

Human Rights Abusers Admitted to the SOA/ WHINSEC!

Legislative changes in the 106th Congress attempted to address the concerns of a majority of the House of Representatives about the long and established history of the School of the Americas (SOA/ WHINSEC) producing graduates who have committed some of the most notorious human rights abuses in Latin America. Unfortunately, in the words of Georgia Senator and SOA supporter, the late Paul Coverdell, these changes were “cosmetic” ones that ensured that the SOA could continue its mission and operation.

The SOA/ WHINSEC claims that their applicants undergo a stringent vetting process, but, in practice, the screening process for applicants to WHINSEC is seriously flawed and often neglected. There are a number of students with well-documented histories of human rights abuses who have been permitted to study at the WHINSEC, including:

➤ **From El Salvador**

In 1983, Colonel Francisco del Cid Diaz (then a Second Lieutenant) commanded a unit that forcibly removed 16 residents from the Los Hojas cooperative of the Asociación Nacional de Indígenas, bound and beat them, shot all 16 at point-blank range and threw their bodies in the Cuyuapa River. This is a well known, high profile and notorious massacre, and cited in the annual State Department Human Rights Country Reports throughout the 1980s. The case was also investigated by, and included in the final report of, the El Salvador Truth Commission established under the Salvadoran Peace Accords.

The El Salvador Supreme Court granted amnesty to all defendants, but in 1992 the OAS Inter-American Commission on Human Rights stated that there was substantial evidence that Col. del Cid Diaz and the other ranking officer present gave the orders to execute. The commission recommended that the Salvadoran government bring them to justice. Instead of facing justice, SOA Watch discovered that Col. del Cid Diaz was at the WHINSEC in 2003 and was also enrolled in the SOA in 1988 and 1991.

➤ **From Bolivia**

In 1997 Captain Filmann Urzagaste Rodriguez was one of those responsible for the kidnapping and torture of Waldo Albarracin, then the director of the Popular Assembly for Human Rights in Bolivia and now the Human Rights Defender (Ombudsman). In 1999, the Bolivian Chamber of Deputies Commission in charge of investigating the case passed the case, together with all the evidence, to the ordinary courts for investigation and prosecution. The case was also the subject of a well-known petition to the Inter-American Commission on Human Rights (that has not yet been acted upon). In 2002, Urzagaste Rodriguez, now a Major, took a 49-week officer training course at the WHINSEC.

➤ **From Colombia**

Three Colombian police officers under investigation for personal use of counter-narcotics funds took courses at the WHINSEC at nearly the same time as the investigation. In June 2002, the Colombian Attorney General's office, at the request of the U.S. Government, opened a "disciplinary" investigation into alleged activities of corruption by members of the Colombian National Police, including Captain Dario Siervo Chapeta, Lt. Col. Francisco Patino Fonseca, and Captain Luis Benavides Guancha. The first two attended the WHINSEC in 2002, and Benavides Guancha was there for 18 weeks in 2003. (It is yet to be determined if the charges against the three were brought before, during, or after acceptance at the WHINSEC.)

The WHINSEC boasts about the “meticulous screening process” that all students pass to ensure they are “law-abiding” citizens. **The fact that students with well-known human rights violations and problems of corruption are attending this institution undermines the claim that the WHINSEC teaches respect for human rights or that it is serious about claiming to train “only personnel of unquestionable character.”** To the contrary, these cases prove that the WHINSEC rewards human rights violators with U.S. military training at the taxpayer's expense.

WHINSEC IS NOT A REFORMED INSTITUTION!

Join your bipartisan colleagues to support legislation to suspend operations at WHINSEC and allow for an investigation. This bill is identical to HR 1707 from the 110th Congress.

***** To become a cosponsor, contact Cindy Buhl in Rep. McGovern's office at 202-225-6101 *****

**Latin America Military Training Review Act of 2007 (Introduced in House) – HR
1707**

110th CONGRESS - 1st Session

To suspend the authority for the Western Hemisphere Institute for Security Cooperation (the successor institution to the United States Army School of the Americas) in the Department of Defense, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

March 27, 2007

Mr. MCGOVERN (for himself, Mr. PLATTS, Mr. HONDA, Mr. LAHOOD, Mr. GUTIERREZ, Mr. PAUL, Mr. SERRANO, Mr. PETRI, Mr. HINCHEY, Mr. WALSH of New York, Mr. LEVIN, Mrs. BIGGERT, Mr. COHEN, Ms. MOORE of Wisconsin, Mr. MCDERMOTT, Mr. HOLT, Mrs. CAPPS, Mr. MEEHAN, Mr. KIND, Mr. GRIJALVA, Mr. DOYLE, Ms. SCHAKOWSKY, Mr. CUMMINGS, Mr. RUSH, Mr. KILDEE, Mr. DEFAZIO, Mr. FARR, Ms. MATSUI, Mr. KUCINICH, Mr. VAN HOLLEN, Mr. PRICE of North Carolina, Mr. GEORGE MILLER of California, Mr. WYNN, Mrs. MALONEY of New York, Mr. YARMUTH, Mr. CAPUANO, Ms. WOOLSEY, Mr. BLUMENAUER, Mr. ISRAEL, Mr. BAIRD, Mr. FATTAH, Ms. BALDWIN, Mr. HIGGINS, Mr. CONYERS, Ms. ESHOO, Mr. MCNULTY, Ms. WATSON, Ms. ZOE LOFGREN of California, Mr. OBERSTAR, Mr. MOORE of Kansas, Mr. WAXMAN, Ms. KAPTUR, Mr. DELAHUNT, Ms. CARSON, Ms. LINDA T. SANCHEZ of California, Mr. CROWLEY, Ms. DELAURO, Mr. LEWIS of Georgia, Mr. DOGGETT, Mr. CARNAHAN, Mr. PAYNE, Mr. LYNCH, Mr. STARK, Mr. LARSON of Connecticut, Mr. PASCARELL, Mr. CLAY, Ms. WATERS, Mr. OLVER, Mr. ACKERMAN, Mr. UDALL of New Mexico, Mr. ALTMIRE, and Mr. WEXLER) introduced the following bill; which was referred to the Committee on Armed Services

A BILL

To suspend the authority for the Western Hemisphere Institute for Security Cooperation (the successor institution to the United States Army School of the Americas) in the Department of Defense, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the 'Latin America Military Training Review Act of 2007'.

SEC. 2. SUSPENSION OF AUTHORITY FOR WESTERN HEMISPHERE INSTITUTE FOR SECURITY COOPERATION.

- (a) Suspension of Institute- The Secretary of the Army shall suspend the operation of the Western Hemisphere Institute for Security Cooperation until the submission of the report under section 4(e).
- (b) Suspension of Authority- The authority of the Secretary of Defense to operate an education and training facility under section 2166 of title 10, United States Code, is suspended until the submission of the report under section 4(e).
- (c) Limitation on Establishment of New Education and Training Facility- No training or education facility may be established in the Department of Defense for Latin American military personnel (as a successor to the United States

Army School of the Americas, the Western Hemisphere Institute for Security Cooperation, or otherwise) until the submission of the report under section 4(e).

SEC. 3. JOINT CONGRESSIONAL TASK FORCE.

- (a) Establishment- There is established a joint congressional task force to conduct an assessment of the kind of education and training that is appropriate for the Department of Defense to provide to military personnel of Latin American nations.
- (b) Composition- The task force shall be composed of eight Members of Congress, of whom two each shall be designated by the Speaker of the House of Representatives, the minority leader of the House of Representatives, the majority leader of the Senate, and the minority leader of the Senate.
- (c) Report- Not later than 180 days after the date of the enactment of this Act, the task force shall submit to Congress a report on the assessment conducted under subsection (a). The report shall include--
 - (1) a critical assessment of courses, curriculum, and procedures appropriate for education and training of military personnel of Latin American nations; and
 - (2) an evaluation of the effect of such education and training on the performance of Latin American military personnel in the areas of human rights and adherence to democratic principles and the rule of law.
- (d) Definition- In this section, the term `Member' includes a Delegate to, or Resident Commissioner in, Congress.

SEC. 4. COMMISSION TO INVESTIGATE HUMAN RIGHTS ABUSES AT THE UNITED STATES ARMY SCHOOL OF THE AMERICAS.

- (a) Establishment- There is established a commission to investigate the activities of the United States Army School of the Americas and its successor institution, the Western Hemisphere Institute for Security Cooperation.
- (b) Membership-
 - (1) APPOINTMENT- The commission shall be composed of eight members, of whom two each shall be appointed by the Speaker of the House of Representatives, the minority leader of the House of Representatives, the majority leader of the Senate, and the minority leader of the Senate.
 - (2) QUALIFICATIONS- Members of the commission shall be selected from among individuals with knowledge and experience in foreign military training and international human rights who are not officers or employees of the Federal Government.
 - (3) DEADLINE FOR APPOINTMENT- The members of the commission shall be appointed not later than 60 days after the date of the enactment of this Act.
 - (4) VACANCIES- Any vacancy of the commission shall not affect the powers of the commission and shall be filled in the manner in which the original appointment was made.
 - (5) CHAIRPERSON; VICE CHAIRPERSON- The Chairperson and Vice Chairperson of the commission shall be elected by the members.
 - (6) COMPENSATION- Members of the commission shall serve without pay.
 - (7) TRAVEL EXPENSES- Each member of the commission shall receive travel expenses, including per diem in lieu of subsistence, in accordance with applicable provisions under subchapter I of chapter 57 of title 5, United States Code.
- (c) Powers-
 - (1) HEARINGS AND SESSIONS- The commission may, for the purpose of carrying out this section, hold hearings, sit and act at times and places, take testimony, and receive evidence as the commission considers appropriate.
 - (2) INFORMATION FROM FEDERAL AGENCIES- The commission may secure directly from any Federal department or agency such information as the commission considers necessary to carry out the provisions of this section. Upon request of the Chairperson of the commission, the head of such department or agency shall furnish such information to the commission.
- (d) Investigation- Not later than two years after the date on which all members of the commission have been appointed, the commission shall complete an investigation into the activities of the United States Army School of the Americas and its successor institution, the Western Hemisphere Institute for Security Cooperation. The investigation shall--
 - (1) identify those individuals responsible for drafting or approving manuals for use at either such institution advocating tactics that violate international law or the laws of the United States;
 - (2) determine how such manuals were used in training conducted by either such institution;
 - (3) determine the effect of such training; and
 - (4) identify those individuals responsible for teaching such tactics.

(e) Report- Not later than 30 days after the completion of the investigation under subsection (d), the commission shall submit to Congress and the Secretary of Defense a report containing the results of the investigation and recommendations for actions in response to any violations of human rights to which training at the United States Army School of the Americas or its successor institution, the Western Hemisphere Institute for Security Cooperation, contributed.

(f) Termination- The commission shall terminate 30 days after the date of the submission of the report under subsection (e).