUCA was unable to establish precise quantitative data on the human and material costs of the invasion, primarily due to US efforts to conceal these facts. However, evidence collected by the delegation provides information not yet published in the foreign press, nor acknowledged by the US government.] The major findings of the report follow: 1. The US Army used highly sophisticated weapons against unarmed civilian populations. In many cases no distinction was made between civilian and military targets. 2. The human costs of the invasion are substantially higher than official US figures. Conservative estimates indicate that civilian deaths were at least 10 times greater than the 220 cited by the Pentagon. 3. The real death toll has been obscured through US military practices including a) incineration of corpses prior to identification; 2) burial of corpses in common graves prior to identification; and 3) US military control of administrative offices of hospitals and morgues, permitting the removal of records to US military bases. 4. During the military occupation of Panama, the US has ignored fundamental legal and human rights of Panamanian citizens. Rights abuses have occurred on a massive scale, and include illegal detention, unconstitutional property search and seizure, illegal lay-off of public and private employees, and until recently tight control of the Panamanian media. 5. A thorough, well-orchestrated propaganda campaign has been implemented by Washington to appease the Panamanian population and to deny the brutality and extensive human and material costs of the invasion. US overkill and military attacks against civilians In the first 14 hours of the invasion on Dec. 20, F-117 Stealth bombers never before used in combat dropped 2,000-lb. bombs on military and apparently civilian targets. Testimonials collected by the CODEHUCA team indicated that US air and ground troops killed between 2,000 and 3,000 Panamanians. The Catholic and Episcopal Churches have estimated 3,000 Panamanian fatalities, a figure they believe is conservative. Civilian neighborhoods suffering the heaviest damage, including Chorrillos and San Miguelito, were poor, densely populated areas. Half of Chorrillos (pre-invasion population, approximately 25,000) was leveled by US troops, and civilian residents were victims of direct attacks. In the neighborhood of Chorrillos, the joint delegation photographed an area the size of 10 city blocks which had been entirely leveled. Witnesses cited numerous examples of US attacks on unarmed vehicles and civilians, including an instance in which a US tank destroyed a public bus, killing 26 passengers. Disproportionate use of military force and indiscriminate and intentional attacks against civilians are in clear violation of the 1949 Geneva Conventions which establish "the rights of fighting parties to choose their methods and

means of carrying out the war are not unlimited." This principle prohibits use of weaponry which causes superfluous damage, and obligates parties in conflict to make and respect the distinction between civilians and military targets under all circumstances. US violations of these fundamental laws of war were committed not only through the use of highly sophisticated weaponry, but also by the "gratuitous" victimization of civilians and destruction of civilian property. "The US troops burst into the apartment using a type of pole to knock down the door...They found all of us sleeping there, in our beds and on the floor...They kept us in the street in front of the house until sunrise. Our youngest children were nude. My wife and I were in simple bedclothes. In front of our eyes, they burned the building to the ground all fifteen apartments...All of our belongings were destroyed. They did permit anyone to go back into the building to collect personal property..." (Doc. #6) "...[W]e saw from our window a group of approximately 18 soldiers coming down the street, and entering each house. We saw the residents coming out, followed by the soldiers, and then we saw the houses, one by one, go up in smoke. The US soldiers were burning the houses. We saw people trapped in their apartments, because they lived on the second floors of these wooden houses. The stairs to the ground floor were already on fire so many of them had to jump from the windows..." (Doc. #7) Material damage Official US and Panamanian government sources estimate material damage caused by the invasion at close to \$2 billion. While much of the damage was the result of the first-time use of high technology weaponry with tremendous destructive capacity, the burning of civilian homes and entire city blocks by US troops clearly contributed to the staggering material losses suffered by Panamanian citizens especially by the poor. Quantitative dollar figures cannot adequately describe the overwhelming personal impact of the destruction. Many of those living in the slum areas near military barracks have been entirely dispossessed. Refugee centers for displaced persons have been incapable of meeting existing basic material needs of Panamanians who lost everything in the invasion. Inhumane treatment of wounded According to several testimonies, there is evidence that the treatment of wounded persons was inadequate and inhumane. Red Cross representatives reported that their efforts to evacuate wounded survivors to hospitals were, in some cases, seriously impeded by US troops. "[The paramedics] returned to the hospital and said that they were going to wait until morning because US troops had shot at the ambulance. It was clearly marked with a red cross on every side. It could not be mistaken. They said they were lucky to escape with their lives." (Doc. #12). CODEHUCA has received testimony from several physicians regarding illegal and inhumane treatment of wounded Panamanians. According to a doctor who was working in the emergency room at the San Tomas Hospital on Dec. 20: "The dead generally showed bullet wounds in the head; some of them had head contusions. The people who took refuge in the hospital said that when someone was wounded, the soldiers finished them off with their rifle butts." (Doc. #1) Excerpts from testimonies by other physicians follow: "On Dec. 22, we received an ultimatum from the US Army through the Red Cross. If we did not let them enter the hospital, it would be bombed. They were allowed to enter, and they searched the hospital for weapons. They found none in the hospital...In the morgue, there were 60 bodies that had been stabbed with bayonets of the soldiers to make sure that they were dead." (Doc. #1) "On the 23rd, I was moved to a concentration camp in Emperador to attend to wounded detainees. There were 30 people with gunshot wounds and burns that required hospitalization...In conversation with the US Army paramedics, I was told that there was a common grave where they had buried a trailerful of bodies. Witnesses have verified that there are three such refrigerated trailers in the city. The paramedics indicated that each of the trailers could hold 400 bodies. They also mentioned the Chorrillo cremations, indicating that these acts were justified based on the advanced state of decomposition of the bodies." (Doc. #1) In the Chorrillos area, where casualties were the highest,

the Red Cross was denied access for the first three days. In this neighborhood, residents witnessed survivors being "disposed of" along with corpses. "On the way from our bombed-out apartment to the refugee center...we saw a pile of bodies, both dead and wounded, piled all together on top of each other. We thought that they were all dead until we saw some of them moving. We saw some of them with their heads smashed open. We saw others that were totally crushed and I think that tanks had passed right over these people..." (Doc. #7) The prevention of evacuation and treatment of wounded civilian or military during wartime is in direct violation of the Geneva Conventions, which establish free access of the International Red Cross and other recognized humanitarian relief organizations to wounded individuals. Common graves/illegal disposal of bodies After the initial attacks, US troops were seen burning cadavers and burying corpses in common graves without prior attempts at identification or notification of next of kin. As a result of these practices, many Panamanian citizens are considered missing or "disappeared." The Red Cross has confirmed that the US Army carried out "sanitation" activities in which they used flame throwers to burn hundreds of bodies. "On Dec. 22, I went to Central Headquarters with a group of people who had seen the American soldiers take some bodies from the debris. For burning bodies, they used flamethrowers that consisted of an apparatus they carried on their backs that looks like what the tanks use and a hose that looked like part of a ventilator. The bodies were put on top of a piece of zinc. When the fire went out, the body was like a piece of coal it was a compact mass that was later put in a green bag which had three adjustable straps..." "One thing that caught my attention was the reaction of a woman who shouted that they could not do this because the families could not identify the bodies. The soldiers did not stop because no one was around to recognize the victims. They didn't photograph them for later identification." (Doc. #1). CODEHUCA received many testimonies from residents of conflict areas who provided similar descriptions of common graves filled with corpses. "I had to go on two occasions to...hospital morgues to try and identify a dead family member. There were dead persons piled one on top of the other...All the spaces were full, and bodies were lying on the floor, inside and outside the door. Every day, truckloads were taking bodies to the common graves. In the morning and in the afternoon, I saw US troops driving trucks taking 50 bodies each trip to be buried...Some of the bodies were taken in rustic boxes, and others in plastic bags...For example, they took them to the Juan Diaz Cemetery. US troops had the job of digging the common graves and the single graves...From the hospital, we went behind the trucks. They entered the cemetery, and would not permit us to enter. From the entrance, we were able to watch..." (Doc. #24) "I saw where US troops with green bags were entering houses looking for bodies. Their mouths were covered by a type of doctor's mask...They would then put them in the bags and bury them in holes (mass graves) that they had dug." (Doc. #4) According to a physician, "It should be that the only persons put in common graves are unidentified bodies...I think they are doing this, in part, so that the real number of dead will not be known." (Doc. #12) "The [US death toll] figure of 200 is ridiculous when one looks at the capacity of the hospital morgues. Here they fall into their own lies. On the 23rd and 24th, they were urging people by television to come to the hospitals and identify family members because the morgues...were all full to overflowing...The capacity of one of Panama City's hospital morgues is 200 or more..." (Doc. #24) US administrative control "The US has set up shadow administrations that control more or less what the Panamanian hospital administration does." (Doc. #10) The US Southern Command executes ultimate military, civil, and legal authority in Panama without respect for the Panamanian constitution or administrative systems. When asked when the local government would take control of US actions in Panama, the newly-appointed Attorney General of Panama, Rogelio Cruz, responded: "Three weeks ago, I was in a meeting when an official from Chepa called, saying that Chepa had been invaded by North

American troops. They had entered the Municipal Building and decided to sleep there...So then I told him, the official in Chepa, that if he had as powerful an army as the USA, then he should oust the US troops at once. What could I do? We are an invaded country. It is a reality." (Doc. #15)

Addressing the issue of consistent constitutional violations on the part of the US occupying forces, Cruz explained the US-controlled chain of command: "Recently, with respect to denunciations, someone was in my office to tell me there was a house containing a large quantity of weapons and money. So I said I would order a search. When I called headquarters of the new Public Forces to order them to carry out the raid, the chief told me that it was necessary to have the approval of Major Manning of the US military...I did not know that the Attorney General of Panama needed the approval of a US major to carry out a search and seizure." (Doc. # 15)

Shortly after the invasion, US military personnel took control of hospital administrations' records of fatalities and wounded, and have prevented public access to these records. Repression of opposition/abuse of legal rights

Illegal detention According to the US military sources, almost 6,000 Panamanians military and civilian have been detained and interrogated at US military bases. A minimum of hundreds of civilians have been arbitrarily and unconstitutionally arrested on the basis of anonymous denunciations. Many of these arrests were instigated by generalized contempt or personal grudges, but others are clearly attempts to crack down on opposition protest. "...[U]nion leaders have been detained in order to pressure them to support the puppet government...Political leaders continue to receive threats that they will be detained." (Doc. #1)

Large numbers of non-combatants are being held as prisoners of war; no charges have been filed against them. One month after the invasion family members were still not permitted to visit detained relatives. While visitation is now permitted, family members must wade through an almost insurmountable bureaucracy to make contact with the detainees. Illegal search and seizure US soldiers continue to carry out illegal searches and confiscation/destruction of private property, including work-related items such as files, archives, and computers. While widespread, these activities reveal a pattern: unions, churches, government offices, opposition political parties, human rights groups, and embassies of certain countries (e.g., Nicaragua, Cuba, Libya, and Peru) have been targeted. The homes of private citizens deemed opposed to the invasion or of a nationalistic bent have also been subject to illegal search and seizure. As in the case of illegal detentions, anonymous denunciations often only insinuating that guns or drugs may be present in a given locale are often the principal or only evidence for search and seizure. "All of the residences and offices of the political sectors that oppose the invasion have been searched. Much of their property has been destroyed, and their valuables stolen." (Doc. #1)

"The troops arrived. They said that they had received an anonymous call, informing them that there were guns or drugs in my house. Thirty of them, well-armed, surrounded my house, and six came in...and looked everywhere. I was there with young children. Of course they found nothing..." (Doc. #24)

Illegal layoffs To date, more than 10,000 Panamanians have been dismissed from jobs in both the public and private sectors. The initial pretext for the layoffs was close association to the Noriega government or membership in the Dignity Battalions. The dismissals based on membership in the Dignity Battalions are illegal in that the Panamanian Constitution establishes the right of citizens to defend their country from foreign invasion. In addition to unconstitutional justification for dismissing workers, the current authorities in Panama have extended their actions beyond (illegal) established criteria of firing members of the Dignity Battalions. As one public employee testified: "There are institutions that had, for example, 50 Dignity Battalion members, but they dismissed as many as 150 people." The post-invasion authorities have also ignored existing labor laws in their practice of "suspending indefinitely without pay" thousands of workers who now have no legal or administrative recourse: "Besides all of the other rights that are included in these laws

regarding employment, there is no precedent for a policy of 'indefinite leave of absence without salary.' Furthermore, these dismissal letters were retroactive that is, these letters were delivered on the 15th of January and ordered dismissals from the first of January. In other words, people had worked 15 days without pay. That is illegal, besides the fact that the person signing the letters has no public authority but is a simple custodian. The process was undertaken irresponsibly....because when we search for remedies for what has occurred, there are no authorities that will aid us. The man who carried out the dismissals has disappeared..." (Doc. #25) Propaganda/media control

The information and images released to the international community regarding the invasion and occupation are in accordance with a comprehensive, well-planned public relations and propaganda campaign executed by US authorities. CODEHUCA does not deny that many Panamanians welcomed the removal of Noriega. However, the economic, political, and social context experienced by Panamanians must also be considered. Moreover, the "overjoyed" and "grateful" Panamanians portrayed in media reports were unaware of the real number of people killed by the US military. Until mid-February, the US exercised full control and censorship over the Panamanian media, providing no alternative information to official government figures. Nor was there any medium for the expression of dissenting or critical perspectives regarding the invasion. As part of an appeasement campaign, the US military has distributed merchandise carrying the "Just Cause" slogan and US soldiers give candy, chocolate, and 25-cent pieces to Panamanian children. It is worth noting that "Just Cause" T-shirts and other paraphernalia were distributed within the first 24 hours of the invasion, indicating that the propaganda campaign to win Panamanians' "hearts and minds" was planned well in advance. In addition, the US troops permitted mass looting after dismantling the Panamanian security forces previously responsible for maintaining public order. There is some evidence for the notion that US officials made a policy decision before the invasion to encourage looting as a means of releasing tension and aggression, and winning over a majority of Panamanians with the availability of previously-inaccessible material goods. Conclusions "The moral damage and social trauma of the families of dead, disappeared and imprisoned Panamanians along with the loss of our sovereignty will never be forgotten." (Doc. #1) US "mop-up" efforts have been quick and effective in trying to erase the visual evidence of the killing and destruction. While public relations work, cover-up of the actual death toll, and suppression of protest can present a tidy image, the reality is that thousands of Panamanians have lost family members, homes, and livelihoods. The Organization of American States and Amnesty International have documented the human rights abuses that the Noriega regime committed in the past two to three years. Noriega has been legitimately denounced for his role in the repression of opposition parties in the May 1989 elections. However, the US massacre committed in the invasion of Panama has caused an unprecedented level of death, suffering, and human rights abuses in Panama. To further emphasize that the invasion had little or nothing to do with the removal of Noriega and the restoration of "democracy," CODEHUCA notes that the human rights violations in Panama under Noriega although unacceptably high were mild compared with the records of US-supported regimes in Guatemala and El Salvador. Even Panamanians who despised Noriega and desired his removal from power condemn the US intervention that violated national sovereignty and killed large numbers of their fellow citizens. As one Panamanian put it: "How incredibly shameless to argue that they invaded us for our freedom and democracy! Why don't they go to free the blacks of South Africa...or the dispossessed of their own country? The most powerful military, the nation that is the most 'democratic and free' of the West, needed to indiscriminately kill more than 3,000 Panamanians, destroy whatever was in their path, to capture one man Noriega, who was always in arm's reach?" (Doc. #14)

-- End --