

United States Senate
WASHINGTON, DC 20510

April 15, 2019

The Honorable Ivan Duque
President
Republic of Colombia
Bogota, Colombia

Dear President Duque:

We are writing as longstanding friends of Colombia who over the past 19 years have supported billions of dollars in assistance for the Colombia Armed Forces. We are aware of the challenges your government faces in implementing the peace agreement with the FARC, addressing ongoing insecurity in the country, and responding to the humanitarian catastrophe unfolding in Venezuela. We would like to support you in confronting these challenges.

As we consider President Trump's budget for Fiscal Year 2020, which includes a \$74 million reduction in assistance for Colombia from the current level, we want you to know of our concern with a recent report by Human Rights Watch. That report, entitled "*Colombia: New Army Commanders Linked to Killings*," documents the appointment of officers to senior positions in the army, despite credible information that they were involved in gross violations of human rights during the armed conflict.

The report cites the promotion of General Nicasio de Jesus Martinez Espinel as army chief and eight other officers linked to "false positives," in which the security forces summarily executed thousands of civilians and counted them as rebels to inflate combat deaths. We have followed the "false positives" cases since they were first exposed. While hundreds of mostly low-ranking soldiers have been convicted, almost no commanding officers have been brought to justice.

We recognize that, as in the United States, individuals in Colombia who are accused of crimes are presumed innocent until proven guilty. But that does not mean that they should be promoted to top positions in the Armed Forces. To the contrary, anyone credibly implicated in such heinous crimes – as the recent Human Rights Watch report documents – should be suspended from positions of command responsibility and ineligible for promotion until their case is thoroughly investigated and adjudicated.


Some of us have met with the families of victims of the "false positives," who have been waiting for justice for many years. We are disappointed that senior officers who allegedly gave the orders and acted to cover up these crimes have, so far, escaped justice. We urge you, as Commander in Chief, to take the necessary action to remedy this situation.

We also want to share our concern with the safety and well-being of Sergeant Carlos Eduardo Mora – a whistle-blower whose testimony helped convict several army officers responsible for “false positive” executions. In 2008, Sergeant Mora supported the Southern Command in searching for three U.S. citizens who had been kidnapped by the FARC in Colombia. A decade later, in 2018, he graduated with honors as a human rights and senior instructor at the Western Hemisphere Institute for Security Cooperation, in Fort Benning, Georgia. We are concerned, however, that upon his return to Colombia he has been neglected and mistreated by fellow soldiers. We are also deeply worried about his safety, given reports that officers he testified against have been released from prison. We urge you to consider appointing Sargent Mora to a military post outside of Colombia.

Thank you for your consideration. We look forward to your response.

Sincerely,


PATRICK LEAHY
United States Senator


BENJAMIN L. CARDIN
United States Senator


CHRIS VAN HOLLEN
United States Senator