

# RIGHTS ACTION

## This Is The Just Cause

### Breaking the Silence - Testimony of the Panamanian People, Resulting from the U.S.A. Invasion

(1 mayo 1991)

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Thirty-two years after the illegal, deadly and destructive U.S. invasion of Panama, that began on December 20, 1989, Rights Action shares this report, first published in 1991 by CODEHUCA (Central American Human Rights Commission) that, at the time, was based in Costa Rica.

This report was based on post-invasion investigatory trips to Panama (from Costa Rica) by Grahame Russell and other CODEHUCA colleagues. The in-country visits (January, April and July, 1990) were organized by and coordinated with the Comision Nacional de Derechos Humanos de Panama (CONADEHUPA).

The U.S. government – and North American media – called this illegal ‘regime change’ invasion “Operation Just Cause”. In Canada’s first official act as a new member of the Organization of American States, Prime Minister Mulroney called the U.S. invasion of Panama justified, alone among all other governments of the Americas.

#### **Panama Deception**

The Oscar award winning documentary “Panama Deception” remains today a textbook film providing the proper story to this invasion, with a careful dissection of the deceitful role of the media (<https://www.empowermentproject.org/pages/panama.html>).

With first hand testimony from survivors and eye-witnesses, plus photos, “This Is The Just Cause” sets out just how deadly, destructive and brutal was this unjust cause invasion of Panama.

To this day, no justice or accountability has taken place in the U.S. for this brutal ‘regime change’ invasion. Nothing even close to proper reparations have been paid to the victims and surviving family members of the thousands of people killed, many more wound and or displaced, and whole-scale destruction of homes, neighborhoods and property.

#### **More information**

Rights Action, <https://rightsaction.org/>

Breaking the silence:  
Testimony of the Panamanian  
people, resulting from the  
U.S.A. invasion.

# THIS IS THE JUST CAUSE

Commission  
for the Defence  
of Human Rights  
in Central America

Comisión para la  
Defensa de los  
Derechos Humanos  
en Centro América

# CODEHUCA



Photocolor courtesy of CONADEHUPA.

**Second Edition: May 1991.**

This edition is being published for CODEHUCA by the Apex Press in English only, with a new chapter relating the invasion of Panama to the Persian Gulf War.

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The photos included in this publication come from the following sources:

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Net proceeds from the sale of this book will go to support the human rights work of CODEHUCA, in Panama and throughout Central America.



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# Dedication

To all persons - civilians and  
military - killed in the invasion,  
To those persons working today for  
just indemnification for the victims of  
the invasion, and for the full guarantee  
of all human rights, and  
To the Panamanian people in general.

Commission for the Defense  
of Human Rights in  
Central America  
(CODEHUCA)

## Editorial

**C**ODEHUCA - Commission for the Defense of Human Rights in Central America - with the support from regional and international organizations has produced this visual and written testimony concerning the USA invasion of Panama and its aftermath. CODEHUCA works in Central America for the defense, protection and promotion of all human rights - political, civil, economic, social and cultural - from an individual and collective perspective.

All the photos and testimony in this book constitute, in our opinion, proof of violations of one or more provisions of international law, humanitarian law, and human rights law.

During and after the invasion CODEHUCA worked hard to provide the Central American and international communities with the most impartial information sources possible. While making no claim to some perfect state of objectivity, CODEHUCA was, to put it softly, horrified by the role played by the international press in presenting to the international community this most unjust of 'Just Causes'.

Information in this book has been collected from a variety of non-government organizations, such as CONADEHUPA (National Human Rights Commission of Panama), COPODEHUPA (Popular Coordinator of Human Rights in Panama) CPDH (Panamanian Committee of Human Rights) CCS (Centre for Social Training), the Association (of the persons killed during the December 20, 1989 invasion), as well as numerous other non-government organizations and government offices.

Much of our information was obtained during three CODEHUCA fact-finding delegations that visited Panama in January, March and July of 1990. During these visits (complete reports available from our offices) we collected hours and hours of personal testimony and many rolls of camera and video film.

The decision to produce this elaborate photo-book is in response to the silence and impunity that surround the USA invasion. The hope is that a clearer and more honest picture will emerge of what really

occurred during the invasion, not only so as to obtain full and proper indemnification for the victims but also to perhaps help to avoid similar atrocities being committed in the future under the permissive cloak of silence and complicity.

This book is a testimony to the suffering, death and destruction caused by the U.S.A. But ultimately, the purpose of this book is to denounce human rights violations. Any analysis of the Panama invasion must ultimately consider the nature and degree of human rights violations perpetrated - violations that continue today.

Our institution, with the support of the CONADEHUPA and CCS, has been able to complete this publication with the financial assistance of NOVIB - the Holland Organization for Cooperation and International Development.

The editors

# Second Edition

**D**ue to public interest, CODEHUCA has decided to publish a second edition of "This is the Just Cause" - this time, only in English. CODEHUCA is responding to an international desire to have a "clearer and more honest picture" of the 1989 U.S. invasion of Panama, called the "Just Cause", and to fight against the "silence and impunity that surround the U.S. invasion" and their regular use of violence to further their political —military and economic— goals.

## The "NOBLE CAUSE" and the Persian Gulf War

President Bush said (New York Times, 29/01/91) "the first principle of a just war is that it support a just cause. Our cause could not be more noble". With the silent complicity or the overt support of many nations and international leaders, in Iraq the U.S. unleashed the most massive air attack in the history of war. While the international press received no access to real information, or presented partial and incomplete information received directly from the U.S. government and the Pentagon, information is now coming to light that shows just how much of a massacre this Noble Cause was.

## Panama and Iraq

While there are many differences between Panama and Iraq and the nature of their distinct political/historical crisis, there are numerous elements in common, that compel CODEHUCA, a Central American human rights commission, to address this issue.

- 1.- In neither invasion have the interests of the U.S. Been "just" or "noble", violating clearly international law;
- 2.- For the second time in two years, the world's strongest nation has taken the decision to use military force to achieve its political (military and economic) goals;

- 3.- In both cases, the U.S. completely overwhelmed the military opposition. It is fair to say that both invasions were military massacres;
- 4.- In both cases, a very high number of non-combatant civilians were indiscriminately killed by U.S. air attacks, thus violating international humanitarian law. There is substantial proof that the U.S., in both cases, knew or ought to have known that it was directly attacking civilian targets;
- 5.- In both cases, the international press was under total control of the invading forces, and in this way played an important role in the presentation of a partial and biased image of the two wars;

and MOST IMPORTANTLY

- 6.- In both cases, after the invasions were terminated, there has been virtually no attention paid to the suffering of the victims, neither in Panama, nor in Iraq.

## Ramsey Clark report

We present here a short report written by Ramsey Clark, former Attorney General of the U.S., that was published in Third World Resurgence (87 Cantonment Rd., 10250 Penang, Malaysia) 1991, No. 7.

## How Iraq was decimated

- Thousands dead, homes and hospitals destroyed

Former US Attorney General Ramsey Clark provides an in-depth eyewitness account of the destruction wrecked on Iraq from the bombing raids. His report tells of 7,000 civilians killed, (it is now known that well over 100,000 Iraqis were massacred) extensive damage to homes, water systems, hospitals, markets and buildings. He appeals to the UN to stop the bombing.



During the period 2-8 February 1991, I travelled in Iraq to assess the damage to civilian life there resulting from the bombing and the embargo, including civilian deaths, injuries, illness and destruction and damage to civilian property.

I was accompanied by an experienced camera team that has filmed war and its destructiveness in many countries including Afghanistan, Angola, Cambodia, El Salvador, Nicaragua, the Philippines and Vietnam. Their film documents most of the damage I mention in this article and some I do not.

In our party was an Iraqi-American guide and translator who has family in Baghdad and Basra and is personally familiar with those cities and many other areas of Iraq. He had last visited Baghdad, Basra and Kuwait City in December 1990.

We travelled over 2,000 miles in seven days to view damage, learn of casualties, discuss the effects to the bombing with government officials, public health and safety agency staff members and private families and individuals. We had cooperation from the government of Iraq including Ministers, Governors, health and medical officials and civil defence personnel. The bombing in all parts of Iraq made travel difficult, requiring caution against bomb craters caused damage to highways and roads and made night driving especially hazardous.

The damage to residential areas and civilian structures, facilities and utilities was extensive everywhere we went. Every city and town we visited or that was reported to us had no municipal water, electricity or telephone service. Parts of Baghdad had limited delivery of impure water for an hour a day.

The effect of damage to municipal water systems on health and safety is tremendous. The Minister of Health considered potable water for human consumption the single greatest health need in the country. Tens of thousands are known to suffer diarrhea and stomach disorders. There are believed to be hundreds of thousands of unreported cases. Several thousands are believed to have died.

There is no electric lighting in the cities, towns and countryside in the daytime or the long winter nights except for a few places like hospital emergency rooms where gasoline generators are available. The meaning of this is brought home most painfully in the hospitals at night.

In the hospitals, there is no heat, no clean water except limited quantities for drinking supplied in bottles, no electric light in wards and hospital rooms, and inadequate medicine, even for pain alleviation, in the face of a great increase in critically and severely injured persons.

Doctors we talked with in four hospitals are deeply concerned over the absence or shortage of needed medicine and sanitary supplies. Surgeons and medics treating wounds cannot keep their hands clean or gloved, and work in the cold, in poor light and with greatly increased numbers of patients in unrelieved pain. Seven hospitals are reported closed by bomb damage. Many if not most

have had windows shattered.

Schools are closed. Homes are cold. Candles are the principal lighting. Telephone communication does not exist. Transportation is extremely limited. Gasoline is scarce. Roads and bridges are bombing targets. There is no television. Radio reception is limited to battery-powered radios which can receive short wave signals, a few transmissions from Iraqi stations or nearby foreign stations.

According to the Ministry of Health, hospital officials and the Red Crescent, there is a substantial increase in falls, home accidents, stress, nervous disorders, shock, heart attacks, miscarriages and premature births and infant mortality. Nightly air raids, the sound of sirens, anti-aircraft fire and the explosion of bombs have placed a great strain on the society as a whole, but particularly on children and individuals with nervous system or heart disorders.

Dr. Ibrahim Al Noore has been head of the Red Crescent and Red Cross of Iraq for 10 years. He is a pediatrician by training who interned at the Children's Hospital in London, later headed the Children's Hospital in Baghdad and served in the Ministry of Health for some years, rising to Deputy Minister. Dr. Noore estimates that there have been 3,000 infant deaths since 1 November, 1990, in excess of the normal rate, attributable solely to the shortage of infant milk formula and medicines. Only 14 tons of baby formula have been received during that period. Prior monthly national consumption was approximately 2,500 tons.

One of the early targets of US bombing was the infant and baby milk processing facility in Baghdad. No Iraqi with whom we talked assumed this was a coincidence. The US claim that the plant manufactured chemical warfare material is false. A French company built it. The 20 or more people we interviewed, who operated it, who visited it before its destruction and who have examined it since without ill effect all say it was a plant processing infant and baby milk formula. In a lengthy and unrestricted examination of the plant, we saw no evidence to the contrary.

In all areas we visited and all other areas reported to us municipal water processing plants, pumping stations and even reservoirs have been bombed. Electric generators have been destroyed. Refineries and oil and gasoline storage facilities and filling stations have been attacked. Telephone exchange buildings, TV and radio stations, and some radio telephone relay stations and towers, have been damaged or destroyed.

Many highways, roads, bridges, bus stations, schools, mosques and churches, cultural sites, and hospitals have been damaged. Government buildings including executive offices of the President, the Foreign Ministry, Defence Ministry, Ministry for Industry and Justice Ministry have been destroyed or damaged.

Ambassadors of UN Member States should ask themselves whether if their capitals, major cities and towns were similarly destroyed



and damaged by such bombing, they would consider the targets to be permissible under the International Laws of Armed Conflict. Imagine the reaction if water, electricity, telephones, gasoline heating and air conditioning, TV and radio were denied to Lima and Arequipa, Lagos and Ibadan, Washington and Chicago, Paris and Marseilles, New Delhi and Calcutta, Canberra and Sydney while civilians were bombed in their homes, business, shops markets, schools, churches, hospitals, public places, and roadways.

How can destruction of municipal electricity for Mosul, the telephone system for the people of Baghdad, the municipal water supplies for Basra, or shooting defenceless public buses and private cars on the road to Jordan and elsewhere possible be justified as necessary to drive Iraq from Kuwait? If it can be so justified, then the United Nations has authorized the destruction of all civilian life of a whole nation.

The effect of the bombing, if continued, will be the destruction of much of the physical and economic basis for life in Iraq. The purpose of the bombing can only be explained rationally as the destruction of Iraq as a viable state for a generation or more. Will the United Nations be a party to this lawless violence?

I will briefly describe destruction to residential areas in some of the cities and towns we visited. In Basra, Governor Abdullan Adjram described the bombing as of 6 February as worse than that during the Iran-Iraq war. We carefully probed five residential areas that had been bombed.

1. A middle class residential area was heavily damaged at 9:30 pm on 31 January. 28 persons were reported killed, 56 were injured, 20 homes and 6 shops were destroyed.
2. On 22 January, an upper middle class residential neighborhood was shattered by three bombs destroying or extensively damaging more than 15 homes, reportedly injuring 40 persons, but without any deaths.
3. On 24 January, an upper middle class neighborhood was bombed, killing 8, injuring 26 and destroying 3 homes and damaging many others.
4. During 4-6 February, in what is described by officials as the heaviest bombing of Basra, 14 persons were killed, 46 injured and 128 apartments and homes destroyed or damaged together with an adjacent Pepsi Cola bottling plant and offices across a wide avenue. The area devastated was three blocks deep on both sides of streets. At least 15 cars were visible, crushed in garages. Small antipersonnel bombs were alleged to have fallen here and we saw what appeared to be one that did not explode imbedded in rubble. We were shown the shell of a 'mother' bomb which carries the small fragmentation bombs.

5. On 28 January, about 18 units in a very large low-cost public housing project were destroyed or severely damaged, killing 46 and injuring 70. The nearby high school was damaged by a direct hit on a corner. The elementary school across the street was damaged.

On the evening of 5 February at 8:30 p.m. while our small groups was dining alone by candlelight in the Sheraton Basra, three large bomb blasts broke glass in the room. We went upstairs to the roof. From there I saw one bomb fall into the Shaat-Al-Arab beyond the Teaching Hospital to the South, throwing a column of water high into the air; another bomb hit near the Shaat. As agreed upon earlier, civil defence officials came to take us to the blast sites. They were 1.2 km down the street near the Shaat Al-Arab. I had walked by the area about 6:30 p.m.

We found two buildings destroyed. It is an apartment and residential home area. One was a family club, the other a night club. If either had been open, scores of people would have been killed. Palm trees were sheared off and shrapnel, rocks, dirt and glass covered the street for several hundred feet. We were unable to enter the building that night.

We returned the next morning and were told both buildings were empty at the time, by the owners, who were looking at the damage. The teaching hospital, about 150 yards away, which had been closed for a week following earlier bombing, was without windows. It apparently received no new damage. As with all the other civilian damage we saw, we could find no evidence of any military presence in the area. Here, there were no utilities or facilities that are frequent, if illegal, targets either. There were only homes, apartments and few shops, grocery stores and other businesses found in residential areas, plus two small bridges connecting the hospital to the mainland.

We were informed by a variety of sources including visual observation during extensive driving in Basra, that many other residential properties had been hit and that the five areas we filmed were a minor fraction of the civilian damage that had occurred.

At the central market where more than 1,000 shops and vendors sell fruits, vegetables, fish, meat, foodstuff and other items, a bomb leaving a huge crater had demolished a building with a grocery store and other shops and damaged an entry area to the market at about 4.00 p.m. It reportedly killed 8 persons and injured 40.

We examined the rubble of a Sunni Moslem Mosque, Al Makal, where a family of 12 had taken sanctuary. The minaret remained standing. Ten bodies were found under the rubble and identified by a family member who had returned from his military post when informed of the tragedy. The dead included his wife and four young children.

In Diwaniya, a smaller town, we examined the same types of civilian damage we witnessed elsewhere and that was reported



everywhere. In the town centre, apparently seeking to destroy the radio telephone relay equipment in the post office, bombing had damaged the tower and the office. We saw many similar, or identical relay towers in the region that had not been attacked. Adjacent to the post office on the central circle of the city, three small hotels of 30 to 50 rooms were destroyed together with a host of shops, cafes and offices, including those of doctors and lawyers. We were told 12 people were killed and 35 injured. More damage could be seen across the circle among business and apartment buildings from one or more bombs that fell there.

Near the outskirts of town four more or less contiguous residential areas had been bombed. 23 persons were reported killed and 75 injured. Two schools were badly damaged. There was no water, electricity or telephone service. A water irrigation station was destroyed. Other damage was witnessed while driving around the town. On the outskirts an oil tank was on fire, one of more than a dozen we saw burning during our travels.

Baghdad has been more accessible to foreign observation than Basra and other places in Iraq. It will only be highlighted. We examined extensive damage on a main street in the blocks next to and across the street from the Ministry of Justice, which had all its windows on one side blasted out. I know that area as a busy poor commercial residential area from walking through it on the way to the National Museum and visiting the Justice Ministry.

A large supermarket, eight other stores and six or eight houses were destroyed or badly damaged. Across the street, one bomb hit the sidewalk and another was a direct hit on housing behind the street front properties. Six shops, a restaurant and several other stores plus 9 or 10 homes were destroyed, or badly damaged. We could not get an agreed account of casualties from the 40 or 50 people standing around the damage. Some said as many as 30 died and many more were injured.

We visited a residential area where several homes were destroyed on 7 February. Six persons in one family were killed in an expensive home and several other in adjacent properties. One 500 lb. bomb had failed to explode and the tail was seen above the thick concrete roof when a member of our team first drove by. When we returned, the bomb had been removed. Our camera team visited the hospital where the injured were taken later that afternoon. The critically injured father from the home where the bomb failed to explode was there. This was one of four hospitals treating persons injured in bombings that we visited.

A bus station was hit by a bomb and the stained glass in a nearby mosque shattered. We were unable to learn if anyone was killed though 40 to 50 people were at the station near midnight when we drove by on our arrival.

We saw five different damaged telephone exchanges while

driving around Baghdad and many destroyed and damaged government and private buildings. Bridges in Baghdad were a frequent target though damage to them was minimal when we left. The bridges are not a legitimate target. Even Defence Ministry building are occupied by non-combatants. The telephone exchanges run by civilians are overwhelmingly processing non-military calls. (The military has the most extensive independent communications capacity in the country). These are not legitimate targets and the effort to bomb them necessarily takes civilian lives.

Damage in Basra appeared to be considerably more extensive than in Baghdad and the actual bombing there was much more intensive than that at any time we were in Baghdad. There were civilian deaths every night we were in Baghdad.

Visits to the towns of Hilla, Najaf and Nasseriya by press corps representatives and our crew found civilian casualties in residential areas of each, damages to a medical clinic, 12 deaths in one family, and 46 deaths in one night of bombing in one town. A small town was bombed a few minutes before we passed through on our drive back from Basra. We saw no military presence there. Smoke could be seen from three fires.

Over the 2,000 miles of highways, roads and streets we travelled, we saw scores, probably several hundred destroyed vehicles. There were oil tank trucks, tractor trailers, lorries, pickup trucks, a public bus, a mini-bus, a taxicab and many private cars destroyed by aerial bombardment and strafing. Some were damaged when they ran into bombs craters in the highways, or road damage caused by equipment bombs and strafing. We found no evidence of military equipment or supplies in the vehicles. Along the roads we saw several oil refinery fires and numerous gasoline stations destroyed. One road repair camp had been bombed on the road to Amman.

As with the city streets in residential, industrial and commercial areas where we witnessed damage, we did not see a single damaged or destroyed military vehicle, tank, armored car, personnel carrier or other military equipment, or evidence of any having been removed. We saw scores of oil tank cars driving between Iraq and Jordan and parked in Jordan, as well as five or six that were destroyed by planes on the highway. We saw no evidence of any arms or military material on or around the destroyed and burned out tank trucks, or those not hit.

No one in the press corps or among the civilians we encountered reported to us that they had seen any evidence of the presence of military vehicles having been hit on the highways or having been in the vicinity of civilian property or private vehicles hit before, during or after an aerial strike. We saw no evidence of any military presence in the areas of damage described in this article.

It is preposterous to claim military equipment is being placed in residential areas to escape attack. Residential areas are regularly attacked. The claim reveals a policy of striking residential areas,



because it purports to establish a justification for doing so. If there had been military vehicles in the civilian areas we examined, or on the roads and highways we travelled when bombing occurred, it is inconceivable that among all that debris we would not find some fragments of military vehicles, material, equipment or clothing.

Not only did pinpoint precision bombs fail to hit military targets in civilian areas, they were not collaterally damaged in the attacks on civilian life. Had they been present they would have been hit.

The government of Iraq has vastly understated civilian casualties in Iraq. This is not an uncommon phenomenon for governments in wartime.

The inescapable and tragic fact is thousands of civilians have been killed in the bombings. The bombings are conducted with this knowledge.

Dr. Noore, with more than four decades in medical service and 10 years as head of Red Crescent, estimates 6,000 to 7,000 civilian deaths, and many thousands of injuries from bombings. Red Crescent vehicles transport medicine and medical supplies into Iraq from Jordan and Iran. They made deliveries as often as two to three times a week to some cities and hospitals but regularly to hospitals throughout the country. These contacts and hospital requests for medicines and supplies along with the relationships established over the years provide a solid base for his opinion.

He adds to the toll thousands of deaths from failure to obtain adequate supplies of infant formula, medicine and contaminated water and from increased death rates from stress, heart attacks and similar causes.

While I applaud the recent UN initiative to carry medical supplies and ascertain the health needs of the Iraqi people, I urge the UN to seek major funding now or release of Iraqi funds for supplying 2,500 tons of infant and baby milk formula, greatly needed medicines and sanitation supplies, municipal water system restoration and water purification.

The bombing constitutes the most grievous violations of international law. It is intended to destroy the civilian life and economy of Iraq. It is not necessary, meaningful or permissible as a means of driving Iraq from Kuwait.

No UN resolution authorizes any military assault on Iraq excepts as is necessary to drive Iraqi forces from Kuwait. The bombing that has occurred throughout Iraq is the clearest violation of international law and norms for armed conflict, including the Hague and Geneva Conventions and the Nuremberg Charter. It is uncivilized, brutal and racist by any moral standard. With few if any exceptions we witnessed, the destruction is not conceivably within the language or contemplation of Security Council Resolution 678/44.

I urge the UN to create an investigative body to examine the effect of US bombing of Iraq on the civilian life of the country. Most

urgent, I ask the UN Secretary General to do everything within his power to stop to bombing of cities, civilian populations, public utilities, public highways, bridges and all other civilian areas and facilities in Iraq, and elsewhere.

If there is no cease-fire, bombing must be limited to military targets in Kuwait, concentrations of military forces in Iraq near the border of Kuwait, operational military air fields or identified Scud launching sites or mobile missile launchers in Iraq. If a cease-fire is not achieved, the immediate cessation of this lawless bombing of civilians and noncombatants is essential.

The use of highly sophisticated military technology with mass destructive capacity by rich nations against an essentially defenceless civilian population of a poor nation is one of the great tragedies of our time. US annual military expenditures alone are four times the gross national product of Iraq. The scourge of war will never end if the United Nations tolerates this assault on life. The United Nations must not be an accessory to war crimes.

We have 6-7 hours of video tape of much of the damage to civilian life and property described above. It includes painful hospital interviews with children, women and men injured in these assaults. The tape was not reviewed or in any way examined by anyone in Iraq before we left, and the actual filming was largely unobserved by any Iraqi official.

Ramsey Clark now runs a law office in New York. This article is based on a letter from Mr. Clark to the United Nations Secretary General on 12 February 1991.

#### Conclusion

CODEHUCA hopes that, with this book, work can be strengthened internationally to focus attention on the suffering of the victims, THAT MUST BE IMMEDIATELY ADDRESSED, and to put an end to the IMPUNITY that covers this use of massive military force, to achieve political goals.

For more information, contact the Commission of Inquiry for the International War Crimes Tribunal, 36 E. 12th St, New York, 10003, T (212) 254-5385. F (212) 979-1583.

The Editors.

# The rights that were violated in Panama

**W**e present here a summary list of the numerous violations of a wide-range of rights: indiscriminate shooting against military and civilians; destruction of an entire civilian neighborhood; execution of wounded and captured military and civilians; driving of tanks over Panamanian bodies in the streets; torturing of prisoners; incineration of cadavers; illegal capture of persons who were then illegally taken from the country; digging of an undetermined number of common graves; hiding of information from family members of the dead; shooting at Red Cross and hospital ambulances; preventing medical personnel from attending to the wounded; use of new 'secret' weapons of highly destructive capacity; surrounded and prevented access to and from various embassies; creation of virtual concentration camps for war refugees; intimidation of foreign diplomats; detention of an ambassador; and the commission of more violations, as set out in this publication.

## Prohibition of war

Wars are prohibited, under any circumstances, as means to solve international conflicts between states. This principle is repeated in numerous international instruments: Paris Covenant (1928); Inter-American Treaty of Reciprocal Assistance; the Charters of the United Nations and the Organization of American States.

## Humanitarian Law

Given that wars continue, States have committed themselves to respect a series of principles and provisions concerning armed conflicts. The Statutes of the International Military Tribunal of Nuremberg, and Resolution 95 (1) of the U.N. General Assembly (Dec. 11, 1946) define "crimes against humanity" as: the assassination, extermination, deportation, and all inhuman acts committed against the civilian population "by the authorities of a State... or particular persons, with the intention of destroying, totally or

partially, a national group... Added to this definition, are torture, forced disappearances, genocide, and extrajudicial executions.

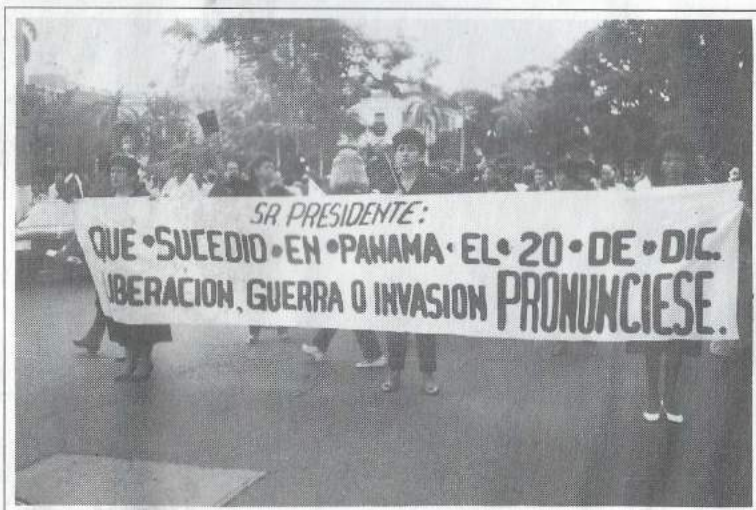
The Geneva Conventions (1949) define "war crimes" as the following: indiscriminate air-bombing and military attacks; the impeding of medical personnel to give medical attention; torture and executions of prisoners of war; cruel, inhumane and degrading treatment; and the use of weaponry that causes unnecessary suffering.

There is no Statute of Limitations that applies to the punishment of the commission of "war crimes" and "crimes against humanity." States, including the U.S.A., have international obligations to assure that persons alleged to have committed "war crimes" and "crimes against humanity" do not escape being brought to trial, wherever they might be found, or in the country where the crimes were committed.

Up until now, one year later, the U.S.A. has been successful in covering up the extent of the damage and suffering caused by its 'Just Cause' invasion. This cover-up has been aided to a certain extent by the role played by the international press that has not probed the extent of the damage and suffering, as it does in other international "hot spots."



## Memorial



It is recognized as an unquestionable truth that all persons are equal; that the creator confers on all certain inalienable rights, amongst which are included the right to life, liberty and the pursuit of happiness.

(Declaration of Independence of the U.S.A.)



Crimes against humanity are assassination, extermination, slavery, deportation and any other act against the civilian population, committed before or during the war as well as persecution for political, racial or religious reasons.

(Statute of the Tribunal of Nühremburg, Art. 6)

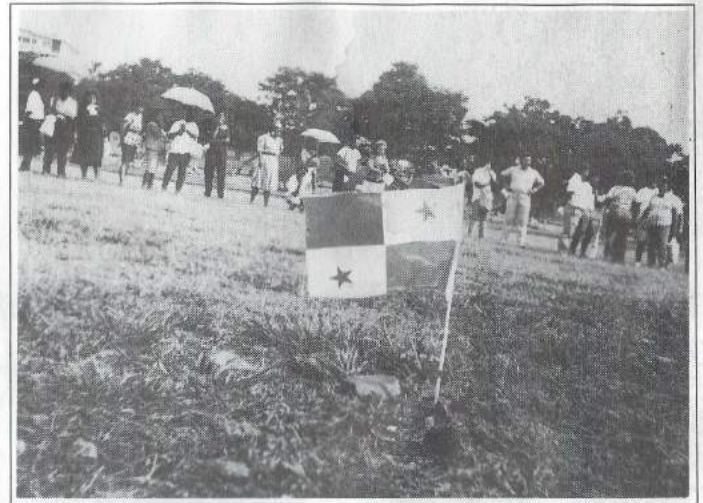
To the following crimes no Statute or Period of Limitation applies:

- a. War crimes, as defined by the Statute of the International Military Tribunal of Nühremburg, and as confirmed by the Resolutions of the General Assembly of the United Nations are crimes referred to as 'serious infractions', provided for in the Geneva Conventions, 1949;
- b. Crimes against humanity committed in times of war or of peace, are defined in the Statute of the International Military Tribunal of Nühremburg, and as confirmed by resolutions of the General Assembly of the United Nations... even if these acts do not constitute a crime according to national laws.

(Convention on the Imprescriptability of War Crimes and Crimes Against Humanity, 1968, United Nations.)



U.S.A. helicopter air-bombs civilian building in Chorrillo. Tremendous fire in populated Chorrillo neighborhood.



Common grave of 'Jardin de Paz', found in Panama City.

Art. I: The objectives of the United Nations are to:

1. Maintain international peace and security; and to this end to take measures to eliminate threats to the peace, and eliminate all acts of aggression, and to achieve pacific resolutions of conflicts...
2. Promote between nations the respect for the principle of equality and the right to self-determination of all peoples.

Art. II: Principles:

1. The U.N. is founded on the principle of sovereign equality of all its Members.
2. The Members will resolve their conflicts by peaceful means in such a manner so as not to endanger the peace... or justice.
3. The Members... in their international relations, will abstain from the use of force against the territory or political independence of any other state, or in any other manner that is incompatible with the principles of the U.N.

# I. Indiscriminate attacks and air-bombing

Additional Protocol I of the Geneva Conventions, 1949

Art. 51, 4 and 5: Indiscriminate attacks (not directed at military targets, or that, for the choice of weapon or method of attack, cannot be limited to military targets) are absolutely prohibited, as well as all attacks that indiscriminately affect civilian personnel and property.

## Attack civilian targets

"All of this occurred on the morning of the 20th. I saw the clock when we were awoken at 12:44. We were awoken by the noise of the bullets hitting the building. The bullets came right into the apartment. My husband and I, we went to the window to see what was happening. We live on the 14th floor and we saw five helicopters, at the same height as us, shooting and firing rockets at our building. We ran to get the children and my brother up. We went to the living room because there are no windows there looking out onto the side from which the U.S. invasion was coming. That didn't help at all - the bullets came in as if we were in the open air... We went out into the hall - there are no windows there and the walls are very thick.

"All night long we heard the bombing. Mortar shells exploded on the 5th and 9th floors. We couldn't go down all evening, because there was a lot of smoke. My baby is six months old and easily could have suffocated.

"At 3:00 a.m. we heard a voice speaking over a loud-speaker. They told us we had a few minutes to leave the building. Only the people on the first floors had time.

"After this, the bombing continued with more intensity..."

"It was impressive and sad to see how destroyed the neighborhood was.... The day before, it was full of wooden homes. Now everything is gone and destroyed. We saw cars in the streets



Survivors looking for personal belongings in the ruins

and it was clear that tanks had passed right over them.

"...All those houses were burnt and crushed because the intensity of the attack was enormous ...and all of this power against a population that was sleeping. Many people didn't even have the time to get out of bed.

"The U.S. troops never said why they were bombing and shooting at our building. Some people say that on top of our building there were guards, but this is not true.

"Many people deny that there were a lot of

deaths. There are even people that say that in Chorrillo there were no deaths. Some people even told me that they had evacuated us before the invasion. This is not true. It wasn't until 3:00 a.m. that they said anything about an evacuation. The U.S. troops knew that in the building there were civilian children, parents and elderly.

"At the time of the invasion there was no one firing back from our building. ...There is another building right beside ours that is under construction. It has no bullet or rocket marks on it whatsoever. This says to us that the U.S. troops unquestionably were shooting at our building, knowing that it was full of civilians".

(Testimony of María, from Chorrillo)

## Modern weapons

"They attacked us from Ancon Hill..."

"I saw a 'light' come in through my window and completely destroyed my television. The force of the attack was such that I was not even safe with my children by the elevators. I watched as a 'Cobra' helicopter was hovering right outside apartment number six - it bombed the apartment, such that the apartment burst into flames, and its rockets went right in and destroyed the elevator doors. If we had remained by the elevator, I wouldn't be here to tell this story.

"I can tell you how Ruben's mother described Ruben's death. She said he had been hit by some sort of projectile. He asked for water and upon contacting the water he burst into flames. What type of infernal weapon was it that hit him?"

(Testimony of Rafael Olivardia)





*The 3-apartment building block '24 of December' was directly attacked by U.S.A. air and ground forces.*

## Elements of a massacre

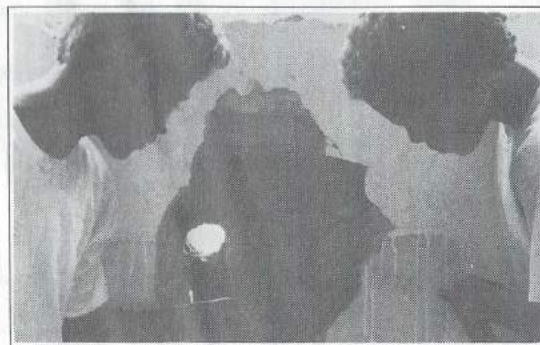
"We woke everyone up when all of a sudden we saw the USA Cobra helicopters coming in from the beach area, from over by Perico, Naos and Flamenco. They came in from that side shooting at everything... It seemed that the end of the world was coming - explosions everywhere on all sides. Some of us were paralysed where we were with fear. We had to grab some comrades and carry them to safety. . .

"Everyone knows what Chorrillo was like, surrounding the Central Quarters of the Armed Forces. Every one knows how Chorrillo ended up. It was there that we realized it was a massacre... The most powerful nation in the world massacred a people that had nothing more than its patriotism, its pride and its morality.

"I never thought Mr. Bush would order this type of invasion... .

"The people, in Chorrillo, fled from their houses due to the bombing. When they got out side they were met with machine-gun fire and tank rockets. Many of these people were found lying mutilated in the streets... Even three days later, the USA army had Chorrillo surrounded and were preventing members of the International Red Cross from entering and picking up the dead".

(Testimony of a member  
of the Dignity Battalion)



*Children stare at damage caused by a U.S.A. military projectile in the bedroom of their home.*



## Chorrillo round-up

"The people stayed inside until the North-amerians went house to house, getting them out - pointing their guns at them and moving them towards the church. They didn't let them take anything from their homes. We all were afraid. The gringos swept through Chorrillo, like this. When we came out, there were several tanks and hundreds of soldiers. There were like 1000 soldiers. I saw some twenty persons dead in the street.

"At 1:30 a.m. I saw a helicopter go down, on a house called the Cantina California. Other houses near by caught on fire.

"On the beach we saw more cadavers. I don't know how many. I was very nervous".  
(Testimony of an INTEL worker, Chorrillo resident).



*Invasion survivors standing in an area that was air-bombed by the U.S.A. forces.*



*Multi-family dwellings attacked by U.S.A.*

## Civilian deaths

"When we left the airport, on the highway heading towards the city, there were four cars that had been shot through. In the first one, we found the bodies of three men - between the ages of 40 and 50 years.

"On the way into the small settlement of Villa Catalina, there is a bombed - out building. According to persons that lived there it was bombed by USA tanks, fighting the Dignity Battallions. In the building a man died in his bed.

"A neighbor from the nearby area of Bello Horizonte said that as they were walking, leaving the area of fighting, they saw a wounded man, lying on the road. The USA soldiers didn't let neighbors nor a local doctor help the wounded man. He died.

"As I think back now, this occurred with many wounded persons who had fallen wounded at the airport.

(Testimony of a person who was in the airport at the time of the invasion).





*Clothing factory destroyed in the invasion.*



*Witnesses testified that U.S.A. troops shot at "anything that moved", causing many civilian deaths.*

## Civilian deaths

"There is evidence that they did not fire only at Military targets, but rather they shot at everything that moved. I saw this because they shot at us when we were arriving at the hospital on the 20th. The Santo Tomas Hospital is near the U.S. Embassy and extra tanks were arriving to protect it.

Q.- "Did you arrive in a private car?"

"Yes. One block before we arrived at the hospital, we were being shot at. We saw cadavers on the ground by their cars.

Q.- "Was the shooting against the Dignity Battalions?"

"No, there was no opposition. They were shooting against civilian targets - against people and cars trying to arrive at the Hospital to protect themselves... Many people arrived at the hospital because they thought it was the only safe place, and they were shooting at everything..."

Q.- "You saw civilian cadavers on the road?"

"We saw them on the ground. We had to leave the car, because they were shooting at the car in front of us. We began to run - we ran the last block to the hospital. The car stayed there. On the 21st I tried to go and get it, to bring it to the hospital... I saw two cars parked, with their drivers dead. One person was dead inside the very car and the other was dead, some 2 metres away. The car door was open and the car light was on. This car was shot full of bullets. They were civilians. They had no weapons.

Q.- "All of this you saw when you went to get your car?"

"Yes."

(Testimony of 2 Panamanian Doctors).



## Indiscriminate air attacks and modern weapons

Witness 1.- "On the 20th of December I was up there near the Statue of Christ in San Miguelito, when I saw a U.S. helicopter coming in. Nearby there were Dignity Battalion forces who shot back at the attacking helicopter. The helicopter briefly left the area. Then it came back, machine-gunning at all sides. Then we heard explosions, and the helicopter again went away. ... What had happened is that the U.S. had air-bombed a few houses...

Q.- "A private home?"

W 1.- "Yes. Some neighbors took the family members to the hospital.

"It was a very unbalanced attack. The helicopters were heavily armoured, firing powerful machine-guns and rockets. And they were attacking indiscriminately, that is to say they weren't looking for military targets - there were a lot of civilians there who were being fired at...".

Q.- "You saw U.S. helicopters firing at citizens?"

W 1.- "Yes. They fired at civilians who were running all about. When the helicopter came back, the people, who had been in the street, took off... There was this one fellow that had burn marks on his back. He was near the house that had been bombed."

Q.- "How was he burned? Could it have been from chemical weapons?"

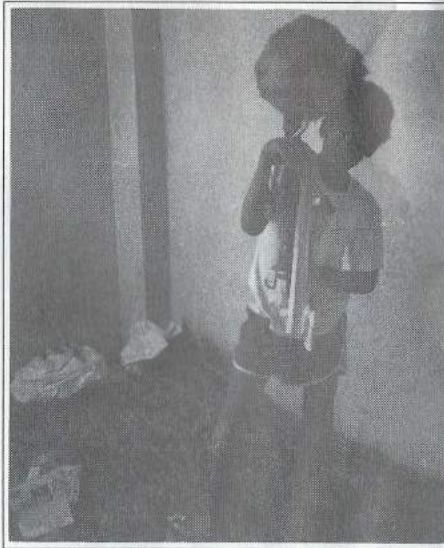
W 1.- "We don't know if it was chemical weapons.

Q.- "But it was a big burn mark..."

W 2.- "In that same area there is the case of one family that went into their house to protect themselves. This was some distance from where the Dignity Battalions were fighting back... A bomb, from a U.S. helicopter, fell and exploded in one of their rooms.

Q.- "Is this the same house that the other witness was talking about?"

W 2.- "No, he was talking about a house further up there in San Miguelito. I'm talking



*U.S.A. attacks aimed not only at military targets, but also civilian homes.*

about one down there. When this one fell, one of the children died instantly. It would be good if you could speak with this family. One died and four others were injured".

Q.- "Were they shooting back from that house?"

W 2.- "No - they were not fighting back, and it was far away from the fighting.

Q.- "Was this house near a military base?"

W 2.- "No. It was a residential area."

Q.- "They bombed in a residential area?"

W 2.- "Yes, far from the military bases."

W 3.- "Me, on the morning of the 21st, I was in a place called El Martillo, in San Miguelito, and from there one has a view of the whole area. I was

with two friends, and we were there when the U.S. were attacking a middle class area. There were two helicopters attacking. We could see what looked like red rays being fired from the helicopter. This went on for about ten minutes.

Q.- "From that area, were they shooting back?"

W 3.- "No, we didn't see or hear resistance. We were told that in that area there were the houses of some military officials."

Q.- "There were no military bases."

W 3.- "No they were far away. ...We could see ambulances gathering dead and wounded civilians. There were a lot of wounded persons... A nurse who works in the health clinic of San Miguelito told me that at least five dead persons arrived there...

Q.- "What were those "red rays" being fired?"

W 3.- "Well, they were fired straight from the helicopter at their target - like something from Star Wars, like they were laser-rays. ...They were like red lights and made a sound "wiiin", "wiiin", and "rree", "rree", "rree", and then "pum", hitting their target..."

"We were like one kilometre away, and we could see the red rays and feel the heat from here.

W 4.- "On the 20th, in the morning, I went to look for some food for my family. I was near the entrance to Paraiso, in San Miguelito. I saw U.S. helicopters firing on citizens who were waiting for rides. There were many wounded persons who were taken to the San Miguelito health centre. ...The bullets had no names - they were not being shot at military cuartels, or anything like that. They were for the civilian population.

Q.- "Were there many wounded and dead in the streets?"

W 4.- "I saw many wounded. I saw dead persons later in Chorillo."

(Conversation with 4 witnesses from San Miguelito).





*"Be patient, we will re-build El Chorrillo." President Endara.*



## Military massacre and new weaponry

M1: "Of course the people that were coming from Chorrillo were saying that Chorrillo was burning - that the houses were falling down. There were women arriving who came with three children and they had lost two children, and didn't know where they were, so they wanted to go back and find the other two children, but the rest of their family didn't let them go. There were a lot of situations like this - people suddenly arriving and realizing that they had lost someone - that an uncle or aunt was gone - that a child was not there. Always, these persons wanted to go back. But once one arrived at the hospital, it was impossible to leave due to the fighting right outside..."

M1: "You see, it was like fighting with sling shots against airplanes, helicopters and tanks. The USA soldiers did not fight up front. This was not a man to man war. It was that of a man with a machine-gun against a plane, a helicopter, a tank. They didn't come out until the fourth day.

M2: "This is all so sad that it gets close to being absolutely ridiculous..."

M1: "The fighting was so incredibly disparate... It was like what happened to the Indians of the Americas when they came with their new, over-powering weapons. This is what happened to us. Here, they arrived with their invisible planes, they arrived with their infra-red lights so as to see in the night, they arrived with a weapon that shot "laser-rays", using implosive bombs as well as explosive... the technological difference was total and absolute."

"I am sure that some soldiers didn't even know that these types of weapons existed. So, it is like the surprise that the Indians felt when the Spaniards arrived, coming off their huge ships mounted on horse back. The Indians thought that the horse and the man were the same thing..."

"Here it was the same thing. I don't find any difference.

M1: "It isn't that Panamanians didn't fight. ...They fought for one day, two days. On the third

day Panamanians realized that fighting tooth and nail, they were never going to defeat all that technology.

M1: "We were right there, nearby, when Noriega took refuge in the Nunciatura. There was a huge mobilization of USA troops - 2000 soldiers, with tanks, helicopters and planes, all around the place. My mother almost died of fright: "they are going to bomb it, they are going to do something horrible."

"In front of the place, there must have been some 50, 60 or 70 helicopters going up and down all day."

M2: "In the night, ahh..."

M1: "In the night, standing in the window, you couldn't see the helicopters - you knew they were there, going up and down, but you didn't see them..."

M2: "You knew they were there, because of the wind, the wind from the helicopter, you felt, but you didn't see it."

Q: "How many wounded persons were there in the hospital?"

M2: "Around 1500".

M1: "Yeah, more or less"

Q: "Is that during those three days in that hospital?"

M2: "Yes, in that hospital".

Q: "You don't know how many there were in the other hospitals?"

M1: "No, because we weren't there."

(Testimony - Two doctors, Santo Tomas Hospital).



The U.S.A. attack came predominantly from its Air Forces, showing all the more clearly the vast un-balance between the forces.



*The invasion was planned perfectly. Equipment included the new armoured "hummer" and infra-red rays.*

## They began to fire infra-red rays

"The helicopters were not only shooting at the General Headquarters, but also everywhere in Chorrillo. It was like this when they came in formation - firing their heavy machine-guns, and it sounded like it does when it rains - when the rain falls on the roofs.

"At this point we opened fire. Seeing from where we were firing from, they not only fired heavy machine guns at us and Chorrillo, but they began with their rockets.

"There were eight of us there. They began to shed those infra-red lights on us and fire their rockets. They blew apart the whole place where

we were. After a moment's silence, we began to pull ourselves together - quickly, those of us that could move, we went down stairs, where the head offices were on the second floor. We met up with men from the G-3 units, that were on duty that night.

"The helicopters bombed and rocketed the General Headquarters all night long.

"We waited 'til the first wave of bombing ended, then I said to the units that we had to get out of there, because the infantry was going to follow soon after. This is what happened. We left the General Headquarters.

"We hadn't arrived yet at Avenida A when we saw the arrival of the U.S. troops and tanks, machine gunning every thing that moved. When they took me along Avenida A, I saw many bodies.

"Along the way we picked up a wounded person and we continued, until we arrived at the soccer field in front of the fire station. We entered the field, because everyone in the neighborhood was leaving their houses because they were killing them in their homes. There were many refugees in the soccer field."

(Testimony from a member of the Panamanian Defense Forces).



## II. Extra-Judicial Executions of civilians and military personnel

Every person has a right to life... Noone can be arbitrarily deprived of his (sic) life (Art. 4, American Convention of Human Rights).

It will be considered a serious infraction... whatever act or omission that results in the death of or endangers the health of any prisoner of war (Art. 13, Geneva Conventions, 1949).

### Civilian deaths

"They destroyed a car in Colon. There were two women in it. One of them had come to find the other who lived close to the Marina that was totally destroyed. This woman was mother and "father" in her home, with three children. She had come to save her friend from the bombed area near the Marina... to save her and her children.

"Their car was shot through and through, without mercy - killing both women and one of their boys, who was six years old. The other two

children were wounded - and left there in the car."

"How can you call this a liberation, the death of a boy of 6 years?"

"They machine-gunned a small micro-bus in a road block in the Transistmica Highway, in front of the Gago Supermarket. The gringos detained the micro-bus and asked the driver for his papers. The 20 year old young man handed over his licence. At that moment a woman came driving by at top speed, going to the hospital because she was going to give birth.

"The soldiers, checking the driving licence, machine-gunned the woman's car. The pregnant woman was killed. (Testimony of Isabel Corro)



A 6 years old boy's cadaver found in Mt. Hope mass grave.



Dead and wounded panamanians citizens surrounded by U.S.A. soldiers. (N.Y. Times photo).

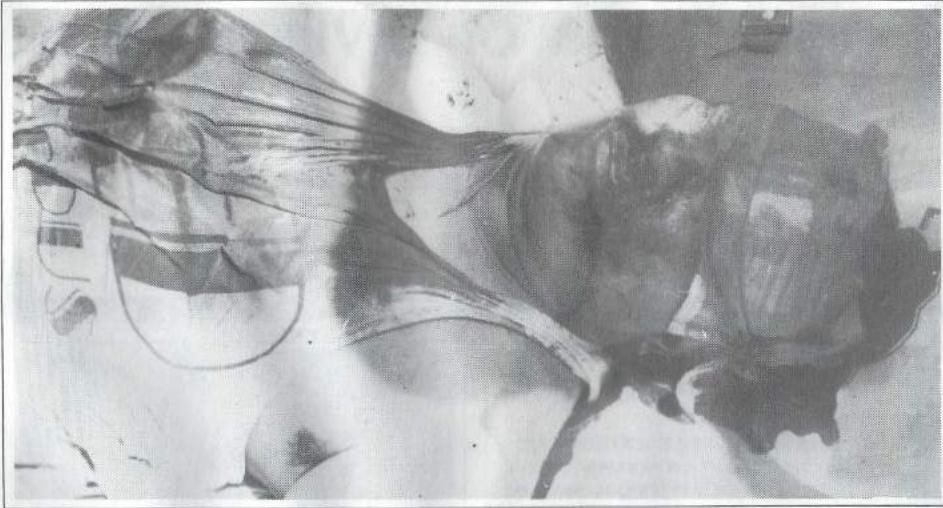
### I only want to help you

"There is another case of a boy... The people say that ...after an exchange of shots, the boy was helping a wounded Northamerican - there in the 8th street - when another Northamerican says to him "stop". He says "No, I only want to help you." ... As he didn't stop, the Northamericans shot and killed him. That is to say, they killed a Panamanian that was trying to help them. So they took both of them away - the gringo, who died, and the Panamanian who tried to help him.

"In another case, there was a boy who took them water, buns and coffee - they killed him. He was 16 years old. He had gone out at night, after curfew. They told him to stop, but he considered them to be his friends - they killed him."

(Testimony of a resident of Old Panama)





*Panamanian shot in the face.*

## Civilian deaths

"A paramedic from the National Red Cross told us that on the day after the invasion he worked for four days in Panama City (not in Chorillo) and in these four hours he collected "between 40 and 50 wounded and 12 dead persons. The dead were all civilians."

(CODEHUCA Report #2)

"We know there were youngsters shot in the back, walking to Balboa, by U.S. soldiers. This massacre of a civilian population - children and elderly, women and babies - will be known publicly some day."

(Testimony of Rafael Olivardia)

Victim: "I was shot in the knee and taken to the Gorgas Hospital (of the U.S.) where I was

operated on, without anesthetic, due to the danger. A few days later I was sent home on crutches."

Brother: "On December 20th, some neighbors were there drinking beer. Some people arrived from down-town, carrying packages of clothes. The neighbors gathered around to check the clothes out. At this moment two shots rang out. Gringos, at the end of the street, shot at the crowd with the tank-mounted machine-guns, and shot their bazooka two times. They blew apart the wall of the 'Rancho' dance hall..."

"A person named Villareal died instantly and three persons were injured; one had the leg blown open and died from hemorrhaging on the side of the road. His name was Turry Aguilar, a local mechanic.

"We took my brother to Gorgas Hospital, where they operated on him."

(Testimony of a victim and his brother)

## They machine-gunned all who remained alive

"He saved himself, but they destroyed a bus full of his troops. After they had shot a rocket at it, they machine-gunned all who remained alive. We knew this because he was able to save himself - wounded - and we spoke with him in the Santo Tomas Hospital."  
(Letter sent by Dignity Battalion member to his wife)

## Civilians in common graves

"We know that certain comrades surrendered as soon as the invasion began, and that the U.S. soldiers, frightened, machine-gunned them on the spot. It is for this that, many people, no one knows where they are. Many people have been buried in Common graves - people that were not identified."

(Testimony of Dignity Battalion member).

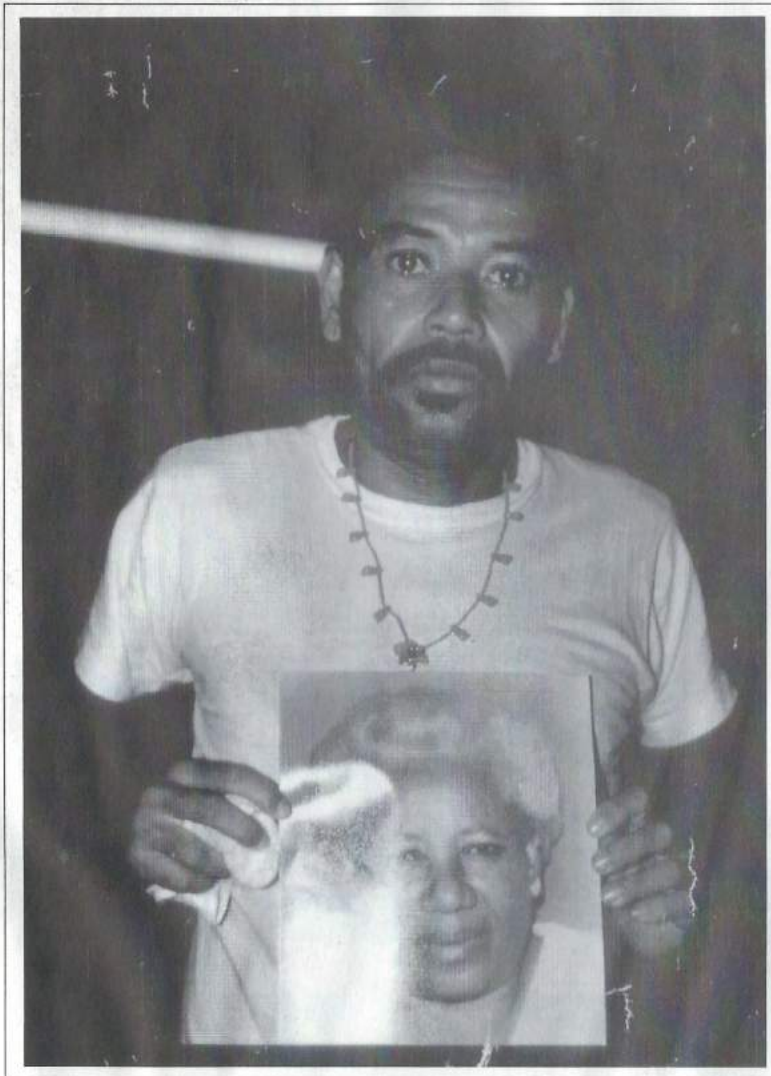
## They begged them not to kill them

The sister of a civilian assassinated by the U.S., who was then buried in a common grave, testified:

"We arrived there and we found the car where they had been detained by the Americans. The five passengers had been taken by force out of the car and ordered to lie face down on the ground. They were filled with bullets. This was on the 23rd of December. ...They had been going to visit some relatives, when they were detained and assassinated. Some witnesses told me that, from the ground, they begged them not to kill them. ...The young man that picked them up later said that he found them in a position of surrender... When they exhumed my brother from the common grave we saw the bullet holes in his sweater."

(CODEHUCA Report #2)





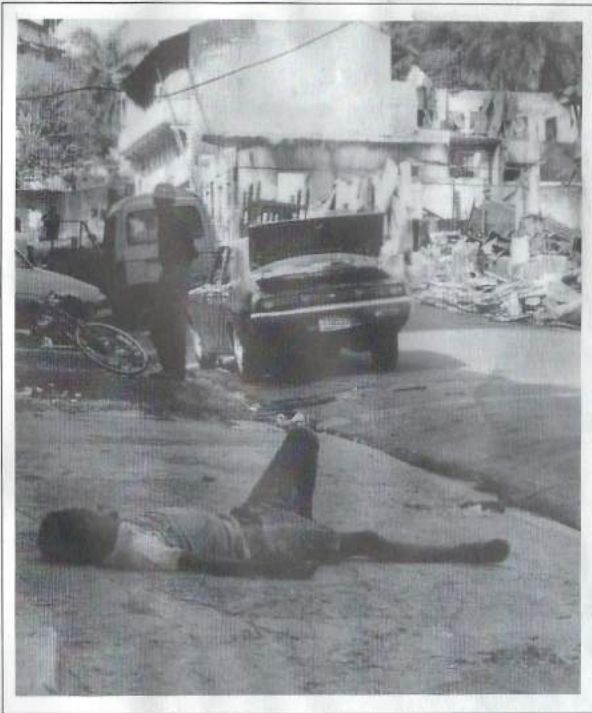
*The deaths of many innocent panamanians will leave a permanent scar.*



*View of homes and buildings destroyed in the Chorrillo neighborhood.*



*Resident from Chorrillo, who became a refugee in Balboa High School.*



*Death and destruction - Christmas 1989.*



*Destruction and uncertainty are consequences of the invasion.*



*Demands that justice be done for their dead and wounded.*



## “Merry Christmas...”

“...they think that if they provided justification, a power as large as the United States, using all of its sophisticated weaponry, is able to attack another in such a criminal manner as the United States attacked Panama. This occurred during our preparations for Christmas, on the 20th of December, 1989.

“And... when those troops arrived in Panama, their troops launched an attack against a secondary school located on the Rio Hato military base. It was against the school named Tomás Herrera. I denounced it, and I have testimonies from those who witnessed the attack. The soldiers shouted at the children of the school: “Merry Christmas,” at the same time as they shot rounds from their machine guns...

“They did this to young students who were unarmed. They were sleeping in their underwear. In Panama we sleep in our underwear because of the heat. Those children without weapons, those youth, in their underwear, greeted by the bullets of the North Americans, and the shout of “Merry Christmas”. In Spanish, “Felices Pascuas” ...

“Just think of the idea that any foreign power would launch an attack, on December 20th, against ...barracks where there are children. And then, on top of that, to greet them with gunfire and tell them, “MERRY CHRISTMAS.”

(Testimony of Euclides Fuentes Arroyo, during Jardín de Paz common grave exhumation)



*Brutality of the invading forces.*





Many testimonies say that U.S.A. soldiers shot at unarmed Panamanians citizens.

## Civilian targets

On the 20th we were moving on the Inter-american Highway (between Chorrera and Arraijan) in a private car. We were intercepted by a tank and a Hummer of the U.S. army. We thought it was a regular check. To our surprise from the tank they shot at us - two people with us, Rubma González and Jose Espinoza, were killed. Two others, Osvaldo Polo and Camilo Chen, were injured. After shooting at us, they went away and we went to the Nicolas Solano Hospital, driving on flattened tires - where we received medical attention." (Testimony of victims)

## Bus full of people

"On the 20th, at 1:00 a.m., I was travelling in a bus on the Panama - Chorrera route when we were attacked by a tank that destroyed the bus - killing 26 persons." (Testimony of victim)

## "Simply put, they machine-gunned them"

"The U.S. domination is total, through-out the country, such that Panamanians have been killed

for doing acts of charity. In a place called Parque Lefevre, there was an assault - a young man was assaulted, to rob his car. Some people were in their house, and went to help the injured man. They got him into their mini-van and were taking him to the hospital. They arrived at a place called Loma de la Pava. ...There they stopped at a U.S. road-block. Simply put, they machine-gunned them all. Later the U.S. stated that the five had shot at them, but other people detained by the road-block said that they simply machine-gunned them all."

(Dignity Battalion member)





*Massacre committed against a civilian population.*

### III. Arbitrary detentions and captures

Constitution of Panama:

Art. 21: Nobody can be deprived of her or his liberty, except according to the law, according to the appropriate procedures... The authorities, carrying out the judicial order, must give a copy of the order to the detained person, if asked for.

American Declaration of the Rights and Duties of (Man):

Art. XXV. Nobody can be deprived of their liberty, except according to procedures pre-established by law.



*Entire buildings converted to piles of stones.*

#### They loaded us onto a truck

"Soon, the soldiers arrived. All of us men, between 15 and 55 years, were loaded into a U.S. Army truck. They took us to an unknown place. They didn't tell our wives or families where they were taking U.S. This created panic

and terror, because no one knew what was going on.

"We thought they were going to murder us because we had already seen them assassinate friends of ours." (Testimony of ex-combatant).



*The U.S.A. military action did not aim solely at military targets and personnel.*





*Many civilians suffered from the U.S.A. war of liberation.*

## Arbitrary detentions

"When we left the apartment building at 6:30 a.m. they detained certain persons. They were checking every one. They detained some people although they didn't say anything, they didn't give any reasons.

"I didn't know these people personally though I knew them to see them.

"They separated the prisoners off ...They hand-cuffed them and put them in those 'hummers'. Some people told me they were detained because they were members of the Dignity Battalions."

"Also in the Balboa School the U.S. took people away without giving any explanation."

(María of Chorrillo)

## Arbitrary detentions

"I was arrested without cause, without any proof against me. Written in the document that the gringos had was written 'without cause'. When they asked me why I was detained I said I didn't know, and they didn't know either why I was detained..."

"May it was because Col. Torres didn't like me or because of my skin colour... They saw me enter, they grabbed me, they arrested me and took me away with saying any thing to me..."

(CONADEHUPA, Case #17)



## 1.4. Destruction

Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field, 1949

Art. 50: Grave breaches, to which the preceding Article relates shall be those involving any of the following acts, if committed against persons or property protected by the Convention: wilful killing, torture or inhuman treatment, ...wilfully causing great suffering or serious injury to body or health, and extensive destruction and appropriation of property, not justified by military necessity.

Protocol I,

Art. 54: It is absolutely prohibited to attack, to destroy, or, on the other hand, not to use whatever means necessary to help protect the civilian population.



*Christmas hopes destroyed.*



*A children's day-care centre did not escape the invasion.*





*U.S. soldier looks on the aftermath.*



*Destroyed civilian and military installations.*



*Two U.S.A. soldiers detain a panamanian.*





*The fire caused by the air-attack destroyed many acres.*



*Panama is in mourning.*



*Rather than a liberation, the invasion was a crime.*



*The victims were put in plastic bags.*

*Excavation of common graves in Mount Hope, Colon.*



*Family members wish to give the victims proper burials.*





*Slowly, the reality is being uncovered.*

*The invaders brought death, destruction and pain.*



*Civilian apartment.*

*A neighborhood converted into ashes.*

*Panamanian dignity lives.*



*Despite the obstacles, the exhumations are carried out.*



*Panamanian people seek justice.*



## V. Use of prohibited practices, arms, and means of war

The principle of international cooperation in the identification, detention, extradition and punishment of those guilty of war crimes, or crimes against humanity." Resolution 3074 (XXVIII), UN, G.A., 31 Dec/1974. (Translated from Spanish)

1. War crimes and crimes against humanity, at which place and at which time they are committed, are subject to an investigation. Furthermore, those person which are proven responsible of such crimes by said investigation will be sought after, detained, legally tried, and in the case of proven guilt, punished.

### Shooting at ambulances

"An old man told us we couldn't stay because we were going to die, and he got us out of there, towards the fire station..."

"We got to the fire station as it was already one in the morning. ...from there they grabbed us and put us in an ambulance, taking us to Hospital Santo Tomas. On the way they shot various times at the ambulance, but the driver did not stop. When we got to the hospital, doctors looked after us."

(Panamanian Defence Force Official)

### New weapons

Q.- "Do you have any concrete information concerning the use of chemical weapons?"

W.- "In the Morgue of the Sto. Tomas Hospital, where I was with my sister, we heard comments being made by people, that some people had been killed and their bodies burned, but that they had not burned in fires, but rather they had been burned by some chemical substance.

"These were the dead they buried in Common Graves and were quickly disappearing, trying to get rid of the evidence. They say that the bodies were completely unrecognizable..."

Q.- "What did you say about the body size?"

W.- "That the size of the body had shrunken."

Q.- "Who did you hear these comments from?"

W.- "They are comments of Hospital workers. My brother knows a Morgue worker who told him this. This person told my brother that the U.S. troops were quickly burning cadavers because they had used chemical weapons. In the cases where a forensic doctor has found that bodies were burned by chemical products, the U.S. have taken those files away."

(Conversation with San Miguelito Witness).



Young panamanian, victim of indiscriminate attacks.





U.S.A. soldiers shot at Red Cross vehicles.

## Gratuitous violence against wounded

"This is something else that I want to point out - I learned from some doctor-friends who went out in the ambulances to look for the wounded - they told me - and they were very nervous when they told these things - that it was very difficult for them to arrive to where the wounded were. They could tell who some of the wounded were because they would raise their hands, or they would be moving, or they would be dragging themselves along trying to get closer to the ambulances.

"However, my doctor-friends told me, they couldn't get to the ambulances because the USA soldiers had closed off El Chorrillo. In El Chorrillo, the USA soldiers prevented the wounded from getting to the ambulances.

"I have one doctor-friend in particular who was working with me during all those days, and who went out twice in the ambulances.

"The ambulance drivers themselves were very scared, and my friend personally saw the wounded in the streets that couldn't get to the ambulances. He couldn't see exactly how they were wounded but he could see that they were struggling to get to the ambulances and then my friend saw that USA soldiers were bashing them in the heads with the butts of their rifles.

Q.- Two questions - the first is - was it a doctor who told you that he saw all these things?

D 1.- "Yes, it is a doctor-friend of mine that I know very well. He came to me to tell me these things, and he was very nervous, incredibly affected by all that he had seen. It is more than that - he had to stop working because he was in such bad psychological shape - because when he talked to me he was really impacted by what he'd seen, the USA soldiers hitting Panamanians in the heads with their rifle-butts.

Q.- And this he saw from the ambulance?

D 1.- "Yes, he says that he saw this from the ambulance - the bodies he saw were about 50 metres away. He said that there were many wounded persons lying on the ground. He couldn't tell if all the persons were wounded or dead. But the thing that so impacted him was that he saw that some of them were definitely moving and their heads were bashed by the USA soldiers.

(Testimony of Panamanian Doctor).

## Shooting at red cross vehicles

"The spokesperson for the National Red Cross confirmed that the U.S. troops had shot at an ambulance with the Red Cross emblem."

(CODEHUCA Report two)

## Machine-gunned the ambulance

"They killed two friends who were with me and I could not get them out. I looked for an ambulance that I saw about two streets away. When the ambulance went to pick them up, they (the U.S. troops) machine-gunned it."

(Dignity Battalion member)

## Ambulance shot at

"...Around 4:00 a.m., the Seguro Social Hospital had lent an ambulance. The para-medics of the Caja de Seguro had been driving around in the ambulance. They told us that they were going to wait until sun-up because their ambulance had been shot at. Luckily they had escaped injury. So, they didn't want to again risk themselves."

(Panamanian doctor)



## Gratuitous violence

"Some arrived with their heads completely destroyed. It is not that their heads were destroyed by some type of ammunition - rather they had been bashed by something very hard - a rock, or a piece of wood. They arrived with their heads completely destroyed.

Q.- Do you believe that these last bodies you discussed would have died from bullet wounds or from the blows that they received to their heads?

D 1.- Sincerely, I wouldn't be able to say what was the cause of death. They arrived with bullet shots in the legs. Many persons arrived at the hospital with bullet wounds in the legs. However, the ones with the blows to the head, I think that the blows were of such force they couldn't have arrived to ask for help.

"So I can't say whether the blows actually killed the persons, but they did prevent them from getting help for themselves, arriving at an ambulance for example.

Q.- The other question then - when you worked on these persons in the hospital, how could you tell that it was not a blow from some heavy object that might have fallen on their heads?

D 1.- "I doubt it would have been something that would have fallen, because the blows were in various parts of the head. If it had been something that fell it would have been only one side of the head.

D 2.- "Besides that, it wasn't just one head smashed in that we saw - we saw many like this, and it would be unbelievable that something had fallen on all their heads in the same way.

Q.- So, based on what your friend told you and on what you saw, do you think that the blows to the head were the cause of the death?

D 1.- "The impression that we received was that they died due to the blows they received. However, it is only a forensic doctor who could determine the immediate cause of death. But the impression we got from all of this is that the USA soldiers were "doing in" persons who were already wounded so they would not be able to survive.



Wound resulting from helicopter attack.

D 2.- "Now that we are talking of blows, there is something that I recall that had a great impact on me as well - we saw a number of bodies arrive at the hospital that had severe blows to the area of the testicles. Moreover, it does not seem that these persons died because of the blows to the testicles. We don't know if they received these wounds while they were living or already dead. But it is certain that a number of them arrived with their testicles completely destroyed.

Q.- Did these bodies have bullet wounds as well?

D 2.- "Yes, and other injuries as well. I should say that with respect to the blows to the testicles it seems that it was done with an object that could cut, because they were completely destroyed, and so were their pants and other clothing.

Q.- What do you make of this?

D 2.- "I don't know - I don't think it was a case of finishing off a wounded person. I see it as

reflecting signs of hatred or something like that towards these bodies.

D 1.- "I really associate it with this. I saw the USA soldiers when they first arrived in Panama City, and one, being a doctor, you assess a person, how they are acting, the colour of their skin, the look of terror in their face, the nervousness with which they were acting. The USA soldiers were afraid. Whenever they got out of their tanks, or got close to you you could see their fear. It was really noticeable.

"There, there were cadavers that had injuries in the testicles, in the genitals. All of them were men. I don't remember that there was a soldier there - they were all civilians I believe. What I can't say is whether any of them were members of the Dignity Battalions or not. They arrived without weapons, and dressed as civilians. They appeared to be persons of the lower classes - most of them were blacks.

"As I said, what most impacted us was when we cut their clothing away, amongst their other injuries, their genitals were destroyed - with an object, like a bayonet, that cuts. The injuries to the genitals were deep and large.

"I say they were cut by something like a bayonet. I can't say it was a bayonet.

...  
"What really surprised my friend was the aggressiveness of the soldiers as they went through the morgue. They moved the cadavers around with their feet and were shouting bad words in English. They were also speaking on their radio phones.

"My friend told me that they seemed to be in a big hurry and that they were very nervous. He personally watched as one of the USA soldiers stabbed his bayonet into two cadavers. My friend was horrified. He didn't know why this was done. My friend said that maybe the USA soldiers thought there were some living Panamanians there and that this was the only way to be sure.

"One of the USA soldiers - apparently a Puerto Rican - said that "the only good terrorist is a dead one". He was very nervous, and very aggressive. All of this lasted a few minutes.

(Two Panamanian doctors)





*Family members buried their dead in their own gardens.*

## Smelt death

"...If you'd gone on the 1st or 2nd of January to Chorrillo you'd have smelt death there. I am a doctor and I know how the body decomposes. ...People were going by there and covering up their noses. The smell was from cadavers that remained there - from the fires and shooting.

Q. How many city blocks were erased from the map of Chorrillo?

"12 city blocks of houses in a densely populated area. In Chorrillo there were some houses that had 5 persons sleeping in each room.

"And this in wooden houses where most of those bullets would go through 2 or 4 walls.

(Two Panamanian Doctors)

## U.S. troops with green bags

"I did not see the burnt cadavers in their homes. What I saw were U.S. troops with green bags entering the homes looking for the remains of the bodies... Then they put the remains in the bags and buried them there in holes they had dug. I saw them when they were doing this. ...And they burned the cadavers and remains right there in the street. ...Unidentified cadavers were buried by U.S. troops in common graves. Some say there are common graves even in Chorrillo, where the bodies were found."

(Maria from Chorrillo)

## 123 cadavers

"...The gringos exhumed the cadaver, after having buried in on the 22nd of December. Between the 22nd and 30th of December they did 2 exhumations in Corozal. All the bodies they collected in Howard, Albrook and other places were taken to the Garden of Peace. ...They divided the bodies in two groups and buried them in a common grave - 123 cadavers."

(Isabel Corro)





*Religious service at the Common graves in the "Garden of Peace" exhumations, April 1990.*

## Cadavers piled up

"I went into one of the Morgues, at Sto. Tomas Hospital, looking for the body of my brother. I saw bodies piled up on top of one another. I understand that the capacity of the morgue is 200 bodies.

"The slots were all full. There were dead on the floor and outside the door. Every day bodies were taken out to common graves. A truck left that morning with 50 bodies..."

Q.- "What type of truck was it?"

"It was an official U.S. army truck. In the afternoon another truck left with the same number of bodies. ...Some of the bodies, they took them in old coffins and the rest in coloured bags. ...It was the U.S. officials that took them to the cemetery, like Juan Diaz cementery for example. It was the Northamericans who were in charge of the common grave burials..."

(Witness from San Miguelito)

## Incineration of dead without identification

"On the 22nd of December I was near the General Headquarters with a group of persons and we saw how the U.S. soldiers were taking bodies out of the ruins. Near to the Chapel, one of the soldiers was incinerating the bodies. To do this he was using a flame-thrower that he had on his back. It looked like diving tanks one uses to swim under water.

"The cadavers were placed on a sheet of non-flameable material. When the fire was put out, the cadaver ended up like charcoal - it was a compact mass that was then placed in a green bag... I saw about 15 other bodies like this.

"One thing that really caught my attention was a woman who was shouting at them not to do this because the family members then would have a hard time identifying them. They didn't let anyone get close enough to identify them."

## Disposal of cadavers at sea

"They placed cadavers in plastic bags and used immersion bombs. There are people who worked in this zone who saw this. People saw them take cadavers in boats from the beach in Chorrillo. Once the bags are dumped in the water, the explosions destroy all evidence.

"The dead were buried in common graves, taken to the sea, burnt, - they did with them whatever they wanted... In the Garden of Peace, together with the war - dead, they buried seven bags of dead persons who were not claimed, and two bags of fetuses. As they say, everything goes to the garbage because they didn't think we were going to open the common grave.

"There are photos of three freezer trucks in Chorrillo collecting bodies. One man collected 200 bodies, and they paid him six dollars for each one."

(Isabel Corro)

## Use of freezer trucks

"On December 23, I was taken to the Emperador concentration camp to attend to the detained who were wounded. We had to stay there in the camp, and I learned in conversations with U.S. army paramedics that in the Corozal Cemetery there was a common grave where they dumped a whole freezer truck load of bodies. Witnesses said there were 3 of these freezer trucks in the city. The same para-medics said that about 40 bodies fit in each freezer truck."

(Testimony of Panamanian paramedic)

## Huge pile of bodies

"It was the first day that I saw the sun. Once outside I saw five tanks pointing at me with innumerable soldiers. They detained me. They had many military personnel captured. I maintained that I was a civilian. I went with a group of civilian prisoners. We went through a medical check-up. I was able to see a huge pile of bodies that later would be put in a common grave. I figured out later that many of them were Battalion members who had been shot by the gringos."

(Testimony Panamanian)

*Cuban Embassy enclosed by barbed wire.*

## Explosive bullets

Q.- "We have read testimony that they made use of a certain type of bullet that explodes inside the body?"

W.- "Yes, they used bullets that exploded inside and caused many, many injuries."

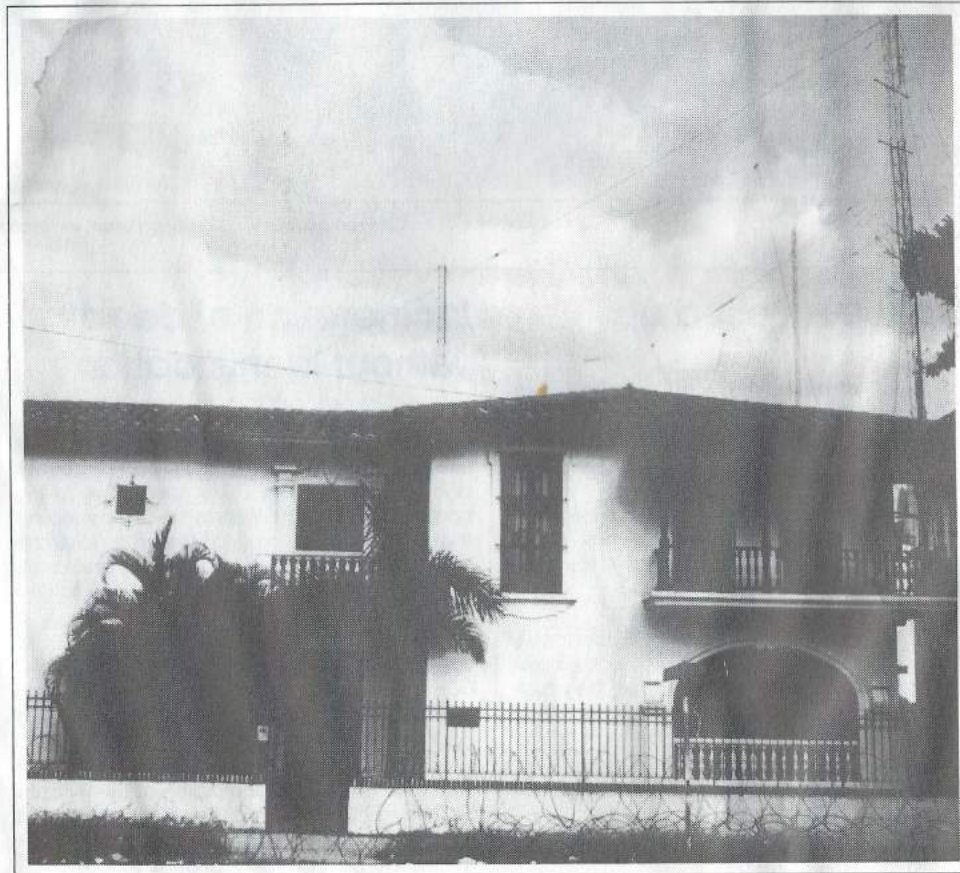
"Surgeons said that it caught their attention, the multiple wounds, in the intestines... from the outside, it looked like one hole/wound, but from

the inside there were many ."

Q.- "What type of bullet can produce death by hemorrhaging?"

W.- "Of course a bullet can cause death by hemorrhaging. ... Wounds caused by these bullets destroy internal organs and produce death by bleeding."

(Doctor's testimony)





## Crushing of civilian bodies

"We watched with horror as the tanks drove on top of those dead. They crushed the dead Panamanians as if they were worms. They drove their cars on top of them also. The great massacre that occurred in "El Chorrillo" was a slaughter of the civilian population. That is what they hide, a massacre of the civilian population.

"When we left for Balboa, it was painful. We didn't know what to do with our children, so that they wouldn't see the North Americans crushing the dead Panamanians. We grabbed them and told them, "Don't look over there." But they told us, "Papa, they crushed him with the tanks!" We saw our men defenseless. We saw entire families, mothers, children, mothers hugging their two children, completely burned."

(Rafael Olivardía)

## Experimental weaponry

"Medical personnel stated that the U.S. army used new weaponry. It caught their attention a certain wound caused by a bullet or explosive that splintered much of the body, producing extensive bleeding. They stated that they didn't know how to deal with these wounds and that these wounded persons died from bleeding."

(Report of Panama Red Cross - Cocle)

## No identification procedure

"During 15 days they were air-bombing the Battalion 2000, who had gone to the mountains. After 15 days we went into the military base of Battalion 2000. Everything was destroyed. We found some soldiers in a black body bag, in a hole. The North Americans hadn't filled in the hole. ...They had their identification on their chests... And yet their families did not even know where they were."

(Pacora resident)

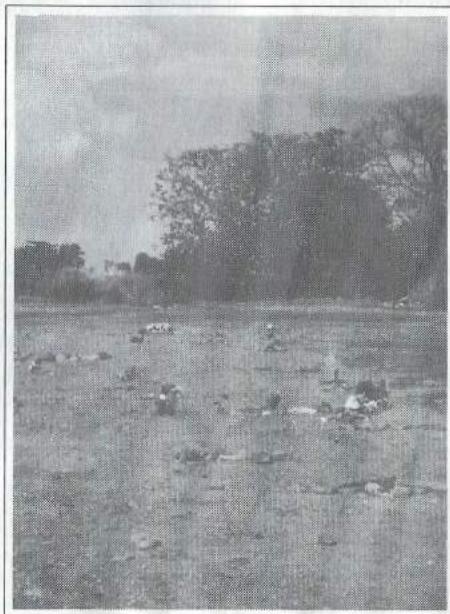
## Use of drugs?

"In the early hours of the night on the 20th of December, civil aeronautic firefighters were also attacked. Two of them were wounded, one in the head and the other in the legs and right hip. The rest were tied up and beaten. At 8:00 a.m. they were released when the North Americans verified that they were firefighters.

"Then they left to put out a fire in the terminal. Various soldiers swore that some of the North American soldiers were drugged on cocaine.

"Along with the firefighters, many workers were also tied up with strong white plastic strips which cut their wrists... Their hands were swollen,"

(Witness who had been in the International airport)



Garden of Peace Cemetery, common grave.

## Intentional wounding

"Then two more arrived, and they told us they had been intercepted, on the road, by a U.S. patrol. They dropped their weapons and surrendered. Right after this they were machine-gunned in the legs by the patrol, who left them there. They dragged themselves to the road and were picked up and carried to the medical clinic..."

(Testimony of a volunteer hospital worker)

## Illegal extradition

"...these same sources had had access to the Clayton Military Base (one of the military bases that the U.S. maintains in Panama). There they hold thousands of military and civilian prisoners. They were able to establish that several prisoners - of - war had been moved from there to Fort Bragg, in North Carolina, U.S., without informing national authorities nor international organisms such as the Red Cross. Between the sixteenth and seventeenth of January, six helicopters left with prisoners bound for the United States. Two prisoners were boarded in stretchers, which they assume were wounded and in bad condition."

(Report of Cocle Red Cross)

## The Geneva conventions of Aug. 12, 1949

Art. 17: Parties... shall ensure that burial or cremation of the dead... is preceded by a careful examination, if possible by a medical examination, of the bodies, with a view to confirming death, establishing identity and enabling a report to be made.

Bodies shall not be cremated except for imperative reasons of hygiene... In case of cremation, the circumstances and reasons for cremation shall be stated in detail...

They shall further ensure that the dead are honourably buried,...



## Numbers of dead?

"Accounts of the numbers of people killed, including civilians and members of the military, oscilate between seven hundred and eight hundred. These numbers include only those killed in the central province. The same sources speak of North American soldiers torturing prisoners - of - war, especially those prisoners from specialized units, such as "los Machos de Monte" ...

## My children also saw it

"While we were walking, we saw about ten dead people lying in the streets. None of them wore a uniform nor bore insignia that would indicate that they were from the Defence Forces.

"When we left the neighborhood, we also saw... the ribs of a person. Nothing else remained. My children also saw it. Later we passed another body completely mutilated and unrecognizable.

"The majority of the cadavers we saw were killed by bullets. We saw one cadaver that was missing an arm and a leg, and the face was destroyed. We saw another body that had been in a car run over by a tank. Because of this, the body had been flattened. Now it was not a person, but more a mass of blood and flesh...

"On the 26th we returned to our building to locate our belongings. They had not picked up any of the bodies that we had seen six days ago. One could smell the dead bodies in our building.

"Not only did we smell bodies decomposing, but also the odour of burnt bodies. Many people didn't have the chance to leave their houses when the attack came, and from this came the smell of burnt bodies...

"In the building... they discovered in the trash-dump two bodies. I saw them take the two bodies out of the trash on the 26th of December. Two days later I returned. From the elevator I saw them take out eight bodies. I saw that also.

"Some friends told me that all those who lived in the apartments, which were hit by mortar artillery, died. I didn't see it, but they tell me that both children and adults died in those apartments."

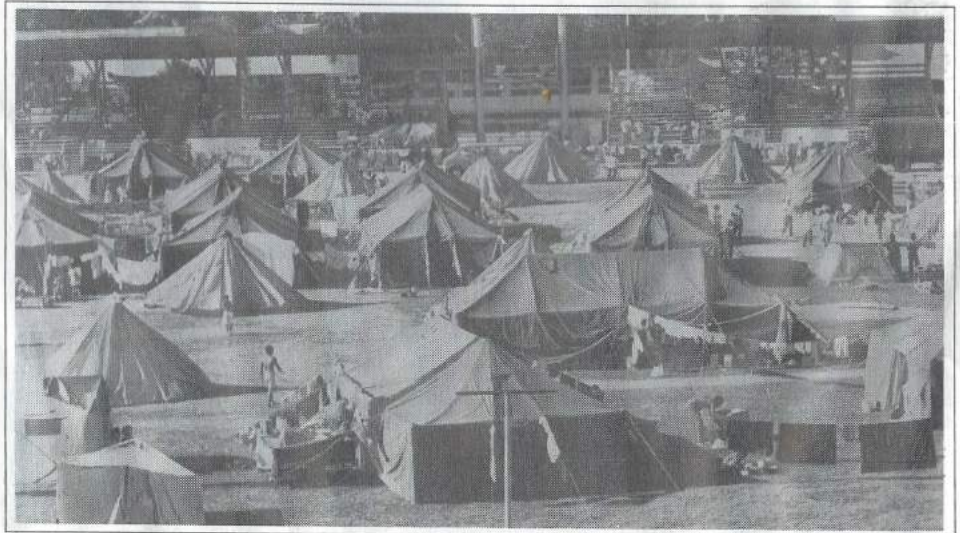
(Testimony of Maria, Chorrillo)

"In reference to the torture, one "Macho de Monte" said that the North American soldiers stuck a metal cable (that they used to hang rope) into a wound in his foot. They pushed and played with the cable in his wound several times. This produced intense pain. Another "Macho de Monte" was hung by his wounded arm. This wound had been stitched."

(Report of Coclé Red Cross)



*Panamanian civilians, prisoners in their own country.*



*U.S.A. provided living space for the war refugees. Balboa High School.*





*Pain due to death: struggle for life.*



*Chorillo victims demanding justice from the government.*



*Painfull confirmation: death of a loved one.*



*Dead and wounded civilians.*



*The U.S.A. invasion worsens social and economic crisis.*



*Machines of death, dressed in green.*



## Persecution in the aftermath

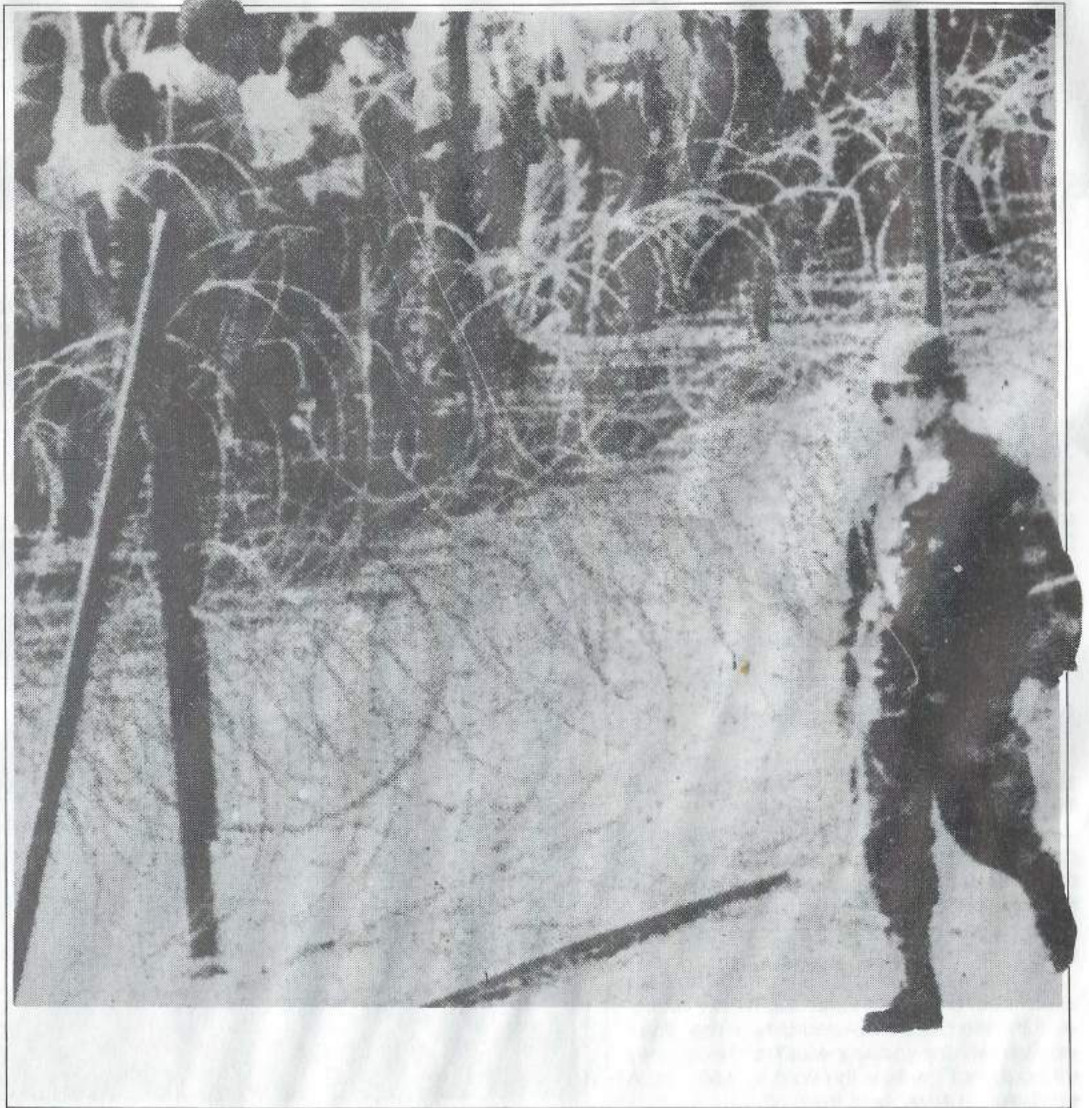
ESCOLASTICO CALVO MURILLO, 56 years old, husband and journalist, was captured on January 3, 1990, by U.S.A. troops, at 7 p.m. at his home. He was taken to the Nuevo Emperador concentration camp. After 10 days of interrogation he was handed over to the Panamanian authorities, who placed him in the 'Carcel Modelo' jail. As no charges had been laid against him, a habeas corpus writ was presented.

18 days later, fictitious charges were laid against him and pro-government newspapers began a propaganda campaign against him. Calvo was at one time the Secretary General of the Journalist Union of Panama.

On March 2, Calvo was taken to the Hospital due to his deteriorating health situation, worsening in part due to the miserable conditions in the jail. He was seriously hemorrhaging when taken to the hospital.

He was operated on, March 5, and then on March 12, while convalescing, 2 Public Forces agent arrived to take him away. After some discussion with Doctors concerning Calvo's delicate state, a forensic doctor and 8 Public forces officials took him back to the jail. As of April, Calvo was in jail in very delicate medical condition.

(CODEHUCA Urgent Action C-90-135/P8)



*An estimated 5,000 Panamanians were held as political prisoners by the U.S.A.*



## VI. Panamanian combatants

Constitution of the Republic of Panama

Art. 306: All Panamanians are obliged to take-up arms to defend the national independence and territorial integrity of the State...

### History will re-evaluate their role

"I want it to be quite clear that we were fighting against the U.S. army. ...We fought, firstly because we are Panamanian. Secondly, ...the mission of a soldier is to prevent invading armies from coming here and subjecting our people, like they are doing now.

"We, who were in the the General Headquarters, we complied with our duty... and all the soldiers who fought between the 20th and the 23rd ought to feel proud for their sacrifice for their country. History will re-evaluate their role.

(Testimony of Panamanian Defense Force official)

### These men were not fighting for Noriega

"We calculate that the number of persons that were in the Base was not more than 120 or 150 - known as the "Macho de Monte."

"Someday, history will write about these men and their names will be known as heroes. These men were not fighting for Noriega. They were fighting for their country. We are sure of this... because only a person with real conviction can fight as the men fought.

"It was 8 a.m. and the last man still had not been killed. He did not surrender. We are proud, we 'Chorrilleras', to have heard these men fighting. Even with the vast superiority of the U.S., they still could not capture the Base at 8:00 a.m. A small group of men held them off.

(Testimony of Rafael Olivardia)

### Dignity Batallions

"...I just want to make one thing clear because, as a member of a Dignity Batallon, ...I want to leave this clear because some of us are being persecuted simply because we took up weapons to defend our country.

"Never in any moment did the Armed Forces oblige any one to take up weapons. 2 1/2 years ago, given the threatening situation, we went to

the Armed Forces and demanded that they give us weapons and training so as to be able to comply with what is even included in our Constitution - we all have the right and the duty to defend our nation.

"In this light, you can't just refer to us as some para-militaries who were at Noriega's beck and call. On the contrary we wanted this training because we had the experience of 1964 when there was a massacre of some of our people - then we had no training...

"My Batallon, we never were against our people. Yes, we were ready to defend our country against any aggression from the outside...

"You should know of the type of people: humble, professionals, professors, teachers, workers, unemployed, who formed the Dignity Batallions. ...We were not thieves and low-lives, as many are saying. Simply, we were patriots..."

(Testimony of a Dignity Batallon member)



Elite forces of the Panamanian Defence Forces-Macho de Monte.



## VII. Erasing evidence

Principles of International Cooperation with respect to the identification, detention, extradition and punishment of persons guilty of war crimes... G.A. Resolution 3074 (XXVIII), 3/12/1973.

8. States will not take legislative or other measures that would weaken their international obligations contracted with respect to the identification, detention, extradition and punishment of persons guilty of war crimes.



*Cleaning up activities, by the occupation forces.*

## We took them to the children's hospital

Q.- What do you know about the allegations that USA military personnel were in the entrances of the hospitals and the morgues and that they controlled the entrance registries of all wounded and dead?

D1.- "This is true. But another thing. When they took control of the hospitals, they had lists with them, lists of doctors that were not allowed to enter to work. My mother, for example, is a doctor, and she worked in the Santo Tomas Hospital. Because her name was on the list, she was not allowed to enter.

"The USA soldiers were at the entrance and they stopped everyone and asked them for their identification and if the name was on the list, they couldn't enter.

"I don't know where they got these lists but it was obvious that the list was of doctors that in any way were suspected of supporting the former government.

D2.- "With respect to the registries, what happened was that most of the dead and wounded arrived in the first three days, and were registered by the former hospital authorities. When the USA took control of the hospitals on the 23rd, they arrived with the new authorities and they took control of everything. The lists and the registries disappeared and never appeared again.

"For example, the new director of the Children's Hospital publicly said that only one wounded child arrived at the Hospital. We, me and other doctors, personally took dozens of children to the hospital, some of them seriously wounded by bullets. Their names were written into the lists that disappeared.

D 1.- "This same director spoke with some doctors that arrived from the USA after the invasion. I also was interviewed by the USA doctors. One member of their group told me that they were told by the new director of the Children's





*Many years effort, converted into junk.*

hospital - his name is Esteban Lopez - that their registries showed only one child wounded due to the invasion.

"What we had done, other doctors in Santo Tomas and myself, was organize a system to categorize the patients very quickly, according to the gravity of their wounds. Some we put in the consultation room, some in the emergency room, and the most serious ones, we would take them straight to the operating room.

"There were some that we took to the military

hospital that is just behind Santo Tomas.

"All the children that were 15 years or less, we took them or sent them to the Children's Hospital. ...So, I know that it is totally false what the new director is saying.

"And I know that lists were kept, because at the entrance to the Santo Tomas Hospital, there were nurses in the entrance-way and it was their job to take as much information about each persons as we, the doctors, could give to them."

(2 Panamanian Doctors)

## U.S. troops were placed in control

"In the first days, U.S. officials arrived at the hospitals and entered into the administrative process. ...They had control over the number of... wounded and dead..."

"In each department of administration, apart from the Panamanian administration, there are U.S. officials as well working with them. In the first days, U.S. troops were placed in control of the entry and exit of all dead and wounded persons of all the hospitals."

(Testimony of Panamanian doctor)



# VIII. Subjugation of the National Sovereignty of Panama

Charter of the Organization of American States

Art. 3: The American States reaffirm the following principles:

- a) Each State in its international relations with other states will follow the norms of conduct of International Law.
- b) The international order is essentially constituted through the respect of the people, sovereignty and independence of all states and through loyal accordance with treaty obligations and other international law instruments.



*Panamanian sovereignty gone in one day.*



*The supposed democracy, imposed by the invasion, is as brutal and strong as the invasionary forces.*

## We are an invaded country. It is a reality

"(With respect to the detained) since I began this job many families have complained about the illegal detentions of family members. In the beginning we mistakenly took legal steps to have them freed. This didn't do anything. I have not dared to go to the U.S. bases where the detained are, for fear they will refuse entry to the Attorney General of Panama..."

"Three weeks ago I was in a meeting and an official from Chepo phoned to say that the U.S. troop had invaded and occupied a certain gov-

ernment office - he asked me what to do! I told him that if he had an equally strong army that he should get them out of there! What Can I do? We are an invaded country. It is a reality.

"(With respect to control) Well, with respect to all the denunciations, someone came here and denounced that in a certain house, there were many weapons. I decided to have it searched. I called Fernando Quesada of the Public Forces. He told me that to do a search, one needed the "O.K." of Major Manning of the U.S. Army. I didn't know that the Attorney General needed the "O.K." of a U.S. Military Major".

(Attorney General of Panama)

## They call the shots here

"The gringos wanted an excuse to invade Panama so as to militarize the country and to subordinate it. Panama is under control of the gringos. They have occupied the country. They call the shots here, even though we say that we do..." (Isabel Corro Testimony)



## U.S. is detaining persons based on its own information

"There is a contradiction: on the one hand there is a government claiming to be legitimate, saying that it won the May 1989 elections. Yet, this government was installed by an invading military - installed as part of an invasion..."

"This government, claiming to be legally constituted, is trying to get its administration together. ...Nevertheless this government has no access to the detained persons. Our detained are not being processed through Panamanian courts. They are not under the control of Panamanian authorities. ...So, it is actually the U.S. government that acts independently and on top of the Panamanian government..."

Q.- "Do you think the U.S. is detaining Panamanians on behalf of the new Panamanian government?"

"No. Moreover, the government of Panama does not have information concerning all the detained persons. We know the U.S. is acting (detaining) based on its own information, ...and then later is informing the Panamanian authorities."

(Panamanian lawyer)

## The dead

"...In the first days only military personnel and a few civilians were in the streets. We, as the Panamanian authorities, were not authorized to enter the morgues until December 24, four days later. The bodies, by this time, were quite decomposed, some already with worms. They'd brought them in, some after two days in the streets, in the sun..."

(Assistant Attorney Muñoz)



The on-going military occupation reveals the real U.S.A. intentions.

Art. 285: Except for national embassies, no foreign power may take control over any part of national territory...

Constitution of Panama.

## But with a U.S. accent

"On the 17th of January, when we had demonstrated at the Presidential House, President Endara received four of us. Inside, we were going upstairs with the President when a U.S.

military official appeared at the top of the stairs and said "No, no one can come up here. Look for another room." He spoke excellent Spanish, but with a U.S. accent, not Puerto Rican.

"When Endara heard this, he turned us back down - "Well, let's go find a small room". (Union leader - FENASEP)



## IX. Destruction of property, illegal detentions and other arbitrary acts

### Article 7. Right to Personal Liberty

1. Every person has the right to personal liberty and security.
  2. No one shall be deprived of physical liberty...
  3. No one shall be subject to arbitrary arrest or imprisonment.
- American Convention of Human Rights.

### Six entered

"At the time it occurred there were two children, one daughter -in - law, one granddaughter, and myself in the house. Suddenly, we realized that the house was surrounded by North American soldiers. There were almost thirty of them. Six entered the house, with their guns pointed at us. One, who spoke Spanish, told us that someone had reported that there were weapons and drugs in our house. They went through everything in the house. They didn't find anything.

"I think this happened because I have a son that participated in the "Dignity Battalions." He is a professional, and graduated from the University of Panama. He was not a participant in the military, but he was part of the National Liberation movement to remove foreign troops from Panama by the year 2000."

(Testimony of a Woman)

### Not even one apology

"They broke into my house, at nine o'clock in the night. I was alone. Six North American troops entered and took me out of my house. They were well armed, as they always are.

"They held me outside while they searched my house. They told me that I had boarded a "Dignity Battalion" soldier in my house, and that I had weapons.

"They searched everything.

"Well, the troops went through it all again, and they didn't find anything. They didn't even offer an apology for what they had done. I remained alone in my house afterwards. They took some papers that didn't belong to them; they took college certificates to "review them".

"I don't dare go ask for my belongings. I called the "Public Police" by telephone, at the "SERJU". They told me that my documents were not there... And they told me that my papers were at one of the U.S. military bases. I would have to go there to find them among all the papers that they had collected in general.

"What happened to me was nothing compared to what happened to those who were not in their homes. Because if I hadn't been there the people would have entered after and vandalized it." (San Miguelito resident)



With the newly installed "democracy", repression began immediately. Violent expulsion of land squatters in Old Panama, March 1990.



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## A legal dictatorship

—“Dr. Roger Monteso was director for a very short time...”

“Now he is persecuted and is being accused... he has a case against him.”

—“How is he persecuted? Where is he? Is he hiding?”

—“Yes, he is clandestine.”

—“The Director and fifteen doctors have been accused”.

“The Director of the hospital, the Assistant Director of the hospital, the chief of training, the Head Surgeon, and the General Director of Health, all have been accused”.

—“Of what?”

“They are accused because when the North American troops came, they found weapons in the hospital. They hold the doctors responsible, because the doctors permitted these weapons to be hidden in the hospital... A group was questioned by America's Watch, a United States' Human Rights organization. We have the testimony, including the name, of a member of the South Command (U.S. Army). He responded to a question from Americas Watch, telling them that the occupying troops did not find an arsenal in the Santo Tomas hospital. They only had a few weapons there.”

—“If they encountered a few weapons, they were probably from soldiers who passed through the hospital, and had left them there...”

—“A wounded soldier arrived and the wound would heal, and he would be cured and leave, leaving the gun there...”

—“However these people are accused of attempting to disturb the security of the State. This carries a penalty of twenty to twenty-five years of imprisonment.”

—“That... is political in nature.”

—“It's absurd! It is a smoke curtain. Yes, it is political. Its political because... more or less 80% of the people that are publicly charged by the Government are already judged as guilty. Political persecution is occurring here, but under the

guise of legality.”

...

—“No. It is a dictatorship completely separated from the traditional type of dictatorship.

—“It is a legal dictatorship.

—“And it is prepared by the U.S. over a long period of time. A long period of time and very well prepared. ...There does not exist any freedom of the press. All the newspapers of the written press are controlled by them.

—“There was, at the beginning, an improvement. There were two radio stations that gave news of Panama. One night, during curfew, they were dinamited.

—“But there was also a dictatorship before. No?”

—“Before I would say there was, but how can I explain it to you? It was not as repressive as the one we have now.

—“No. There were never 10,000 or 5,000 prisoners.

“And never before were there three hundred dead officials, which is only the statistic that they (the government) gave.

—“Here, in the twenty years of dictatorship, I believe that there were, I don't know how many... ten dead in the twenty years of military government? I don't know if there were even ten dead.

“T.V. Channel 4 was a channel for Endara. There is no way that one can compare the previous dictatorship with this one I am totally convinced...”

“Now they arrive at one's house, illegally entering when it pleases them. Illegal raids never used to occur.”

—“They never violated the autonomy of the university. Now the North American tanks enter the university everytime they feel like it...”

—“They enter?”

“In the night, in the night, today, they entered the university.”

—“In one on the universities, where I was studying, taking computer courses, they occu-

pled the entire faculty for one month. They took over the entire place as a center for their operations. They had tanks, helicopter, and their things there. They used these things to enter and leave and make their rounds in the university surroundings.

—“But whose forces? Those of the Panamanians?”

—“No, no. North American.”

—“The real Police, the real army of this country is not Panamanian. That is a lie.”

—“The Force of repression here is... the North American army. ...I am not going to tell you that in the previous state there were not repressive elements, but...”

—“It was one thousandth of what has occurred in these last three months...”

—“This country never before violated the right to seek asylum. There were some that considered themselves persecuted, and sought asylum. They never had any difficulty obtaining safe conduct nor of finding asylum in an Embassy. And here, now, they violated the right to seek asylum in a dreadful manner. The embassies were militarily surrounded.

...And they did not give safe conduct to many people. They have now flagrantly violated the right to seek asylum.”

“Never before was an embassy surrounded by military soldiers. This never existed before.”

—“Not even the U.S. embassy was surrounded before. ...Let alone was it burned, like what happened here. They went to the Embassy of Peru and threw Molotov cocktails at it. The Armed Forces outside didn't do anything about it. ...The crowd outside didn't allow the fire trucks to pass through.

(Testimony two panamanian doctors)



## Crack-down on the Homeless

On March 22, 1990, the Magistrate of the "Parque LeFevre" Court arrived at the communities of "Puente del Rey" and "Barriada La Paz", in the section of the city called Old Panama. He was accompanied by three hundred "peace-keeping" units with crowd-control dogs, special troops armed with AK-47s, and several North American soldiers.

The soldiers proceeded to violently tear apart the house of Sra. LEIDA BATISTA, one of the leaders of the "Barriada La Paz" neighborhood. The action occurred while Sra. Batista was inside, with her children, who were able to leave the house unharmed.

When CODEHUCA received news of these events, the houses had already been burned, and the area was sectioned off by the "peace-keeping" police units. This was also observed by the North American soldiers, who maintained their distance from the area and waited to receive orders.

Sra. VIELKA BARRIA, President of the "Barriada La Paz" Neighborhood Cooperative, expressed the fear that she and others had of the possibility of more aggression from the new Panamanian police forces, and from the North American Army. (CODEHUCA urgent action)

## Illegal searches

"On March 29, at 10:00 a.m., four North American soldiers and one from the Panamanian police arrived at the house of the Panamanian professor Alexis E. Barrios V. They arrived in a red Toyota, carrying weapons.

"One of the soldiers pointed his gun at the back of the Professor and ordered him to enter the house. He told him to turn over the weapons that he supposedly had. The Professor denied having weapons and asked why the soldiers had entered his house without a judge's permit. They responded that they had received a telephone call, denouncing that there were weapons in Prof. Barrios' house. They searched the house with a metal detector, and left at 12:40 p.m."

(Urgent action - CODEHUCA)

## Witch-hunt for Doctors

Q.- "And these complaints have absolutely nothing to do with the medical capacity of the denounced person?"

D 1.- Some of the best medical professors and doctors have passed before the tribunal. Some of the doctors have more than 20, 25 years experience.

D 2.- They accuse doctors for having gone to PRD (Democratic Revolutionary Party) meetings.

D 1.- For example, I had to defend one doctor before the tribunal. He is a member of the Episcopal Church. Last year there was an event here in Panama, in November, concerning 'USA Aggression in Central America - the Case of Panama'. He was invited to go because he was a member of one of the churches that was involved in the event, and also because he speaks very good English and they had asked him to do some translation.

He asked for and received permission from his superior to be absent from his work for two work days. A number of USA bishops and ranking church officials arrived to attend the same event. It was quite a high level affair. On the last day, Noriega was invited and did come to give a speech.

It appears that since the invasion, the letter of permission was found in the files of the old director, and part of the accusation against this doctor was based on his attendance at the event.

He defended himself saying that he had authorization. But the problem was not the authorization - it was and is a political matter."

(Testimony of Panamanian doctors)

## U.S. army surveillance

"September 14, 1990: The office of CO.NA.DE.HU.PA. has been watched by a North American tank, whose occupants are U.S. soldiers." (CODEHUCA urgent action)



Ruins of squatters homes.



## Anonymous Denunciations

"Dr. Manuel Pardo was illegally taken by a group of North American Rangers, who alluded to themselves as "a special force that had been ordered to investigate him."

"The act occurred on April 5, 1990, when the doctor presented himself to the First Circuit Court. He went there to file a complaint (of an unsworn

statement taken from a suspect) against a denouncement made against him. A defense lawyer named Antonio Osorio posted a bond so that he would not be jailed. Over the protest of his lawyer, the soldiers stated that they would "have to take him to the United States." Later they made a new denouncement before the Second Circuit Court, with the same charges as before."

Now Manuel Pardo is in the "David" Jail.

(CODEHUCA Urgent Action 18-90)



*U.S. army campaign against all those in opposition to the invasion.*



*Refugees housed in military hangar of Albrook.*



*Chorrillo refugees in Balboa School.*



## X. Refugee camps

IV Geneva Convention, of August 12, 1949:

Art. 49: Individual or mass transfers, as well as deportations of protected persons from occupied territory to the territory of the Occupying Power or to that of any other country, occupied or not, are prohibited, regardless of their motive...

Nevertheless, the Occupying Power may undertake total or partial evacuation of a given area if the security of the population or imperative military reasons so demand...

Persons thus evacuated shall be transferred back to their homes as soon as hostilities in the area in question have ceased.

### “A concentration camp...”

“Up until now we are 18,000 War Refugees that arrived at Balboa. Those that didn't arrive at Balboa on the 20th were not registered. We know that over 2000 went to live with family members.

“When we talk of Balboa, we are talking of a concentration camp, that was installed in a school, named Balboa...

“They have the the place surrounded with barbed wire and there were hundreds of heavily armed soldiers. They put us in the stadium that was full of mud, with no food and no place to sleep. Everyone - women, children and wounded, - together, not knowing where to get water or go to the bath room.

“In amongst us there were some of the 600 prisoners of the Model Jail that the U.S. troops released. There were assassins, rapists, drug traffickers... They threw us all in there together.”

(Testimony of Rafael Olivardia)

### Total house shortage

“3993 homes”

“The invasion of the U.S. caused the destruction of approximately 3993 homes that were near the Base of the Panamanian Defence Forces...”

“According to local media, 2400 affected families from Chorrillos were moved to the U.S. army camps where they live under strict condi-

tions. Everyone is registered coming and going, and movement is prohibited between 8:00 p.m. and 6:00 a.m.

“The total house shortage, now, in Panama is

283,240, according to the housing Ministry. This includes the homes destroyed in Chorrillo, San Miguelito, and else where.”

(Magazine ‘Opinion Publica’)



Christmas never arrived for Panamanian children.



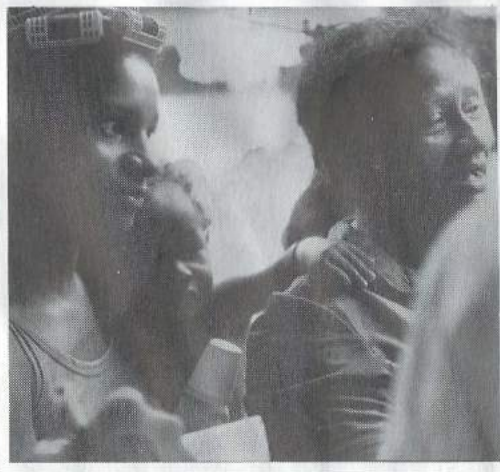
## Refugee movements

"...In a question of minutes, around 2:00 a.m., the Hospital was filled with refugees. Hundreds of hundreds arrived from Chorrillos-Children and women with bags, some even with dogs, the elderly..."

"And they all arrived on their own. They sought refuge here because everyone supposed it was the only place that wouldn't be bombed..." (Two panamanian Doctors)



*Innocent smiles amidst the suffering.*



*Three generations; one tragedy.*



*Thousands of families in cramped conditions.*





*The Albrook military housed many of the 18,000 persons from Chorrillo.*



## XI. Psychological trauma of children

"The Association of the War-Dead has been promoting psychological support for groups of adults, youth and children. In this sense, the Association asks that schools and parents urge their children to express their feelings about the invasion in drawings.

"In this way, children often can better express their emotions, and close, somewhat, the communication gap between children and adults".



*Justify the Injustifiable.*

### My children are traumatized

"For all those people that call this a "Just Cause", I'll have them talk with my 9 year-old boy, - I am sure it would be hard from them to talk to him of a "Just Cause"...

"My children are traumatized by the war. They have not received any treatment because that doesn't interest anyone in this country. I am a teacher in the School Republica of El Salvador, that is still working in Chorrillo, and though this may seem haughty, I challenge anyone to come and see what the children play here during recess. They play war. They don't play with guns or bombs.... With their books they make small houses and they make them explode...

"We have so many traumatized people. It is sad when we find ourselves with a neighbour, who used to be well and now is mentally ill. We have friends who have lost children and loved ones."

(Rafael Olivardia)

### Child's trauma

"There was a big impact on my children from all of this - not directly physical, but in their hearts and minds. In some ways this is worse than physical damage. They haven't been able to sleep peacefully. You can't take this fear away with any medicine.

"Now, there are regular U.S. military patrols. The U.S. soldiers say hello to my children, but my children say to them - "I won't say hi to you because you destroyed my home". "Why are you here?" My youngest, of 3, has vomitted regularly since the invasion, and I can't cure him of this. He says "Mama, I think they are going to kill me.

"In the past I told him that God was in his heart. He said to me "Mami, I think they are killing my God - the one have here in my heart."

"He asked me "where is God - because God didn't come to save us. All these fears and questions, the fears, they are not just going away..."

"I'm not afraid to talk about these things publicly. In the end, this all happened to us. It couldn't be worse." (Maria, Chorrillo)



## XII. The exhumation process and search for those who have disappeared

IV Geneva Convention, of the 12th of August, 1949

Art. 26: Each party to the conflict shall facilitate inquiries made by members of families dispersed owing to the war, with the object of renewing contact... and of meeting, if possible. It shall encourage, in particular, the work of organizations engaged on this task,...

### Association of the Dead of December 20

(Talking about the search for the body of a family member)

"When they gave me the reference number, and all that, we went to Panama City to get his belongings - the belongings of #2014. We had to check if the belongings were his - then they'd tell us which body... We went to the office of Forensic Medicine and they looked for the photo that belonged to #2014 - it didn't resemble my family member.

"After this shocking blow, we got together all the families that were looking for dead/disappeared... We had our first meeting in the house of a friend. We decided to form an executive committee, ...and we formed ourselves one month after.

"This was the creation of the "Association of dead military personnel of December 20." Then family members of dead civilians joined the Association, asking for help.

"So we decided to expand, and became the "Association of the Dead of December 20"...

"A boy of 6 years was killed, and taken to the Sto. Tomas Morgue. The father went to look for him and never found his cadaver. Why would the grin-

gos take a cadaver of a 6 years old? That father was with me until the last cadaver was taken from the Garden of Peace common grave, and the bag with his son never appeared."

"We have been exhuming... In the Garden of Peace, 123 cadavers were found. At the end 5 remained unidentified. The remainder were recognized, and we gave them Christian burials. We ordered coffins, and now we have a debt. 'Social Seguro' pays for the coffins of insured persons. We still have a debt of \$5,000.00.

"...They had buried them in any way at all. We are going to exhume all the common graves and give proper burials to all of Panama's dead, even if we don't know who they are."

"In this grave we found massacred people, shot in the back, bullet holes in the head; people with their hands tied front and back. We found people who had come for treatment at the Hospital and had bandages on their arms and legs - and they were investigated and killed. There were six women: one was 16 years old, two elders of 60 or 70 years, and the others of 23, 21 and 30 years. We asked for support and were given plastic masks and mouth masks..."

(Association of the War dead)



The digging up of the mass graves.



The "Just Cause" left thousands of dead and wounded.





## **“Give all of them a decent burial”**

In the Garden of Peace, they found 123 cadavers, of which five remained without being identified. We identified the rest and gave them proper burials. We had coffins made for all of them and ran up a large debt. Many of the family members had no insurance coverage, and couldn't pay for the coffins. Our debt is at \$5000 U.S. So even if we've got a debt, our dead were properly buried.

In this way we are going to exhume all the Common graves and we're going to give all of them a proper burial, even if we don't discover who all of them are.

In this (Garden of Peace) common grave, we exhumed persons shot from behind, single shots in the head, persons with their hands tied,... We found persons whose wounds had been dressed in the hospital and then apparently killed...

We asked for help to do this work of common grave exhumations, and we received gloves and face masks...

(Testimony of Isabel Corro)

## 2.3. Expectations of the people

---

Charter of the Organization of American States

Art. 16: Each State has the right to freely and spontaneously develop its cultural, political, and economic life. During this free development the State shall respect human rights and the principles of a universal morality.

### “We want justice”

“We are saying that we live in an occupied country. We are asking for the collaboration and cooperation of all Latin American countries. For this reason we draw attention to this at the International level; so that all of Latin America unites with us. We ask that you help us in the removal of all North American troops from Panama; we ask for indemnization and for justice to be made for all the killed, wounded and for all those they abandoned.

“We, families of “Those killed on the 20th of December” because of the North American invasion of Panama....

WE WANT JUSTICE!

(Testimony of Isabel Corro)





## The occupation

Charter of the Organization of American States:

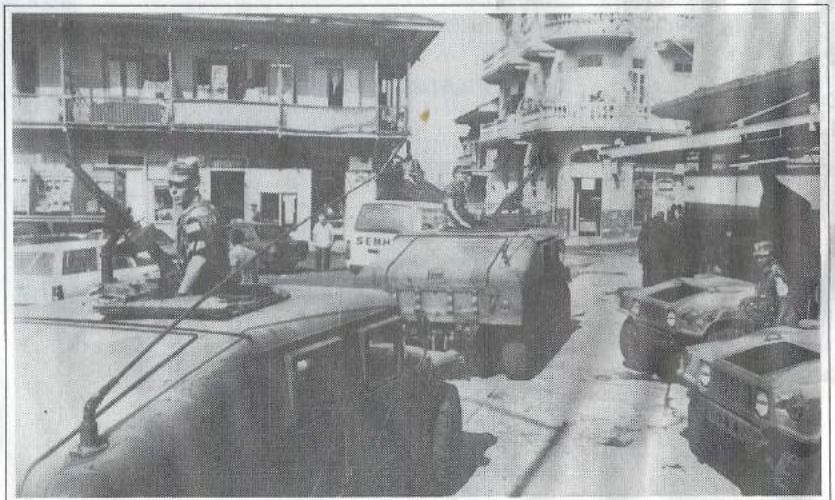
Art. 3: ...Principles:

b) The international order is essentially constituted through the respect of the people, sovereignty and independence of all states and through loyal accordance with treaty obligations and other international law instruments.

Art. 9: The States are juridically equal... The rights possessed by each state do not depend on the degree of power possessed... but of their simple existence as members of the international community.

Art. 10: In accordance with international law, each American State is obliged to respect the rights of the other states.

Art. 20: The territory of a State is inviolable: It may not be the object of a military occupation nor of other forceful measures taken by another state, directly or indirectly, whatever the reason,...



## Panamanian people today

International Covenant of Economic, Social and Cultural Rights, Art. 1.1.:

All people have the right to self-determination. In virtue of this right, they may freely establish their political system and provide for their economical, social and cultural development.

### Algeria Declaration

All peoples of the world have the same right to liberty, to liberate themselves from all foreign interventions, and to establish the government of their choice; the right to fight against foreign domination; and the right to depend on support from other peoples in their struggles for liberation.

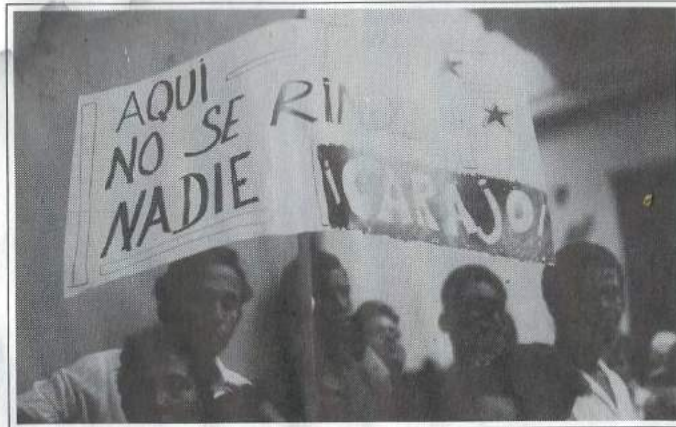




## Respect for human rights is peace

Universal Declaration of Human Rights - Preamble:

Liberty, Justice and Peace are necessarily based on the recognition of the intrinsic dignity and inalienable equality of all members of the human family... Ignorance of and disregard for human rights have resulted in barbaric and savage acts, unconscionable for human conscience.



Resolution of the General Assembly of the United Nations:

War of aggression constitutes a crime against peace that, in conformity with international law, entails criminal responsibility.

Interamerican Treaty of Reciprocal Defense:

Art. 9.1: No justification, whatever may be its rationale - political, economic, military or otherwise - may serve as a justification for an act of aggression.

Principles of International Cooperation and the Identification, Detention, Extradition and Punishment of those guilty of War Crimes:

5. Persons, against whom there exists evidence of Commission of War Crimes and Crimes Against Humanity, will be tried and, if found guilty, will be punished, in general in the country where they committed the crime. In this respect, states will cooperate in all that has to do with the extradition of these persons.

# Epilogue

"The person  
who looks upon a  
crime in silence,  
commits it"  
JOSE MARTI

## I. An invasion "to capture a general"

**T**he invasion of Panama by U.S.A. remains today an open wound. The consequences of the deliberate and tragic military action are being lived today.

We have presented, in this book direct testimony of Panamanians. Each testimony presents a violation of one or more provisions of International Law, humanitarian Law, and human rights instruments.

The invasion and consequent violence and violations can never be justified. It was not and is not a 'Just Cause' - neither legally nor morally.

For CODEHUCA, it is evident that the real reasons underlying its invasion were to maintain its Military Bases in the Canal Zone.

This self-defined "need" of the U.S.A. ran up against the nationalist sectors of Panamanian society, against the nationalist position of the regime headed by General Noriega, and against the provisions of the Torrijos-Carter Treaty.

To achieve their ends, the U.S.A. had to create an enemy of those sectors that were working to ensure full compliance with the Torrijos-Carter Treaties. Quite simply the U.S.A. set about and succeeded in demonizing General Noriega and sectors of Panamanian society that opposed U.S.A. policies.

It is hardly worth repeating that yes, human rights violations were committed under Noriega's regime, and no, this in no way whatsoever justifies

what the U.S.A. did.

The U.S.A. were successful in turning the 'Noriega' issue into an accepted justification for the invasion. This distortion of their underlying interests was laid clear by Colonel Eduardo Herrera, ex-Director of the recently formed "Public Forces" who said: "If the real interest of the U.S.A., was to capture Noriega, they could have done so on numerous occasions. The Northamericans had all of his movements completely controlled".

The real "need" of the U.S.A. was to "dismantle" the Panamanian Defence Forces, the same forces the U.S.A. had spent so much time training and equipping. This meant a full and very destructive invasion, aiming, ultimately, at destroying the infra-structure of the Panamanian Defence Forces.

## Impunity

With respect to Panama the suffering continues and justice, (in terms of indemnification) has not been done.

The issue is not closed. The issue of impunity has not been dealt with. Impunity of the security forces in Latin America and impunity of the U.S.A. forces, most recently in Nicaragua and Panama, must be dealt with, with the full force of national and international Law, and particularly with the full force of national and international moral condemnation.

The suffering of victims through-out the Americas, and, in this case, Panama, demands an immediate end to the horrendous abuses being committed by military and security forces, and the victims demand an end to the "double standard" complicity of much of the international community and press that effectively supported the U.S.A. wearing down of and invasion of Panama. As was stated in the Christian Science Monitor (October 16, 1990) "the allegations of secret mass burials in Panama need to be investigated by the appropriate (U.S.) congressional committees, and the responsible... parties must be fully identified and brought to justice under the law".



## II. Gunboat Diplomacy

**T**he invasion of Panama was, simply put, an act of gun-boat diplomacy that gives continuity to... 100 years of senseless abuse of the small Central American Nations". California Senator Don Edward could not be more correct, in describing the midnight invasion of the U.S.A., December, 20, 1989.

Once again, gunboat diplomacy imposed itself over the right of a people to resolve its domestic problems. It unilaterally annulled initiatives and efforts of other nations and international organizations that were trying to peacefully resolve the Panamanian crisis, while respecting Panama's right to sovereignty.

President Bush said, on December 20, 1989, in justifying the "Just Cause": 'I ordered the invasion after having exhausted all possibilities of a peaceful resolution.' Yet, as we argued above, the U.S.A. "resolution" was one tied to numerous conditions. These conditions are related directly to U.S.A. interests in Panama - the Canal and their military bases.

The Santa Fe II document is particularly clear in this respect: "...once (Panama) is controlled by a democratic regime, the U.S.A. and Panama must begin to seriously plan for an adequate administration of the Canal.' The document continued: 'at the same time, discussions should begin with respect to a realistic defense of the Canal after the year 2000. These discussions should include the maintenance, by the U.S.A., of a limited number of military installations in Panama (principally Howard Base and the Rodman Naval Base) to maintain an adequate projection of force in the western hemisphere'

It is important to remember that the Torrijos-Carter Treaties -TTC- set out a process according to which by December 31, 1999, the U.S.A. must **totally** dismantle its military presence in Panama, and return the Canal and its installations to **the full jurisdiction and control of Panama.**

The Santa Fe documents I and II have, to a large degree, set the agenda of the U.S.A. policies with respect to Latin America during the 1980s, and into 1991. Even before former President Reagan gained power, the idea of retaining military presence in the Canal Zone had been adopted by 'conservatives' in the U.S.A., and the idea of undermining the provisions of the T.T.C.

To achieve their objectives, the U.S.A. developed a strategy including diplomatic pressure, political pressure, through to economic aggression and military invasion. Invasion was always a possibility. Once the decision to invade was taken, months before December 20, preparations were undertaken including military manoeuvres in Panama, violating provisions of the T.T.C.

On 26/05/88, the Assistant Secretary of Defence stated, before the Senate, that: "I don't think anybody has totally discarded the use of force. This alternative is always available". Weeks before this, 14/04/88, then President Reagan invoked, against Panama, the 'war powers' act. For the Panamanian people, it was a question of time. War preparations carried with them their own inevitability.

The efforts, by certain Latin American governments, to help to politically resolve the Panamanian crisis, did not, in the end, serve to avoid the U.S.A. invasion.

In January 1988, the General Assembly of the Organization of American States (OAS) approved a Resolution, (17-1 was the vote) to condemn U.S.A. intervention in the internal affairs of Panama.

In March 1988, 23 of 26 members of



*"The cost in human lives, including civilian, the cost in wounded persons and destroyed material infra-structure- these costs were not taken into serious consideration by the U.S.A. strategists."*



SELA (Sistema Económico Latinoamericano) voted to continue economic aid to Panama, and to condemn U.S.A. intervention in affairs internal to Panama.

U.S.A. never took its complaints before the International Court of Justice, at the Hague. Neither did the U.S.A. accept the conclusions of the High Commission of the O.A.S. appointed to investigate the crisis in Panama.

Neither dialogue, nor negotiations, nor international consensus, nor reasonability were on the agenda of the U.S.A. Once again "Gunboat Diplomacy" has left its permanent scar on Latin America.

### III. Conclusion

**T**he government and military have the legal and moral responsibility to respond to the provisions of international law and give just indemnification to all of the 'Just Cause' victims.

And yet, it is clear that, for now, the U.S.A. will not be formally charged in any international tribunal. It is equally clear that no real indemnification has been given to the 'Just Cause' victims. It is

almost impossible that the Panamanian government, placed in power by the U.S.A. invading forces one day after the invasion, will bring a case against the U.S.A. government in the International Court of Justice.

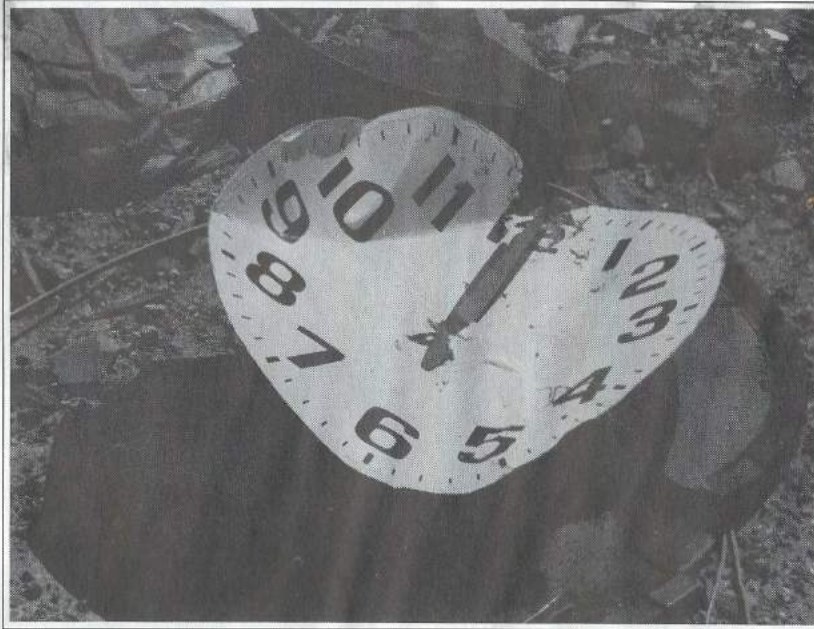
It is equally impossible that Panama will bring the necessary moral pressure to bear on the U.S.A. with respect to indemnification.

In December, 1989, Panama was invaded, and the goal of peaceful co-existence between nations took a giant step backwards. The U.S.A. is perpetuating the odious and violent doctrine that power and might (economic and military) will rule.

This cannot be and must not be the ways of our planet, ending the 20th century. As long as the strong nations can act with impunity, hundreds of international treaties and instruments lose much if not all of their value.

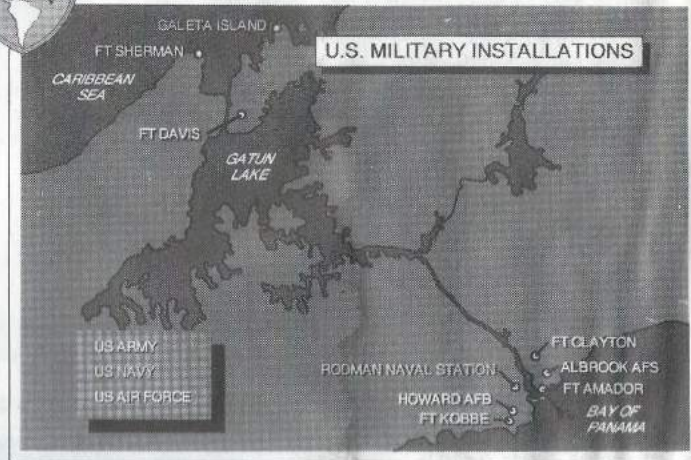
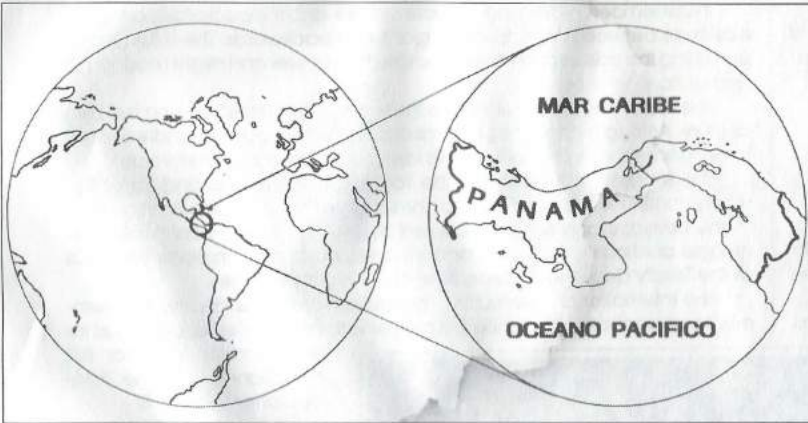
The struggle for respect for the Torrijos-Carter Treaties and for sovereignty continues today in Panama. The struggle for just indemnification, due to the damage and suffering caused by the 'Just Cause', continues. This struggle continues, is growing, and will continue to grow through the 1990s as the Treaty deadline of December 31, 1999, approaches.

The international community - honest governments and non-government organizations - must unite themselves with Panama's struggle for just indemnification and for full compliance with the Torrijos-Carter Treaties. ■



*December 20, 1989, the hour of death and destruction.*







# Annex

## General Information concerning the Republic of Panama

Land size:	77,082 km <sup>2</sup> . Panama has the Caribbean Sea on its north shore, the Pacific Ocean on its south, Costa Rica on its west border, and Colombia to the east.
Population:	2,300,000 inhabitants. 70% of population is "mestizo" (Spanish and indigenous). There are "Jamaican", Chinese and Hindu minorities. There are three principle indigenous groups: Kunas, from the San Blas Island; Chocoos, from the province of Darien; and the Guaymis, in the provinces of Bocas del Toro, Chiriqui and Veraguas.
Religion:	Majority Catholic.
Money:	U.S.A. currency.
Language:	Spanish is official.
Panama Canal:	Links the Pacific and Atlantic Oceans. It is 84 km long, and 152 m wide. Some 31 ocean vessels pass daily through the Canal.
U.S.A. Military Bases:	
1.	Galeta Island M.B. - Inter-American electronic communications Base, transmitting at a frequency of 300 kh, and up to a depth of 80 feet under water.

2. Howard Air M.B. - Largest Air Base in the hemisphere, outside of the U.S.A.
3. Clayton M.B. - Headquarters of U.S. Southern Command.
4. Sherman M.B. - Jungle fighting training centre.
5. Quarry Heights M.B. - Another principle base of operations of the Southern Command.

U.S.A. Military interventions in Panama: Since 1903, there have been 21, including December 20, 1989.

## Chronology and some important facts of the creation and the history of Panama

April 28, 1814:	The Spanish Court approved a law that would permit the construction of a Canal through the isthmus. However, due to the movements for independence throughout the Americas, Spain could not construct it.
November 28, 1821:	The Republic of Panama achieves its independence from Spain. It voluntarily unites with the federation of Latin American countries called Grand Colombia, initiated by Simon Bolivar.
April 15, 1855:	The first confrontation between North Americans and Panamanians, recorded in history, when North Americans were passing through Panama and the way to the gold mines in California.



April 27, 1855:	Construction of the transisthmus railroad is completed. This is the antecedent to the Canal. With its completion, the Atlantic and the Pacific are united. Later the canal would be constructed in the same zone across the Isthmus.	
August 12, 1903:	Panama has remained united with Colombia, since the dissolution of Grand Colombia. The Senate of Colombia rejects the Hernan-Hay Treaty concerned with the construction of a trans-isthmus canal because they believe it will be damaging for their national sovereignty.	
November 3, 1903:	Panamanians, unhappy with the treatment received from Colombia, separate from Colombia, and become an independent nation again. The U.S. supports militarily this decision.	
November 18, 1903:	Signed in Washington the Hay-Bunnau Varilla Treaty, giving to the U.S.A. perpetual control over the Canal Zone.	
November 11, 1945:	Panama became a full member of the U.N.	
1903-1964:	The struggle of the Panamanian people to recuperate their territory is born and grows during these years. During this time there occur nine U.S. military interventions in Panama, plus innumerable political clashes. Of these, one mentions the 1925 confrontations; the struggles against the Filas-Hines Treaty that aimed to extend U.S. military bases through-out the country; the struggles at the end of the 1950s and into the 1960s concerning the use of Panamanian flag.	
June 6, 1963:	The Southern Command of the U.S. Military is created in the Quarry Heights Military Base in the Canal Zone. It is one of its four strategic Commands in the world.	
January 9, 1964:	Northamerican police and civilians, from the Canal Zone, attack a Panamanian student demonstration that, complying with a 1963 agreement, sought to raise a Panamanian flag in the Canal Zone. In total 21 Panamanians are killed in this confrontation, and some 500 are wounded. Apparently, two Portoricans, with the U.S. forces, were executed because they had supported the Panamanians.	
October 11, 1968:	In a coup d'etat, the military ousts the government in power that was seen to be directly tied to the sectors	
		of the society that have long answered to U.S. Interests.
		December 16, 1969: General Omar Torrijos Herrera and the group of military leaders were deposed by another group of Military leaders, in a Coup, when they had gone to Mexico. They returned to Panama, supported by Major Manuel Noriega, then Leader of the Military Zone of Chiriqui, and take back power from the "Golpistas".; From that day, 16/12/69, forward, Torrijos implemented his project to achieve full Panamanian sovereignty over the Canal Zone. This process culminated in the completion of the Torrijos-Carter Treaties.
		September 7, 1977: The Torrijos-Carter Treaties are signed. The U.S. agrees to dismantle and remove all the U.S. Military installations by the date December 31, 1999.
		July 31, 1981: General Omar Torrijos dies in a plane "accident". He is replaced by General Florencia Flores and later by General Ruben Dario Paredes, who begins to develop a clearly pro-U.S. political position.
		August 1983: General Manuel Noriega replaces General Ruben Dario Paredes. Soon after the National Guard changes its structures and becomes the Panamanian Defence Forces (FDP).
		June 6, 1987: The ex-Chief of the FDP Colonel Roberto Dias Herrera, makes serious public denunciations against the leadership of the military. These accusations are taken up by the leaders of the opposition who are the same people who were displaced by the military in October 1968. Since that moment Panama entered a period of serious and permanent crisis, intentionally promoted and spurred on by U.S. Presidents Reagan and Bush. This crisis spirals and culminates in the invasion-massacre of December 20, 1989.

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"The idea and decision to produce this book "THIS IS THE JUST CAUSE", that deals with violations of human rights and humanitarian law due to the U.S.A. invasion, derive from one basic concern: the magnitude and seriousness of the suffering and destruction caused by the 'Just Cause' invasion.

We hope that through this book and these photos the Panamanian people, in their own voice, can describe and show the world what the 'Just Cause' really was for them."

— The Editors.

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