

## MI BROTHER WAS A FALSE POSITIVE

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**The chilling testimony of Luis Esteban Montes, a soldier who learned that colleagues in his Army unit had killed a peasant in order to pass him off as a guerrilla, only to discover that the victim was his very own brother.**

“Everything happened on April 30 of last year. I was an anti-guerrilla soldier in the 31st Infantry Battalion, which operates in Cordoba. My company had gone for 15 days without doing much in a hot little town named San Juan. There had been neither operations nor patrols. We soldiers were simply there not doing anything. But Mother’s Day was approaching and the high command began to worry because we did not have any results to show for our time there, and had not committed any meritorious acts for which they would give us vacation days to leave and visit our families. Then we began to hear talk of “legalizing” someone. That is to say, of killing a person to pass him off as a guerrilla, and by so doing, earn permission to leave. This didn’t at all surprise me since “legalizations” are a daily affair.

“One night, while I was talking to my family by telephone, Corporal Jonathan Pineda arrived and said to me “Guajiro (Man from the Guajira region of Colombia), go to the tent, we have the man who we are going to do the job on.” I asked him who it was, but he told me to be quiet and that Captain Jairo Mauricio Garcia had given the order that we were not to speak to the man, so that he would not realize that we were going to kill him. I asked him “Where is the guy from?” And he told me he was from the Guajira. They always look for persons who are from outside the region so that no relative will come to reclaim them. In any event, I was very curious because I am also from the Guajira.

Then I left the tent, lit a cigarette and heard the man asking me for one. I was not able to see his face because there wasn’t any light or moonlight. It was drizzling. I gave him the cigarette and we began to chat. A short while later I realized he was my brother, Leonardo Montes.

“My brother had left our home in Maicao a long time ago, when I was just a boy of 9 years . That is why I did not recognize him at first. But when he told me my father’s name, it proved he was my brother. He was my brother and he was also the person they had by chance chosen to kill. I could not believe it. I then revealed who I was. I told him I was the boy, Luis Esteban, his brother. We hugged and in the midst of the emotion I warned him that they were going to kill him in order to pass him off as a guerrilla. I told him to leave, but he did not believe me. He had become a very good friend of the two soldiers in my company who had invited him to the tent that night. Leonardo was sure they were not going to do anything to him. He had been fooled.

After speaking with him for 20 minutes outside, they called me. I went directly to Corporal Pineda and told him:”You cannot kill this man because he is my brother.” The Corporal did not believe me and told me I had better talk to Captain Garcia, who did not believe me either. The only thing he did was insult me. I continued insisting. I told him to ask the name of my father, of my brothers, of the family, of the street in Maicao where we had been born.

From this moment on, things got very messy. The Captain and I argued for several hours and my brother heard it all. Finally, I told them that I didn’t care if they believed me, this man was my brother, and if they wanted to kill him, they’d have to kill me first! “Why don’t you bring a brother of yours, Captain, or your father, and then you can leave feeling contented on Mother’s Day. But you cannot kill my brother,” I told him. Everybody was very upset. They could not believe that the only person they had managed to find to kill had turned out to be the brother of a soldier in their own

company. Their plan to look for someone who was from outside the zone, someone who would not have relatives in town, and whose death would pass unnoticed, had failed miserably.

"After a while, the Captain told me: "My hand is ready to kill that son of a bitch!" It wasn't difficult to imagine would do the deed because every company has 2 or 3 hit men who carry out this type of job to earn their million pesos.

"I took advantage of a moment when the others had let down their guard to tell my brother that he should run away, jump over some wire-fences, cross the stream and go to his home, because they were going to kill him. He said that he wouldn't go home because it would be easier for them to kill him there. We managed to move a bit away from the tent and to stop a motorcycle taxi, and they headed towards town. I remained behind but of course that night I was unable to sleep.

"The next day I realized that everything had changed for me. My colleagues hated me. As a result, I asked a Colonel to move me elsewhere because I felt incapable of going on patrols with those same people. In addition, I was weak because I was suffering from a bout of malaria. That very day, they sent me to a different company in Puerto Libertador, a town near San Juan. There I felt more tranquil. At least I did not fear that they would kill me. The idea of denouncing my colleagues occurred to me, but in the end I did not choose to do so at that time. I had freed my brother which was the most important thing, and I wanted to avoid problems with my superiors.

"Around the third day that I was in Puerto Libertador, I heard that the Company that I had been a part of had "brought one down." The doubt came over me that the person that had been killed might be my brother, and I asked a soldier if he knew who the dead man was. He replied that he didn't, but that a car was picking up the body and transporting it to the cemetery.

"I immediately went to the house of an aunt who lives in Puerto Libertad and told her everything. I asked her to accompany me to the cemetery. As we were walking there, the car carrying the dead man passed us, but the flaps were down and we could not see his face. When we arrived at the cemetery, the dead man was lying on the ground wrapped in white plastic. I jumped on him, ripped open the bag, and saw that it was my brother, Leonardo. They had already dug a hole in the ground, and two soldiers grabbed him by the feet and hands and tossed him in just like that, without a casket or anything. Supposedly they had found him in possession of a grenade and a gun.

However, there is already a witness in that town who says that it was he who sold the pistol to the Army and I also remember how, days before April 30th, two soldiers from my company had been cleaning it off with urine to erase any fingerprints.

"After seeing all this I called my family in Maicao. I told them everything and they came all the way to Cordoba to give him a Christian burial. It was at this time that I decided to sue the State. Then, however, the world came crashing down on me. I am constantly on the alert because I think something could happen to me. I am afraid to eat the food provided by the Army and, although I have completed three years in this institution and am now in the Juan del Corral Battalion in Rionegro, Antioquia, the only task I am allowed to complete is to collect everyone's garbage. I am not permitted to enter into combat zones because I have been placed under special protection. In addition, many people wish me ill will because they know of my complaint against the State and they know my story. I hope this all passes rapidly. The case is in the hands of a prosecuting attorney for human rights, who is investigating the 7 military men implicated in my case. The day that justice is done I will see what other direction my future will take. What happened to my brother changed my life completely and I believe I now deserve some peace."

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