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INFO	LOG-00	ACDA-08	ACDE-00	INLB-01	AID-00	AMAD-01	CIAE-00
	INL-01	DEAE-00	DINT-00	DODE-00	SRPP-00	EB-00	OIGO-01
	H-01	IM-01	TEDE-00	INR-00	JUSE-00	L-01	ADS-00
	NSAE-00	NSCE-00	OMB-01	PM-00	SP-00	SS-00	TRSE-00
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E.O. 12958: DECL: 03/18/08
TAGS: CO, MASS, SNAR
SUBJECT: REQUESTS FOR FURTHER EUM INFORMATION REGARDING
COLAR 12TH BRIGADE

REF: (A) STATE 45231, (B) BOGOTA 20-1, (C) BOGOTA 1608,
(D) BOGOTA 1386, (E) GRID FAXED FROM POST, (F) BOGOTA 2520

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1. CLASSIFIED BY ABA/AND DESKOFF MICHAEL E. O'MALLEY:
REASON: 1.5(D).
2. SEE ACTION REQUEST PARA. 9
3. (C) THE DEPARTMENT HAS DECIDED THAT THE ELIGIBILITY OF
THOSE COLAR UNITS REMAINING TO BE EVALUATED FOR THE
DISTRIBUTION OF COUNTERNARCOTICS ASSISTANCE UNDER TERMS OF

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THE END USE MONITORING AGREEMENT MUST BE APPROACHED ON A CASE-BY-CASE BASIS. REF A PROVIDED RELEASE AUTHORIZATION FOR CN AID TO THOSE COLAR UNITS THAT SATISFY THE HUMAN RIGHTS REQUIREMENTS OF US LAW AND THE EUM AGREEMENT. THIS CABLE WILL PROVIDE THE GUIDELINES FOR INFORMATION REQUIRED FOR FURTHER CONSIDERATION OF THE COLAR'S 12TH BRIGADE.

4. (C) DEPARTMENT REALIZES THE HARDSHIP IMPOSED UPON POST BY THESE FURTHER REQUIREMENTS BUT PLEADS NECESSITY. IF WE ARE TO RELEASE CN AID TO THE REMAINING UNITS UNDER CONSIDERATION WE MUST HAVE A BASIS UPON WHICH TO MAKE SUCH A DETERMINATION. WE MUST BE IN A POSITION TO DETERMINE IF THE INCIDENTS IN QUESTION CONSTITUTE "GROSS VIOLATIONS OF HUMAN RIGHTS" AND, IF THEY DO, WHETHER THE HOST NATION IS TAKING ADEQUATE STEPS TO BRING THE PERPETRATORS TO JUSTICE. IN ORDER TO DO THIS, WE REQUIRE FURTHER INFORMATION.

5. (C) POST CITES SEVEN CASES OF ALLEGED HUMAN RIGHTS ABUSES COMMITTED BY INDIVIDUALS WHILE SERVING IN THE 12TH BRIGADE. DEPARTMENT WOULD LIKE AS MUCH INFORMATION ON THESE INDIVIDUAL CASES AS POST CAN ACQUIRE FROM DEFMIN AND CIVILIAN SOURCES WITHIN A REASONABLE TIME FRAME. DEPARTMENT WOULD ALSO APPRECIATE POST'S ASSESSMENT OF THE

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CREDIBILITY OF ALL ALLEGATIONS.

6. (C) DEPARTMENT ALSO REQUESTS FURTHER INFORMATION ON THE MEANING OF THE PHRASE "PERSONAL LIBERTY" IN CASES NO. 18 AND 19 AND ITS DISTINCTION FROM "ILLEGAL DETENTION" AS IN CASE NO. 21.

7. (C) AS A PATTERN OF HUMAN RIGHTS VIOLATIONS IS FIRST AND FOREMOST A COMMAND FAILURE, DEPARTMENT ALSO REQUESTS A COMMAND HISTORY (AT THE TIME OF THE ALLEGED ABUSE AND FOR, AT LEAST, THE PAST TWO YEARS) OF THE 12TH BRIGADE AS WELL AS COMMAND HISTORIES OF THE SUB-UNITS (BATTALION LEVEL) INVOLVED IN THE ALLEGED ABUSES.

8. (C) FOR THOSE INDIVIDUALS WHO ARE ALLEGED TO HAVE COMMITTED ABUSES PRIOR TO THEIR ASSIGNMENT TO THE 12TH BRIGADE (CASES 39 THROUGH 41), WE WOULD LIKE INFORMATION ON THE DATE THAT THEY WERE ASSIGNED TO THE 12TH, THE STATUS OF THEIR CASES AND THE LIKELIHOOD THAT THEY WILL SOON BE TRANSFERRED OUT OF THE 12TH BRIGADE. WE WOULD ALSO LIKE DETAILS ON CASE NO. 40 AND THE EXTENT AND CIRCUMSTANCES OF

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THE PERSONAL INJURIES ALLEGED.

9. (C) ACTION: REQUEST THAT POST APPROACH HOST NATION MOD INTERLOCUTORS TO REQUEST ABOVE INFORMATION.

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11. (C) DEPARTMENT NOTES THAT THE UNITS CLEARED FOR ASSISTANCE WERE FORMED FAIRLY RECENTLY. WE ALSO NOTE THAT THE THIRD MOBILE BRIGADE, RECENTLY INVOLVED IN HEAVY FIGHTING IN CAQUETA, IS ANOTHER RECENTLY-FORMED UNIT. DOES EMBASSY BELIEVE THE THIRD MOBILE BRIGADE OR ANY OTHER RECENTLY-FORMED COLAR UNIT WOULD BE AN ACCEPTABLE RECIPIENT OF U.S. COUNTERNARCOTICS ASSISTANCE? WE REALIZE THAT NOMINATING NEW UNITS FOR ASSISTANCE WOULD ENTAIL GOING BACK INTO THE MINISTRY OF DEFENSE WITH MORE REQUESTS FOR INFORMATION. HOWEVER, GIVEN THAT WE WILL LIKELY NOT BE ABLE TO RELEASE ASSISTANCE TO, AT LEAST, THREE OF THE SIX UNITS ORIGINALLY NOMINATED IN THE IMMEDIATE FUTURE, WOULD IT BE PRODUCTIVE TO NOMINATE OTHER RECENTLY-FORMED COLAR UNITS?
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