

“OPERATION DRAGON”
An Assassination Plot Targeting
1998 Robert F. Kennedy Memorial Human Rights Award Laureate
Berenice Celeyta Alayón

Immediate Threat: Berenice Celeyta Alayón, one of four Colombian recipients of the 1998 Robert F. Kennedy Human Rights Award, has been targeted by an assassination plot known as “Operation Dragon” for her work in support of the SINTRAEMCALI labor union’s campaign against corruption and privatization of the Cali Municipal Corporation (EMCALI), Colombia’s third largest public utility company. On August 23rd, 2004, Colombian Congressman Alexander Lopez Maya of Bogotá (former President of SINTRAEMCALI) received a notice from an unnamed military official informing him that assassins had been paid to murder him, Luis Hernandez (Human Rights Officer and former President of the SINTRAEMCALI labor union), and Ms. Celeyta that week. Upon informing the Colombian Attorney General’s Office (*Fiscalía General de la Nación*) of the notice, its director authorized a raid conducted in the cities of Cali and Medellín on August 25th. The information confiscated revealed that this plot was part of a surveillance plan organized under the direction of the Colombian military intelligence and involved private international security organizations with ties to paramilitary groups.¹

Background: For several years, SINTRAEMCALI has engaged in a highly contentious campaign against corruption and privatization of EMCALI. On December 24th, 2001, the national government announced its plan to privatize the company in an effort to stem what it claimed was inefficient distribution of its water, sewage, electrical and communications services. This effort received support from several regional and local politicians, as well as powerful business owners and national politicians, including Colombian President Álvaro Uribe. However, the union claimed that the company was viable and its sale would only benefit well-connected owners at the expense of the workers and local population. Because of the union’s opposition, its leaders and members were accused of subversion and consistently harassed, threatened and even killed by police and military forces, as well as private security groups with alleged links to paramilitary groups. In addition, Representative Lopez received a hand written death threat letter on October 27th, 2004, delivered to his Congressional Office in Bogotá. In December, Ms. Celeyta returned her cell phone, issued by the Protection Program of the Ministry of the Interior, because of late-night phone calls in which she received threats and heard sounds of automatic weaponry being fired.

The August 25th raid in Cali took place at the residence of Lieutenant Colonel Julian Villate Leal, a highly decorated member of the Third Brigade of the Colombian Army, who received US military training and taught in the US². There, police uncovered evidence that revealed the army had supplied classified information to the Consultaría Integral Latinoamericana (CIL), a private international consulting firm specializing in the liquidation of assets of publicly-owned companies, and its associate, SERACIS, a private security company. This information detailed the political positions, habits, activities and the daily movements of Ms. Celeyta, Representative Lopez Maya, Mr. Hernandez and over 175 union leaders, human rights workers and members of the political opposition. According to evidence gathered, the purpose of this plan was to “impede or neutralize the irregular actions of SINTRAEMCALI” and “research the personal security [and] vulnerability” of those involved in the opposition to privatization.

In Lt. Colonel Villate’s possession were names, phone numbers and addresses of those under surveillance, as well as highly sensitive information concerning detailed protection measures granted to those under surveillance by the Protection Program of the Colombian Ministry of the Interior, including government-issued cell phone numbers and radios; names of bodyguards; their weapons and body armor; and identifying information on

¹ This summary is based on a press bulletin written on August 27, 2004 by Colombian Congressman Alexander Lopez Maya and evidence confiscated during the Cali raid. The evidence is available at the Robert F. Kennedy Memorial Center for Human Rights.

² Lt. Colonel Villate trained at Ft. Leavenworth, Kansas, the US Naval Postgraduate School located in Monterey, California and the Western Hemisphere Institute for Security Cooperation (the former School of the Americas) in Ft. Benning, Georgia, where he taught courses as well. He was also the Dean of the Escuela Superior de Guerra (National War College) of Colombia from July 1, 2002 until his retirement on August 10, 2004.

vehicles driven by those targeted, including the level of protective armament applied to these vehicles. Lt. Colonel Villate's notes also reveal the existence of an intelligence network through direct correspondence involving a nexus of private companies, private security groups and public security forces, including: the management of EMCALI, the Superintendent of Public Services, the Third Brigade of the Colombian Army, the Intelligence Service of the National Police (SIPOL), the National Electrical Finance body (FEN), the Colombian Ministry of the Interior, the Administrative Security Department (DAS), and the Cali Metropolitan Police Department.³

During his interrogation, Lt. Colonel Villate revealed that CIL had been contracted by EMCALI and the Superintendent of Public Services of Cali to carry out an analysis of the economic, financial and socio-political reality of the company, and in turn provide strategic recommendations to guarantee its viability. He further revealed that he had been employed by CIL, to which he referred as "our company," and that various public security entities, including the DAS of Bogotá, were aware of his activities, which further establishes the government awareness of the surveillance plan and the plot against Ms. Celeyta and her colleagues.

Following the raids, there have been continued threats against individuals targeted by "Operation Dragon." On September 17th, 2004, paramilitaries with alleged ties to Lt. Colonel Villate made multiple phone calls to SINTRAEMCALI President Luis Hernandez, Vice President Luis Enrique Imbachi Rubiano, and union leader Carlos Marmolejo. On the same day, a man in a bulletproof vest conspicuously inquired about the whereabouts of union leader Carlos Ocampo at his university. On October 21st, former SINTRAMEMCALI member and retired EMCALI employee Tania Valencia was carjacked, beaten and interrogated about the activities of Representative Lopez Maya, Carlos Marmolejo, and Carlos Ocampo. During these encounters paramilitaries referred to SINTRAEMCALI union members as "Indumiles," a term used by Lt. Colonel Villate in his notes to describe those under surveillance and targeted for assassination, which further illustrates the connection between those harassing the union members and those behind gathering information confiscated during the raid. On October 13, 2005, Congressman Lopez Maya received a letter of condolences (Sufragio) at his office, making a mock announcement of the deaths of the Congressman, Ms. Celeyta, Mr. Hernandez, and others who have denounced Operation Dragon and other human rights abuses. Most recently, since December 14, 2005, Ms. Celeyta and Mr. Hernández have reported being followed by suspicious vehicles.

Points of Concern: The following highlights our grave and ongoing concern regarding Operation Dragon:

- Although the Uribe Administration had initiated a preliminary investigation in October 2004 and has since met with NGOs concerned with this case, including the Robert F. Kennedy Memorial, the government has taken no legal or administrative action despite the fact that there is clear evidence pointing to high-ranking Colombian military members illegally being in possession of classified information;
- Lt. Colonel Villate's possession of classified documents leaked from Colombia's U.S.-supported and funded Protection Program, as well as his moonlighting for a private security company as an active military officer, violates Colombian law and raises concern about the integrity of the Protection Program, the Third Brigade of the Colombian Army, the Cali Metropolitan Police, the Administrative Security Department, and the Intelligence Service of the National Police;⁴
- There has been little significant progress by the Colombian Attorney General in investigating this case. The Office originally agreed to undertake the case following the raid. However, the process has not moved forward. The slow pace of the investigation seems to reflect a lack of political will by the Government of Colombia to prosecute those responsible; and
- The legal representative for Lt. Col. Villate, the Honorable Jorge Armando Otalora, has recently been appointed Assistant Attorney General (Vicefiscal General de la Nación), indicating that, at best, a conflict of interest will exist in the Office.

³ Correspondence between the military's Regional Central Intelligence Office and the Director of the Central Intelligence of Bogotá accused SINTRAEMCALI of having ties to the ELN and FARC insurgencies. Documents also made specific references to the members of the following opposition parties: Polo Democrático, Frente Social y Político, Alternativa Democrática and MOIR; Congresspersons Wilson Borja, Gustavo Petro, María Isabel Urrutia, Carlos Gaviria, Jorge Enrique Robledo and Luis Carlos Avellaneda; El Valle Governor Angelino Garzon and Bogotá Mayor Luis Eduardo Gazon, among others.

⁴ Lt. Colonel Villate was an active member of the Third Brigade until his retirement. Until then he allegedly worked for both the Colombian Army and the public security entities CIL and SERASIS.