

Former Colombian secret police chief convicted of murder

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The former head of Colombia's secret police was convicted September 14 of homicide and conspiracy in connection with the death squad murder of a popular sociology professor and human rights activist.

Jorge Noguera Cotes, who headed the Department of Administrative Security, or DAS, between 2002 and 2005, was sentenced to 25 years in prison for homicide, conspiracy, disclosure of secret information and destroying or concealing public documents.

All of the charges stem from the close links maintained between the DAS and the right-wing paramilitary militia known as the AUC (Self-Defense Units of Colombia), which carried out the 2004 assassination of Professor Alfredo Correa de Andreis in the northern industrial port city of Barranquilla.

Formed in the 1980s, with the financing and backing of Colombia's landowners and industrialists, the AUC and similar right-wing paramilitary gangs—often working in close collaboration with the military—were responsible for the bulk of the massacres and assassinations carried out over the last quarter century of civil war. These included the death squad killings of tens of thousands of peasants, workers, left-wing politicians, students and human rights advocates. The AUC and other right-wing paramilitary outfits are also estimated to have controlled some three quarters of the country's cocaine trade.

The deep involvement of the state and virtually all of its institutions in these crimes became the defining feature of the right-wing presidency of Alvaro Uribe, the closest US ally in Latin America, between 2002 and 2010. During this period, Washington touted Colombia as a success story in its combined “war on drugs” and “global war on terror.”

In the *parapolitica* scandal that broke out during his second term, scores of Uribe's closest supporters, including 62 members of Congress and his own cousin and closest political ally, Mario Uribe Escobar, were investigated or jailed on charges of colluding with illegal paramilitary organizations.

The related scandal surrounding the DAS erupted in 2007 with the arrest of Rafael Garcia Torres, chief of the DAS computer department, who was charged with taking bribes from right-wing paramilitary elements as well as drug traffickers to erase their judicial records.

Garcia was a political associate of Noguera, going back to 2002, when the latter ran Uribe's first election campaign in Colombia's northern coastal region, and Garcia was credited with developing computer programs that helped fix the elections in the region in favor of Uribe and his supporters. After Uribe tapped Noguera to head the DAS, Garcia was the first person he appointed to a top position in the secret police agency.

Both men had worked in the 2002 election in collaboration with Rodrigo Tovar Pupo, alias “Jorge 40,” a former cattle rancher who became the leader of the Northern Bloc of the AUC, commanding some 4,500 rightist paramilitaries.

After his arrest, Garcia gave testimony about the close relationship between the DAS director and the paramilitary leader, which extended from political collaboration in elections to protection of Tovar Pupo against criminal investigations.

The most lethal relationship, however, involved DAS feeding the death squad leader hit lists of suspected “subversives” and “guerrillas,” which included trade union militants and left-wing political opponents of Uribe's government.

In the course of their investigation of the case, the prosecutors discovered that computers belonging to Tovar Pupo and his henchmen included lists of hundreds of murder victims that clearly matched lists compiled by the DAS.

Among them was the name of Professor Correa de Andreis, who had earned the wrath of the government and its supporters by leading an investigation into illegal land expropriations against poor peasants who had been displaced by Colombia's civil war.

DAS arrested the professor in June 2004 on charges of working with the Revolutionary Armed Forces of Colombia (FARC), but he was soon released for lack of evidence. Two months later he was assassinated by an AUC death squad.

As the 158-page court decision in Noguera's case states: “Alfredo Correa de Andreis found himself in the middle of two centers of power: one state—the DAS—at whose head stood Jorge Aurelio Noguera Cotes, and the other illegal—the Northern Bloc of the AUC—commanded by Rodrigo Tovar Pupo, alias ‘Jorge 40’. While the first, through its intelligence and judicial police functions

fabricated a frameup to make him look like a subversive, the second executed a false guerrilla.”

Uribe issued a response to the sentencing of his former close ally via Twitter. “I appointed Jorge Noguera because of his resume and his family; I trusted in him; if he committed a crime, it pains me and I offer my apologies to the citizenry.”

The “if” in Uribe’s conditional apology cannot be justified on the basis of the evidence, which included some 50 witnesses, many of them DAS employees, as well as computer records that left no room for doubt as to Noguera’s guilt. Rather, it clearly implies that the use of death squad murders and state support for paramilitary bands was a justified and necessary means of rule.

Previously, Uribe had voiced unconditional defense of Noguera, saying he would put his “hands in the fire” for him. After the scandal surrounding the ties between DAS and the paramilitaries first broke, the Colombian president sent the former secret police chief to head the country’s consulate in Milan, Italy.

During his trial, Noguera voiced the sentiment that he was being made a scapegoat in an attempt to protect the former president.

While civil attorneys intervened in the trial to ask the court to approve an investigation of Uribe for his presumed participation in the crimes carried out by Noguera, the judges rejected the petition, claiming that the proceedings had not established a direct order from the president to his secret police chief.

There is little likelihood that Noguera would have conducted his operations with the paramilitaries without the approval of Uribe, who had a reputation for micromanaging his government’s affairs. Moreover, there have been well-founded charges that Uribe himself was involved in the creation of the right-wing paramilitary organization in his home department of Antioquia, when he was governor there in the 1990s.

The crime for which Noguera was convicted, as terrible as it was, is only one of many he is accused of. An investigation is continuing into a wiretapping scandal that involved the DAS bugging of prominent opposition politicians, journalists, human rights groups and even the country’s Supreme Court.

All of Noguera’s successors as DAS chief have been implicated in this massive state spying operation. One of them, Maria del Pilar Hurtado, obtained political asylum in Panama with Uribe’s assistance.

Uribe is himself under investigation by a congressional committee. Colombian law grants ex-presidents immunity for actions taken while in office unless they are indicted and tried by the Congress, something that has never happened in the country’s history.

Uribe’s successor, his defense minister Juan Manuel Santos, took office a little over a year ago and has pushed through legislation that would restructure and rename the DAS. It is by no means clear, however, that the crimes that it committed under the Uribe government have ceased.

It is not only Uribe who is implicated by the crimes of the DAS and the paramilitary death squads, but the US government as well. During Uribe’s eight years in office, Washington poured \$6 billion in aid into Colombia, the largest amount for any country in the region. The Obama administration continues to grant Colombia the largest share of US funding, sending over a half a billion last year.

Much of this assistance has gone to the military and security forces, including the DAS. Citing law enforcement documents and interviews with Colombian officials, the *Washington Post* reported last month, “American cash, equipment and training, supplied to elite units of the Colombian intelligence service over the past decade to help smash cocaine-trafficking rings, were used to carry out spying operations and smear campaigns against Supreme Court justices, Uribe’s political opponents and civil society groups.”

According to the *Post* report: “Some of those charged or under investigation have described the importance of US intelligence resources and guidance, and say they regularly briefed embassy ‘liaison’ officials on their intelligence gathering activities. ‘We were organized through the American embassy,’ said William Romero, who ran the DAS network of informants and oversaw infiltration of the Supreme Court. Like many of the top DAS officials in jail or facing charges, he received CIA training. Some were given scholarships to complete coursework on intelligence-gathering at American universities.”

Romero told the *Post* that the DAS “depended on US supplied computers, wiretapping devices, cameras and mobile phone interception systems, as well as rent for safe houses and petty cash for gasoline.”

The article states that a sub-unit of the DAS, the “Group to Analyze Terrorist Organization Media” was funded and supplied by the US as it “assembled dossiers on labor leaders, broke into their offices and videotaped union activists.” It adds that “the unit’s members regularly met with an embassy official they remembered as ‘Chris Sullivan,’ who one former member of the unit recalled “would go to see how we were advancing” with its activities.

A WikiLeaks cable from 2005 includes a description of Noguera, now convicted of murder, as “pro-US and an honest technocrat.”



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