

# Colombian rebel leader sentenced to 60 years over captured contractors

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**31 January 2008**

A Washington, DC federal court Monday handed down a draconian 60-year sentence against a leader and negotiator for the Revolutionary Armed Forces of Colombia (FARC), a guerrilla movement that has been in conflict with Colombian government forces for 40 years.

Ricardo Palmera was indicted on terrorism and drug-trafficking charges and extradited from Colombia at the end of 2004. He was convicted last July on a single count of conspiracy to take hostages in connection with the 2003 capture of three US military contractors whose plane was downed over FARC-held territory in southern Colombia.

The contractors, employed by Northrop Grumman Corporation, were flying surveillance flights and relaying intelligence to the Colombian armed forces. They have been held by the guerrilla movement as prisoners of war.

No attempt was made by prosecutors to prove that Palmera had given the order to shoot down the spy plane or had anything to do with the contractors' capture and detention. Indeed, all evidence indicates that he never laid eyes on the three. The sole basis of the charges was that he was a member of FARC, which the US State Department classified as a foreign terrorist organization under the Clinton administration, at a time when Washington stepped up its military intervention in Colombia and transformed its so-called "war on drugs" into an open counterinsurgency campaign, which Washington has funded to the tune of \$5 billion.

The prosecution, conviction and sentencing of Palmera constitutes a significant escalation and broadening of the so-called "global war on terror," which is now being utilized as a pretext for applying US law extraterritorially to suppress opponents of a US-backed regime in Latin America.

Palmera, who was known in the FARC by his nom de guerre, Simon Trinidad, was abducted in Quito, Ecuador in January 2004. He had gone there to meet with James LeMoyné, the United Nations special advisor on Colombia, apparently to discuss a possible prisoner exchange, including that of the three US military contractors. Palmera was tracked by US and Colombian intelligence, which asked

Ecuadorian authorities to arrest him. He was sent back to Colombia, whose government, by the end of 2004, took the unprecedented decision of extraditing him to the US to stand trial.

Palmera was first tried in 2006, but the jury was unable to reach a verdict because of the lack of any evidence linking him directly to the capture or detention of the crew of the US spy plane. The government immediately moved to prosecute him again on the same charges.

For more than three years, he has been imprisoned under extremely harsh conditions in the US, condemned to solitary confinement in a federal prison and denied the right to receive visits from family, friends and even his Colombian defense attorney.

In ordering Palmera imprisoned for 60 years without parole, US District Judge Royce Lamberth acted at the direct request of the US Justice Department. The maximum sentence under federal guidelines would have been life in prison without parole. However, the Colombian government had asked for the 60-year sentence—instead of a formal life term—in its extradition agreement. Obviously, for the 57-year-old Palmera, the effect is the same.

The sentence is just one more indication that the trial of Palmera was a politically directed intervention by the US government in Colombia's politics aimed at propping up the right-wing government of President Alvaro Uribe and scuttling any negotiations with the FARC guerrillas.

In imposing the sentence, both federal prosecutors and Judge Lamberth—who previously served as head of the Foreign Intelligence Surveillance Court—denounced Palmera as a terrorist. "This was and is an act of terrorism, a barbaric act that is against the laws of all civilized nations," he said, referring to the capture and detention of the downed US military contractors. He went on to compare the FARC leader to Osama bin Laden.

The reality, of course, is that Colombia is in a state of war that has existed for at least four decades. Both the government and the FARC have taken prisoners and there have been repeated negotiations and international mediations

between the two sides. The holding of US contractors—acting as proxies for actual Colombian or American troops—is certainly far more justifiable than the truly barbaric US abduction and detention of tens of thousands of Iraqis swept up by American occupation troops.

Palmera's court-appointed defense attorney, Robert Tucker, objected to the judge's reference to Osama bin Laden and once again said that his client had played no direct role in the imprisonment of the contractors. "He never saw them, never talked to them, he has nothing to do with their abduction," he said. Tucker had argued that the appropriate sentence should have been five to six years, and pointed out that precedents invoked by the prosecution involved cases in which defendants had participated personally in the crimes and, in some cases, had killed those they had kidnapped.

Tucker touched briefly on the key issue in the case, declaring, "The idea that there is no war in Colombia is absolutely fantastic." He pointed out that the type of negotiations Palmera was engaged in when captured in Quito was well established. "You cannot divorce this case from the Colombian conflict," he added. "What the US and the government of Colombia want is to win this war."

Palmera himself addressed the court, defending his actions politically. A former banker from a privileged background, he had joined the FARC after first participating in a legal left-wing political party, Union Patriótica, formed in the 1980s. While the party gained substantial support, it was subjected to ferocious repression by the US-backed government and its death squads, with over 5,000 of its members assassinated, including hundreds of elected officials and candidates. This bloodbath effectively destroyed the organization.

He pointed to the conditions of savage repression and stark social inequality that continue in Colombia, where over half the population lives in poverty, surviving on \$1 to \$2 a day. The country's resources, he said, were monopolized by a small ruling elite in alliance with foreign capital. To maintain this system, the oligarchy utilized political violence, including assassination, forced disappearance and torture.

He denied that either he or the FARC were terrorist, and said that it was state terrorism that had led him into the ranks of the guerrilla movement. He also disputed Washington's attempt to blame Colombia's cocaine trafficking on FARC, which does receive substantial funds from cocaine growers in areas under its control. He pointed out that Washington's own intelligence reports had exposed the ties between Colombian President Uribe and the late drug lord Pablo Escobar.

Palmera denounced the judicial proceedings against him as "political from top to bottom" and said that the Uribe

government's decision to send him to the US for trial was part of a "neo-colonial practice that damages the sovereignty of our country.

"When I joined the FARC, I did so conscious that I could lose my life for freedom and the struggle for social justice," he said. "Today I lose my physical liberty, but my ideals remain intact."

He called for a humanitarian exchange of prisoners in Colombia and expressed his desire to see the US contractors released. "It is my sincere desire that Thomas Howes, Marc Gonsalves and Keith Stansell return as soon as possible alive and well to their homes, together with their loved-ones," he said.

The FARC responded to Palmera's sentencing by offering to exchange the three US military contractors for his release and that of a second member of the guerrilla organization imprisoned in the US. "Give us back our guerrilla members and we'll give you your three spies," the FARC message read.

Thomas Shannon, the US undersecretary of state for Latin American affairs, immediately rejected any such exchange. Palmera, he claimed, "committed a crime, was tried and convicted in a process in which he was given all of the guarantees, while the Americans have not committed any crime and are being held against their will."

The reality is that Palmera and his imprisoned comrade have been subjected to the same kind of American "justice" as those who have been abducted, tortured and imprisoned in Guantánamo, Abu Ghraib and other CIA and military prisons around the world. The aim of his trial was to turn resistance to the US imperialist intervention in Colombia and to the right-wing US-backed regime that is responsible for the killing of thousands of Colombian workers and peasants into a criminal offense that can be prosecuted in Washington, DC.

All those concerned about the assault on democratic rights in the US and the criminal actions of the US government around the world must demand the immediate and unconditional release of the two FARC prisoners.



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