

# **EXHIBIT 1**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF FLORIDA**

**Jesús Cabrera Jaramillo, in his individual  
capacity, and in his capacity as the personal  
representative of the estate of Alma Rosa  
Jaramillo,**

**Sara González Calderón, in her individual  
capacity, and**

**Alonso Estrada Gutierrez, in his individual  
capacity, and in his capacity as the personal  
representative of the estate of Eduardo  
Estrada,**

**Plaintiffs,**

**v.**

**CARLOS MARIO JIMÉNEZ NARANJO,  
also known as “Macaco,” “El Agricultor,”  
“Lorenzo González Quinchía,” and “Javier  
Montañez,”**

**Defendant.**

**CASE NO: 1:10-cv-21951-CIV-  
TORRES**

---

**UPDATED EXPERT REPORT OF GIMENA SANCHEZ-GARZOLI**  
**(May 22, 2020)**

**TABLE OF CONTENTS**

I. PRELIMINARY INFORMATION..... 1

    A. Qualifications ..... 1

    B. Scope of Report ..... 6

    C. Basis for Expertise and Opinion..... 8

II. BACKGROUND..... 10

III. THE PRESENCE, OPERATIONS, AND ACTIVITIES OF THE AUC AND ITS  
CONSTITUTIVE BLOCS, INCLUDING THE BCB, IN THE MIDDLE  
MAGDALENA REGION IN AND AROUND 2001 ..... 13

    A. The Rise of the United Self-Defense Forces of Colombia (AUC) and its  
Constitutive Blocs..... 13

    B. BCB Presence in the Middle Magdalena Region ..... 17

        1. The Middle Magdalena Region ..... 17

        2. BCB Consolidation of Paramilitary Groups in the Middle  
Magdalena Region ..... 20

    C. BCB Structure and Operations in the Middle Magdalena Region ..... 24

        1. BCB Membership and Command Structure in the Middle  
Magdalena..... 24

        2. Weapons and Military Assets of the BCB..... 29

        3. Narco-Trafficking and Other Sources of Financing of the BCB .. 30

        4. Macaco’s Involvement in Narco-Trafficking ..... 33

    D. BCB Activities in the Middle Magdalena Region..... 34

        1. Counterinsurgency ..... 34

        2. Role of State Actors in BCB Activities..... 36

**TABLE OF ABBREVIATIONS**

<b>Abbreviation</b>	<b>Meaning</b>
ACCU	Autodefensas Campesinas de Cordoba y Uraba (Peasant Self-defenses of Cordoba and Uraba)
AUC	Autodefensas Unidas de Colombia (United Self-Defense Forces of Colombia)
BCB	Bloque Central Bolivar (Central Bolivar Bloc)
CAPREE	U.S.-Colombia Action Plan for Racial and Ethnic Equality
CEEU	Coordination of Colombia-Europe-United States
CONVIVIR	Servicios Especiales de Vigilancia y Seguridad Privada (Special Vigilance and Private Security Services)
ELN	Ejército de Liberación Nacional (National Liberation Army)
FARC or FARC-EP	Fuerzas Armadas Revolucionarias de Colombia—Ejercito del Pueblo (Revolutionary Armed Forces of Colombia—People’s Army)
FTO	Foreign Terrorist Organization
IDP	Internally Displaced Persons
OFAC	Office of Foreign Assets Control
PBI	Peace Brigades International
PDP	Program for Peace and Development
SAIS	Johns Hopkins School for Advanced International Studies
USCR	U.S. Committee for Refugees
WOLA	Washington Office on Latin America

**TABLE OF EXHIBITS**

EXHIBIT A: Curriculum Vitae

EXHIBIT B: List of Selected Media and Publications

EXHIBIT C: List of Documents and Things Reviewed and/or Relied On

**EXPERT REPORT OF GIMENA SANCHEZ-GARZOLI**

**I. PRELIMINARY INFORMATION**

I am the Director for the Andes at the Washington Office on Latin America (WOLA). I was asked by Plaintiffs in the above-captioned matter to provide expert testimony on the background, presence, operations, and activities, if any, of the United Self-Defense Forces of Colombia (AUC) and its constitutive blocs, or *bloques* in Spanish, including the *Bloque Central Bolívar* (BCB), in the Middle Magdalena region in and around 2001. I submit this update to my January 22, 2019 expert report following my review of additional materials, including the transcripts of depositions in this litigation. My qualifications, summary of opinions, and basis for expertise are set forth in greater detail below. All opinions I express here are based on my own independent analysis.

**A. Qualifications**

I currently serve as the Director for the Andes at WOLA, a leading research and advocacy, non-governmental organization founded in 1974 and based in Washington D.C. that promotes human rights and economic and social justice in Latin America. WOLA provides information and analysis on security and human rights issues to all three branches of the U.S. government, to international and multilateral organizations as well as to the U.S. and Latin American media.

I started at WOLA in 2006 and lead its Colombia human rights work. This includes monitoring and analyzing the activities and abuses committed by illegal armed groups (paramilitaries, guerillas, and organized criminal groups) in Colombia. In this capacity, I monitor the presence, operations, and activities of the AUC and its constitutive blocs, including the BCB, in Colombia. I have also monitored the AUC paramilitary demobilization process and

the subsequent extradition of AUC commanders, including the Defendant, Carlos Mario Jiménez, to the United States on narco-trafficking charges.

I am frequently called upon to provide my expertise concerning Colombia's armed groups to all three branches of the U.S. government. To date, I have served as a Colombia country expert for over 40 asylum claims before U.S. immigration courts. As an expert, I have provided testimony on the human rights situation in Colombia as well as the activities, operations, and abuses of the AUC, including its constitutive blocs. I served as an expert witness for the U.S. Department of Homeland Security in the case of Enrique Ariza Rivas, former director of intelligence with Colombia's now dissolved Administrative Department of Security (DAS), for which I provided both written and oral testimony. I also served as an expert before the Inter-American Court of Human Rights, where I submitted a written expert report on the Operation Genesis case, which focused on a 1997 civilian massacre by paramilitaries in the context of a joint Colombian military and paramilitary operation in the Chocó Department.<sup>1</sup> All of these expert assignments were done *pro bono*, as is my work on this case.

U.S. Congressional offices, most notably those belonging to the Congressional Monitoring Group on Labor Rights in Colombia, frequently contact me for my independent opinion. Part of my work involves providing Congressional offices with regular updates on security and human rights in Colombia, including the activities of the AUC paramilitary group and their successor organizations. To keep abreast of developments in Colombia, I undertake visits there and engage, on a daily basis, with an extensive network of governmental, academic, and other contacts throughout the country. I have accompanied members of Congress and staff

---

<sup>1</sup> CIDH. Decisión de 19 de diciembre de 2012. *Caso Marino López y Otros (Operación Genesis) vs. Colombia*, [http://www.corteidh.or.cr/docs/asuntos/marinolopez\\_19\\_12\\_12.pdf](http://www.corteidh.or.cr/docs/asuntos/marinolopez_19_12_12.pdf).

to different regions within Colombia to provide them with a better understanding of the situation on the ground.

Further, I provide analysis to the U.S. State Department and the U.S. Embassy in Bogotá on activities of Colombian government actors, as well as paramilitary and guerrilla groups, as part of U.S. legislation that calls on the State Department to certify whether or not Colombia is meeting a set of human rights conditions in order to receive U.S. military assistance. WOLA's Colombia program provides monthly (and at times, more frequent) updates on security concerns that affect human rights defenders, trade unionists, social leaders, journalists, as well as Afro-Colombian, indigenous, and rural communities throughout the country. These missives go to the U.S. State Department's Bureaus for Democracy, Human Rights and Labor, Western Hemisphere, Population, Migration and Refugees, Racial Unit, and International Narcotics. Beyond the State Department, they also go to the U.S. Department of Labor's International Affairs Bureau and the human rights and political sections of the U.S. Embassy in Bogotá.

WOLA maintains daily communication with all of the major human rights and social activist coalitions at the national and regional levels. We also partner with Peace Brigades International (PBI — an unarmed accompaniment organization that provides protection for social leaders in Colombia) and the Colombia-Europe-U.S. Coalition (CEEU), a grouping of 280 Colombian human rights and victims organizations. CEEU has a Middle Magdalena regional chapter, which includes all the major rights groups in that part of the country. Furthermore, I participate in the work of the Civil Society Committee for the State Department's U.S.-Colombia Racial Action Plan (CAPREE), a joint initiative set up by Colombia and the United States to combat racial discrimination against Afro-descendants and

indigenous persons in both countries. WOLA serves as one of the independent organizations with whom the State Department must meet with periodically in order to inform its consultation and certification process of human rights conditions for Colombia to receive U.S. military assistance, as mandated by the Leahy Amendment. On the WOLA side, I am the person responsible for directing WOLA's input into the process and representing it before the U.S. State Department.

Since 2000, I have visited Colombia four or more times per year, including the Middle Magdalena region. My visits are to Colombia's cities and rural areas that are most impacted by internal armed conflicts, violence, and activities of illegal armed groups, including those of paramilitaries. During these visits, I interact with Colombians of all walks of life, from the President's office, Ministers, and members of Congress to academics, press, celebrities, policy experts, rural farmers, displaced persons, Afro-Colombian and indigenous people, and victims of paramilitary activity. I also maintain contacts with an extensive network of governmental and civil society actors on the ground, including the Middle Magdalena Peace Development program.

Prior to joining WOLA, I served from 2004 to 2006 as the U.S. Representative for Peace Brigades International (PBI) Colombia Project, an organization that provides unarmed physical security to 12 human rights organizations and three communities in conflict regions targeted by armed groups in Colombia, such as the AUC paramilitaries. PBI founded offices in Bogotá, as well as in Barrancabermeja in the Middle Magdalena region in 1994, where it has since maintained a permanent presence. PBI provides unarmed physical security and accompaniment to the prominent human rights organizations in Middle Magdalena. In order to carry out PBI's mandate effectively, I monitored and analyzed the presence, operations, and



activities of armed groups, including those of the AUC paramilitaries, and was in near daily communication with government and civil society actors in both the Middle Magdalena region and at the national level.

From 1999 to 2004, as Senior Research Analyst at the Brookings Institution, I directed the work of the Representative of the United Nations Secretary-General on Internally Displaced Persons (IDPs), Dr. Francis M. Deng, in Colombia. As part of this work, I participated in a United Nations observation mission to Middle Magdalena immediately following the paramilitary takeover of Barrancabermeja in 2002. In addition, I was kept abreast of developments concerning the activities of armed groups in Colombia, notably as they related to security and humanitarian issues in Middle Magdalena. I also worked with Dr. Deng, who was on PBI's political action network, to pressure Colombian government officials, the United Nations Colombia office, and other key actors to address the often horrific crimes committed by armed groups, including the AUC, in the Middle Magdalena at that time.

I hold a Master's Degree in International Relations with a focus on international economics and international law from the Johns Hopkins School for Advanced International Studies (SAIS), which included studies of military and human rights issues within an international law framework. While I was a student at SAIS, I was a paid intern and then consultant with the U.S. Committee for Refugees (USCR) from 1998 to 1999. In that position, I followed the Middle Magdalena region closely and wrote the organization's weekly Colombia updates.

I am frequently invited to give lectures or trainings on the situation in Colombia and have done so at Georgetown, Howard, George Washington, and Johns Hopkins Universities, in addition to the University of Texas, Amherst College, the Foreign Service Officers Training

Institute, and U.S. Southern Command. Currently, I am an adjunct professor at the Schar School of Government at George Mason University in Arlington, Virginia, where I teach a course on global human rights issues. I am bilingual and read and speak both English and Spanish fluently. Attached as Exhibit A is my curriculum vitae, which sets forth additional details on my background, education, and experience. Attached as Exhibit B is a list of select media and all my publications authored in the previous 10 years.

**B. Scope of Report**

Plaintiffs requested that I assess the presence, operations, and activities, if any, of the AUC and its constitutive *blocs*, including the BCB, in the Middle Magdalena region in and around 2001.

Having reviewed this topic, my conclusions are as follows:

Colombia has been caught in decades of violence, with unarmed civilians being the targets of the violence perpetrated by leftist guerilla groups and right-wing paramilitaries. The rise in paramilitary groups was ostensibly to combat leftist guerrilla groups like the Revolutionary Armed Forces of Colombia (FARC) and National Liberation Army (ELN). The Colombian government, unable to outgun the illegal groups, initially authorized and supported such self-defense forces. When paramilitary forces gained their own power and began to commit large scale atrocities, they were found unconstitutional. Despite this, such groups continued clandestine operations at the national and regional level. As documented by multiple sources and my own eyewitness accounts, such groups maintained close ties to government actors, including the military and police. These ties included outright collusion with signed contracts or agreements to work together and other forms of coordination to the public forces deliberately looking the other way when paramilitaries attacked civilians. Local authorities and paramilitaries often worked together through networks of relationships or because local

authorities were either themselves under the coercive control of the paramilitaries or in line with the reasons why the paramilitaries acted due to political, social, and economic reasons. In many cases, the army lent direct and indirect support to the actions of paramilitaries, most notably the AUC.

The most notorious and widespread of Colombia's paramilitaries, the AUC, was formed in 1997 as an umbrella organization to consolidate already existing regional and local paramilitary groups. Unarmed civilians were often victimized, rather than protected, by the paramilitaries. Paramilitaries specifically targeted civilians to foment terror and to gain psychological and physical control over vast quantities of territories. The AUC grew and operated because members of armed forces and local government colluded and aligned with the AUC, looked the other way, or in some cases just failed to protect them. The AUC, however threatened and killed members of human rights organizations and civilians, including in the Middle Magdalena region.

Carlos Mario Jiménez, alias Macaco, became the head of paramilitary forces to lead and coordinate entry into Southern Bolívar in the Middle Magdalena region. Eventually, the paramilitary forces led by Macaco were unified as the *Bloque Central Bolívar* (BCB), which operated under the umbrella of the AUC, with Macaco as Commander General of the BCB. By 2001, Macaco was the head of the BCB and commanded as many as 7,063 armed combatants by the time of its demobilization in 2005. Macaco commanded those responsible for protecting the cultivation of coca in Middle Magdalena and directed widespread and systematic attacks on the civilian population of Middle Magdalena.

By 2001, the BCB was present and active in many departments in the Middle Magdalena Region, including Southern Bolívar, and had coercive control over the civilian

population in San Pablo, specifically.<sup>2</sup> The command structure was such that Macaco was at the top with a formal, organized, and specific command structure below him. By the time it demobilized in 2005, the BCB had committed crimes against about 14,000 victims, including torture, sexual violence, murder, forced displacement, and recruitment of child soldiers, among other crimes. At the time of demobilization in 2005, the BCB handed over thousands of firearms, weapons, and vehicles, including materials obtained from connections with the military. Financing for the BCB's activities included criminal enterprises such as narco-trafficking and extortion. Indeed, these criminal activities became the lifeblood of the BCB and the other AUC organizations, as they evolved into narco-terrorist organizations.<sup>3</sup> The BCB's activities could not have taken place without the explicit and implicit support and acquiescence of government actors (*fuera pública*), including members of the Colombian military, local police, and government.

### **C. Basis for Expertise and Opinion**

This Report is informed by my two decades of experience with the political, socio-economic, security, and human rights situation in Colombia, including as it relates to the presence, operations, and activities of paramilitary organizations.

In preparing this report, I relied on the materials referred to and cited here as well as my professional and expert knowledge of the situation in Colombia detailed above. I have also reviewed and/or relied on the documents and things listed in Exhibit C. I understand that

---

<sup>2</sup> Deposition of Rodrigo Pérez Alzate at 7 (Oct. 22, 2019) (“Alzate Depo.”); Deposition of Oscar Montealegre at 13 (Oct. 23, 2019) (“Montealegre Depo.”).

<sup>3</sup> That the AUC and its subsidiary blocs became narco-terrorist organizations is uncontroverted. Macaco himself pleaded guilty to several counts, including “engaging in drug trafficking with the intent to provide something of value to a terrorist organization or narco-terrorism.” U.S. Department of Justice, Press Release, “Colombian Paramilitary Leader Sentenced in Miami to 33 Years in Prison for Drug Trafficking and Narco-Terrorism” (Nov. 9, 2011) at 1, <https://www.justice.gov/opa/pr/colombian-paramilitary-leader-sentenced-miami-33-years-prison-drug-trafficking-and-narco>.

discovery is still ongoing and I will supplement this report if needed, pending the discovery or production of relevant materials in the case.

I have accumulated knowledge and have reviewed a wide range of documents detailing the presence, operations, and activities of the AUC and its constitutive blocs, including:

- Colombian government documents, including those of the National Center of Historic Memory (*Centro Nacional de Memoria Histórica*), National Commission of Reparation and Reconciliation (*Comisión Nacional de Reparación y Reconciliación*), and the Office of the High Commissioner for Peace (*Oficina Alto Comisionado Para la Paz*), as well as those issued from legal proceedings of the National Unit for Justice and Peace (*Unidad Nacional Para la Justicia y La Paz*) and the Colombian criminal courts;
- U.S. government documents, including U.S. State Department human rights reports on Colombia and declassified U.S. diplomatic cables;
- United Nations reports, including the annual Office for the High Commissioner for Human Rights' reports;
- Reports and documentation compiled by international non-governmental organizations, including Amnesty International and Human Rights Watch;
- Reports and documentation compiled by Colombian non-governmental organizations, including *La Silla Vacía*, *Verdad Abierta*, and INDEPAZ; and
- Academic and scholarly research on paramilitaries and human rights issues in Colombia and the Middle Magdalena region.

The foregoing are the types of materials I ordinarily use in assessing the activities of paramilitary organizations and the conflict in Colombia. In this report, I have relied extensively

on documents from the National Unit for Justice and Peace (*Unidad Nacional Para la Justicia y La Paz*), of the Colombian Justice and Peace process, which offered paramilitaries who demobilized reduced prison sentences in exchange for their full confession and contribution to reparations for victims and national peace. By June 2016, over 4,400 former paramilitaries, including the Defendant, had passed through the Justice and Peace tribunals.<sup>4</sup> Applicants for benefits under the Justice and Peace process must offer *versiones libres*, or voluntary depositions, in which they must confess to all crimes committed as paramilitaries. In particular, I have examined Defendant's *versiones libres* as well as the judgments of the Justice and Peace tribunal that specifically examine the operations and activities of the BCB. While the paramilitaries' *versiones libres* are often incomplete as regards to the totalities of the crimes committed or to the identities of those responsible, the admissions they do contain are helpful in understanding the presence, operations and activities of the paramilitary groups. Colombia is a complex country. In order to fully understand who the actors are and what is truly going on in the country, it is necessary to both look at written materials from a variety of governmental and non-governmental sources and to engage directly with affected persons on the ground, which I have done.

Lastly, I assert that I am not being compensated for my work as an expert witness in this case. I will be reimbursed for reasonable travel and out-of-pocket expenses incurred while fulfilling my role as an expert.

## **II. BACKGROUND**

Colombia is the fourth-largest country in South America, with significant natural

---

<sup>4</sup> See International Center for Transitional Justice, "Colombia," <https://www.ictj.org/our-work/regions-and-countries/colombia>.

resources and a diverse culture. It also has a population of about 47 million.<sup>5</sup> Colombia has one of the oldest democracies in Latin America, but it has been plagued by five decades of violent conflict involving armed groups and drug cartels. The country's terrain historically made it difficult to establish state control over large areas of the nation's territory. Stratified social classes and high rates of poverty also contributed to social upheaval. Drug trafficking exacerbated these conflicts by providing earnings to both left- and right-wing armed groups.<sup>6</sup>

The armed conflict in Colombia among guerrilla groups, paramilitaries, and the Colombian government has been one of the bloodiest in modern Latin American history. Between 1958 and 2012, the conflict has resulted in the death of approximately 220,000 people.<sup>7</sup> More than 80% of those killed have been unarmed civilians.<sup>8</sup> Added to this are the victims of forced disappearance, displacement, abduction, executions, recruitment, torture and abuse, anti-personnel mines, and sexual violence.<sup>9</sup>

One area where violence has thrived is the Middle Magdalena River Valley ("Magdalena Medio"), which is the subject of my analysis in this report. The Middle Magdalena includes the areas along the Magdalena River, bounded on the west by the Central Cordillera mountain chain and on the east by the Eastern Cordillera mountain chain and Sierra San Lucas.<sup>10</sup> Social and economic conflict and ideological influences contributed to the

---

<sup>5</sup> Beittel, June S., Colombia: Background, U.S. Relations, and Congressional Interest, Congressional Research Service, November 28, 2012, at 3, <https://fas.org/sgp/crs/row/RL32250.pdf>.

<sup>6</sup> *Id.* at 3-4.

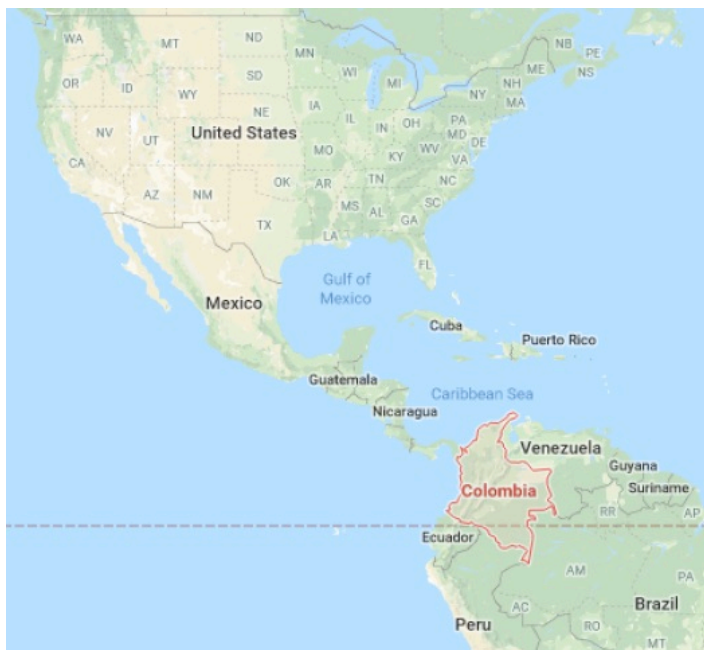
<sup>7</sup> Centro Nacional de Memoria Histórica, General Report by the Historical Memory Group, English Version, Basta Ya! Colombia: Memories of War and Dignity (2016), at 37 ("Basta Ya!"), <http://centrodememoriahistorica.gov.co/descargas/informes2016/basta-ya-ingles/BASTA-YA-ingles.pdf>.

<sup>8</sup> *Id.* at 15.

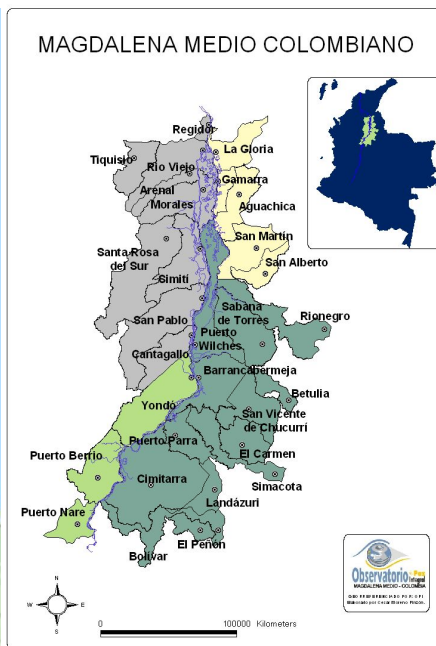
<sup>9</sup> *Id.*

<sup>10</sup> Picón Paez Y.A., Ardila Garcia J., Centro de Estudios Regionales del Magdalena Medio CER, Diagnóstico del territorio Magdalena Medio (May 2013) at 11 ("CER 2013"), <http://cer.org.co/Documentos/Dterritoriomagdalenamedio.pdf>.

emergence of insurgent groups and paramilitaries, described below, that used violence to protect their sponsors. Maps of Colombia and of this area are shown on Map Nos. 1 and 2 below, respectively. The area of San Pablo, discussed further below, is further highlighted in yellow on Map 3 as a modification of Map 2:



Map 1<sup>11</sup>



Map 2<sup>12</sup>

<sup>11</sup> Google Maps: Colombia.

<sup>12</sup> Observatorio de Paz Integral, Mapa del Magdalena Medio Colombiano Completo, <https://www.opi.org.co/Cartografia/18.jpg>.





Map 3

### III. THE PRESENCE, OPERATIONS, AND ACTIVITIES OF THE AUC AND ITS CONSTITUTIVE BLOCS, INCLUDING THE BCB, IN THE MIDDLE MAGDALENA REGION IN AND AROUND 2001

#### A. The Rise of the United Self-Defense Forces of Colombia (AUC) and its Constitutive Blocs

Unable to provide security throughout most of the country in the mid-1990s, and with the population facing numerous threats from multiple guerilla groups, the Colombian State looked the other way when it came to paramilitary self-defense forces. Although paramilitary organizations were declared illegal in Colombia in 1989 by President Virgilio Barco, the government later sanctioned self-defense forces in 1994 through the establishment of Cooperatives of Surveillance and Private Security (*Cooperativas de Vigilancia y Seguridad Privada*), better known as the CONVIVIR.<sup>13</sup> President Cesar Gaviria made the CONVIVIR legal through Decree 356 of 1994.<sup>14</sup> In 1997, in response to a legal action by the Colombian

<sup>13</sup> See *Basta Ya!* at 163.

<sup>14</sup> *Id.*

Commission of Jurists against Decree 356, the Constitutional Court declared the existence of the CONVIVIR unconstitutional, and ordered them to return weapons for the exclusive use of the state armed forces.<sup>15</sup> This ruling effectively ended the CONVIVIR. As a result, many of the self-defense forces, including the CONVIVIR, shifted to clandestine operations that were organized at the regional level, though they often maintained close ties to government actors, including with the military and police.<sup>16</sup>

In 1996, Carlos, Fidel, and Vicente Castaño (the “Castaño brothers”) consolidated all paramilitary self-defense forces operating in Lower Cauca and Northern Antioquia under the Campesino Self-Defense Forces of Cordoba and Uraba (ACCU). Since the Colombian State did not have a functioning or effective security presence in more than 70% of Colombia’s territory until the 2000s, many landowners, businesses, and other Colombians outsourced security to paramilitary groups.

In April 1997, the Castaño brothers consolidated the various paramilitary organizations, including the ACCU, under one national umbrella paramilitary organization, the United Self-Defense Forces of Colombia (AUC). In the late 1990s, the AUC, through its constitutive blocs, namely the *Bloque Central Bolívar* (BCB), sought to take control of Southern Bolívar, an area within the Middle Magdalena region; and by 1999, they had succeeded, setting up quasi-governmental control throughout Southern Bolívar and expanding throughout the country.

According to the U.S. State Department, by 1999, paramilitary and guerilla groups were responsible for the majority of “political and extrajudicial killings” in Colombia.<sup>17</sup> One

---

<sup>15</sup> *Id.*

<sup>16</sup> *Id.* at 163-71.

<sup>17</sup> U.S. Department of State, Country Reports on Human Rights Practices 1999-Colombia (Feb. 23, 2000), at 3-4, <https://www.state.gov/j/drl/rls/hrrpt/1999/380.htm>.

women's organization, the Organización Femenina Popular (OFP), had to withdraw complaints to authorities about the AUC due to fear of reprisals.<sup>18</sup> One of the complainants was informed of the danger to her life by a government official, who claimed that he had convinced the paramilitaries to spare her for the moment.<sup>19</sup> This is but one example of the local authorities and paramilitaries working together; paramilitaries infiltrated the offices of local authorities, or local authorities were themselves under the coercive control of the paramilitaries. In many cases, the army lent direct and indirect support to the actions of paramilitaries. Confessions of paramilitary members made voluntarily before the Justice and Peace Tribunal have uncovered the pervasive network of relationships with members of the Colombian armed forces that made paramilitary actions possible.<sup>20</sup>

Between 1997 and 2002, the AUC was present in 531 out of 1,098 municipalities<sup>21</sup> in Colombia in 27 of the 32 departments.<sup>22</sup> Map 4 shows the presence of the AUC in Colombia in 2002.

---

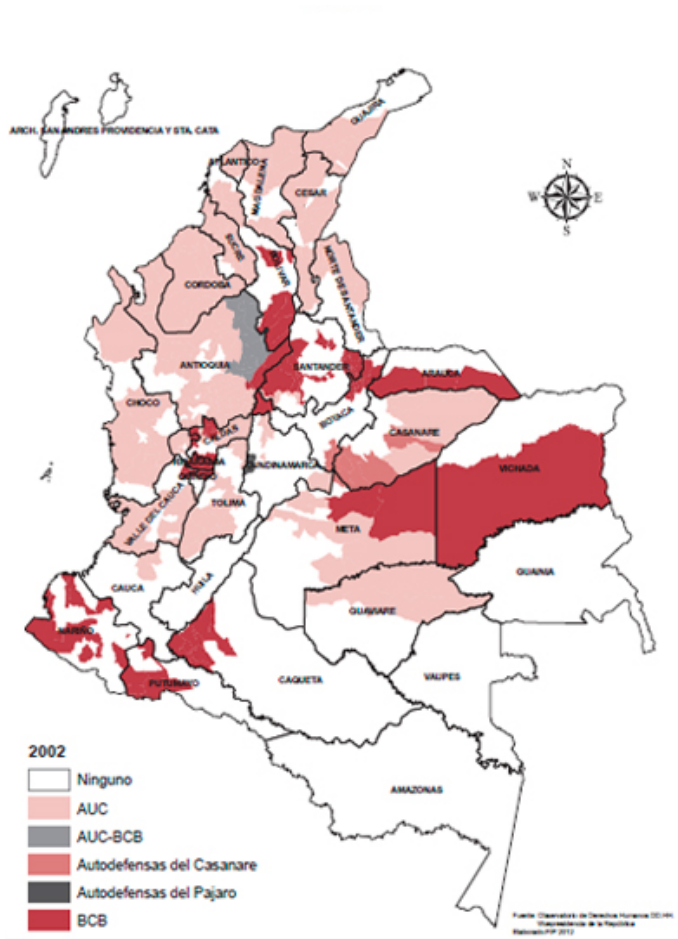
<sup>18</sup> See Amnesty International, "Further Information on UA 38/01 (AMR 23/017/2001, 9 February 2001) – Fear for Safety," AMR 23/133/2002 (Nov. 20, 2002), <https://www.amnesty.org/en/documents/amr23/133/2002/en/>.

<sup>19</sup> *Id.*

<sup>20</sup> See *Basta Ya!* at 165-67.

<sup>21</sup> <http://utopialapalabra.blogspot.com/2013/03/colombia-el-paramilitarismo-sigue-ahi.html>.

<sup>22</sup> See William Aviles, *Global Capitalism, Democracy, and Civil-Military Relations in Colombia*, at 160 n.7 (2012).



Map 4 (see n.18).

The AUC were only able to gain such traction because members of the armed forces and government either looked the other way or actively colluded and aligned with them. The paramilitaries did not operate in a vacuum. In addition to relationships of mutual assistance with members of the security forces, the AUC had the acquiescence, if not support, of many of Colombia's regional economic and political elites, land owners, businesses, and others, who tolerated or directly welcomed the AUC's activities because they saw the AUC as an effective way to get rid of the threats posed by guerilla groups and to establish security and order. According to Amnesty International in 2000, the AUC claimed that its mission was to socially

cleanse the country of “kidnapping, extortion and dishonesty.”<sup>23</sup> It also declared the most prominent human rights organization in the Middle Magdalena region at that time, CREDHOS, to be the “political wings of the FARC and ELN guerillas,” thus making human rights and social leaders military targets who could be executed on the spot by members of the AUC.<sup>24</sup>

On September 10, 2001, Secretary of State Colin Powell designated the AUC to be a foreign terrorist organization (FTO) after evaluating its activities that threatened democracy committed between 1999 and 2001.<sup>25</sup> While human rights conditions necessary for receipt of U.S. military assistance explicitly prohibited members of the Colombian armed forces from colluding with paramilitaries, the long-standing relationship between the two continued largely unabated up through the paramilitaries’ demobilization. The problem of military-paramilitary collusion was so significant that the State Department continuously vetted Colombian military units throughout the years the AUC was active and certified only those units it thought did not collude with the paramilitary group.

## **B. BCB Presence in the Middle Magdalena Region**

### **1. The Middle Magdalena Region**

The Middle Magdalena region is an extensive valley formed by the Magdalena River in the northeastern part of Colombia.<sup>26</sup> Middle Magdalena is a resource-rich and fertile region with

---

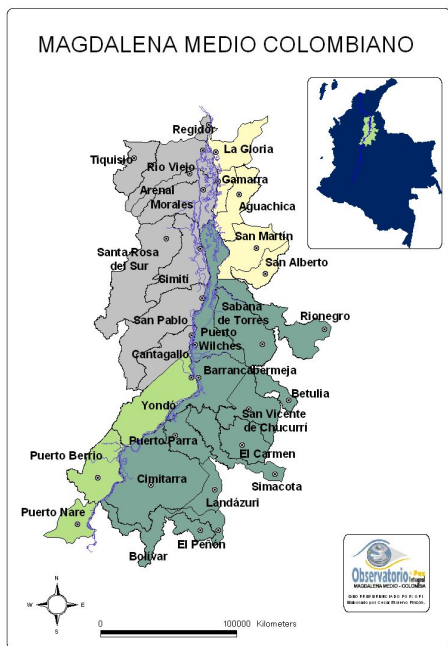
<sup>23</sup> Amnesty International, “Fear for Safety / Death Threats,” AMR 23/80/00, UA 307/00 (Oct. 4, 2001), <https://www.amnesty.org/download/Documents/132000/amr230802000en.pdf>.

<sup>24</sup> *Id.*

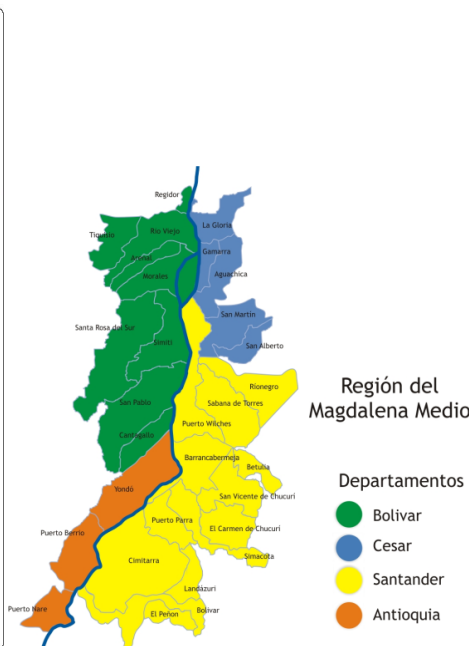
<sup>25</sup> U.S. Department of State, “Designation of the AUC As a Foreign Terrorist Organization” (Sept. 10, 2001), <https://2001-2009.state.gov/secretary/former/powell/remarks/2001/4852.htm> (“The AUC has carried out numerous acts of terrorism, including the massacre of hundreds of civilians, the forced displacement of entire villages, and the kidnapping of political figures to force recognition of AUC demands. [In 2000], AUC members reportedly committed at least 75 massacres that resulted in the deaths of hundreds of civilians. Many of these massacres were designed to terrorize and intimidate local populations so the AUC could gain control of those areas.”).

<sup>26</sup> CER 2013, *supra* n.10, at 11.

large cattle ranches, palm plantations, oil and gas wells, and gold mines. It is a very large producer of coca, the primary ingredient in cocaine.<sup>27</sup> The region mainly encompasses the departments of Antioquia, Bolívar, Boyacá, Cesar, and Santander (see Map Nos. 5 and 6).



Map 5<sup>28</sup>

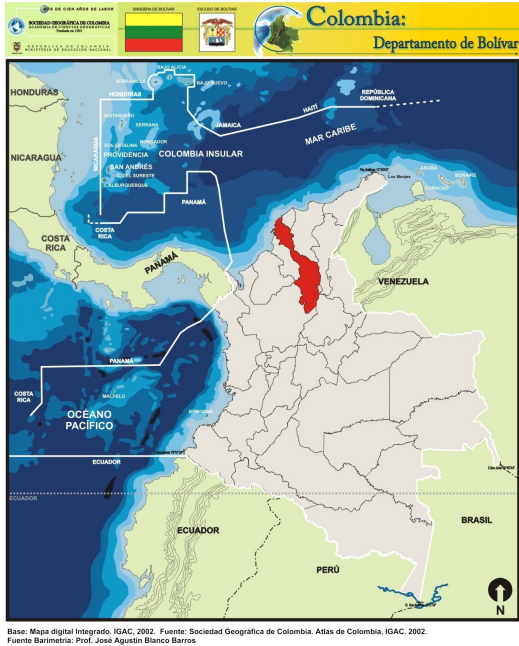


Map 6<sup>29</sup>

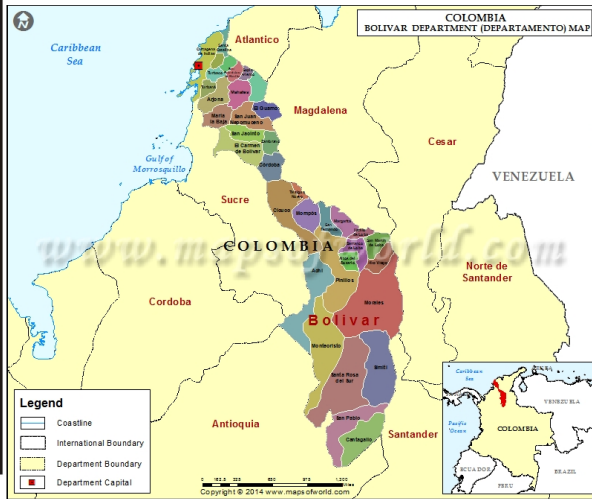
<sup>27</sup> *Id.* at 12.

<sup>28</sup> *See supra* n.11.

<sup>29</sup> Image source: Google Images ([www.aipazcomun.org/wp-content/uploads/2016/03/MAPA-DEL-MAGDALENA-MEDIO-marzo-2016.png](http://www.aipazcomun.org/wp-content/uploads/2016/03/MAPA-DEL-MAGDALENA-MEDIO-marzo-2016.png)).



Map 7<sup>30</sup>



Map 8<sup>31</sup>

The Bolívar department (*see* Map Nos. 7 and 8), in particular Southern Bolívar, which is located in the Middle Magdalena, was a strategic point for the expansion of paramilitarism because of the strong presence of the second largest leftist-guerrilla group, the National Liberation Army (ELN), in the area. Southern Bolívar was the site of the ELN’s Central Command<sup>32</sup> and one of the group’s historical niches.<sup>33</sup> It also served as a strategic corridor of communication with guerrilla fighters in other departments.<sup>34</sup> In 1999, President Andres Pastrana proposed a ceasefire zone in Southern Bolívar in order to initiate peace talks with the ELN.<sup>35</sup> The

<sup>30</sup> Image source: Google Images (<http://www.sogeocol.edu.co/bolivar.htm>).

<sup>31</sup> Image source: Google Images ([www.mapsofworld.com/colombia/departments/bolivar-map.html](http://www.mapsofworld.com/colombia/departments/bolivar-map.html)).

<sup>32</sup> ELN leaders “Pérez the Priest” and Commander Nicolás Rodríguez Bautista (aka “Gabino”) operated in Southern Bolívar with more than 25 years of permanent presence on both sides of the Serranía de San Lucas. República de Colombia, Rama Judicial, Carlos Mario Jiménez Naranjo: *Versiones Libres*, at 20 (June 12, 2007) (“Macaco 2007 VL”).

<sup>33</sup> Tribunal Superior del Distrito Judicial de Bogotá, Sala de Justicia y Paz, Sentencia Rodrigo Pérez Alzate, Homicidio en persona protegida y otros (Bogotá: August 30, 2013) at 275 (“BCB 2013 Judgment”).

<sup>34</sup> Macaco 2007 VL at 20.

<sup>35</sup> *See Basta Ya!* at 172.

paramilitary groups strongly opposed this ceasefire zone and supported the National “No” Movement against the suggestion. This was the political context that undergirded the foundation of the BCB.

Southern Bolívar also harbored great sources of financing due to its mining activities<sup>36</sup> and its role as a narco-trafficking center.<sup>37</sup> In many Southern Bolívar municipalities, such as San Pablo, Santa Rosa del Sur, Simití, Morales, and Arenal, the ELN exercised a level of control that allowed it to collect taxes on artisanal mining that took place on the hillsides of the nearby Serranía de San Lucas Mountain Range.<sup>38</sup>

## **2. BCB Consolidation of Paramilitary Groups in the Middle Magdalena Region**

Carlos Mario Jiménez, alias Macaco, was born on February 26, 1966, in the Risaralda Department. In the 1980s, he formed part of the Norte del Valle drug trafficking cartel. He maintained a close relationship with drug trafficker Wilber Varela, alias Jabón, another member of the Norte del Valle cartel. By the mid-1990s, Macaco was already recognized by the U.S. government as a high-level narcotics trafficker. Macaco began collaborating with self-defense forces in 1995 in Antioquia and decided to form his own self-defense group in late 1996, known as the “Caparrapos.”<sup>39</sup> Members of the Caparrapos, including the Virgüez brothers who served as the military commanders, would later become part of the BCB.<sup>40</sup>

---

<sup>36</sup> Bolívar is a department rich in natural resources and biodiversity; it holds great potential for (gold) mining and agro-export (palm oil, cocoa, rubber). *See supra* n.26.

<sup>37</sup> República de Colombia, Rama Judicial, Tribunal Superior del Distrito Judicial de Bogotá, Sala de Justicia y Paz, Estructura Paramilitar: Bloque Central Bolívar (Aug. 11, 2017) (“BCB 2017 Judgment”) at, 66 (referencing *audiencia* records of February 6, 2014 and March 28, 2014).

<sup>38</sup> BCB 2013 Judgment at 207.

<sup>39</sup> Macaco 2007 VL at 17; BCB 2013 Judgment at 274.

<sup>40</sup> Macaco 2007 VL at 17.



In conjunction with the creation of the AUC, the paramilitary umbrella organization, in early 1997, Vicente Castaño called a meeting with the various self-defense groups in the region to delineate each group's respective geographic areas.<sup>41</sup> Macaco's forces were delegated the areas of Piamonte, Puerto Colombia, and Vegas de Segovia in the department of Antioquia.<sup>42</sup> Due to the strategic importance of the Middle Magdalena, the Castaño brothers sought to expand their influence into Southern Bolívar. They carried out their first attack on the region in March 1997, but failed to make any significant advances.<sup>43</sup> After further failed attempts, the Castaño brothers enlisted the help of Macaco and his forces to lead and coordinate the entry into the region.<sup>44</sup> Macaco, who adopted another alias, Javier Montañez, was able to provide better weapons due to income from his involvement in narco-trafficking.<sup>45</sup> Macaco, with the assistance of Rodrigo Pérez Alzate (alias Julian Bolívar), whom he had met months earlier in Antioquia, led a number of successful incursions into Southern Bolívar from 1998 to 1999.<sup>46</sup> In the first attack, on July 11, 1998, Julian Bolívar enlisted men from another paramilitary group operating in Cesar under Juan Francisco Prada Marquez and captured the town of Simití.<sup>47</sup> This area then became the entry point for further paramilitary incursions.<sup>48</sup> During a fifteen-day period from July to August 1998, the paramilitaries directed three separate offenses throughout

---

<sup>41</sup> BCB 2013 Judgment at 274; Macaco 2007 VL at 18; Alzate Depo. at 8-9 (“From 1998, we were part of a structure known as the United Self Defense Forces of Colombia, AUC. In 2000, Mr. Carlos Castano considered it important to concentrate all of the different forces that were present in the Middle Magdalena in one bloc.”).

<sup>42</sup> BCB 2013 Judgment at 274.

<sup>43</sup> BCB 2017 Judgment at 66.

<sup>44</sup> *Id.* at 67.

<sup>45</sup> BCB 2013 Judgment at 275-76.

<sup>46</sup> BCB 2017 Judgment at 67-68; Macaco 2007 VL at 19.

<sup>47</sup> BCB 2017 Judgment at 68.

<sup>48</sup> *Id.*

Southern Bolívar, successfully expelling many of the ELN forces from the region.<sup>49</sup> A series of attacks and other events further solidified the Castaño brothers' hold on Southern Bolívar. In January 1999, paramilitary forces attacked the town of San Pablo and massacred 14 people, all of them civilians.<sup>50</sup> In April 1999, the ELN hijacked an Avianca airplane in order to pressure the government to establish a demilitarized zone in Southern Bolívar.<sup>51</sup> This not only broke the alliance that the guerrillas had built in the region with other illegal groups, but also led to a massacre in August 1999 in which men in military uniforms attacked the inhabitants of El Pinal under the belief that they were involved in the hijacking.<sup>52</sup> The paramilitaries further established their hold by taking over the drug trade from the ELN and relieving coca farmers of a five billion peso debt that they owed to the ELN.<sup>53</sup> Finally, the assassinations of key actors in the area, including two community leaders and the commanders of a separate self-defense group, the AUSAC, paved the way for the AUC and its constitutive blocs to establish control.<sup>54</sup> Macaco established his domain in Southern Bolívar and became involved in the gold mining industry while Julian Bolívar travelled to Barrancabermeja in Santander to coordinate the taking of the main oil port.<sup>55</sup>

The group's reach extended to 15 municipalities within Southern Bolívar, and they opened a training school with over 350 troops.<sup>56</sup> In early 2000, Carlos Castaño called a meeting

---

<sup>49</sup> *Id.*

<sup>50</sup> *Id.* at 70; Deposition of Francisco de Roux at 31 (Sept. 5, 2018) (“de Roux Depo.”).

<sup>51</sup> BCB 2017 Judgment at 70.

<sup>52</sup> *Id.*

<sup>53</sup> *Id.*

<sup>54</sup> *Id.* at 70-71.

<sup>55</sup> *Id.* at 71.

<sup>56</sup> BCB 2017 Judgment at 75.

with the various paramilitary factions in the Middle Magdalena to propose the creation of a unified front led by Julian Bolívar named the “Bloque Central Colombiano.”<sup>57</sup> The goal of this front would not only be to consolidate control in the Middle Magdalena, but also to prevent the creation of a ceasefire zone and to profit from the region’s economic resources.<sup>58</sup> However, due to Julian Bolívar’s lack of seniority, the other commanders refused this arrangement.<sup>59</sup>

In June 2000, Carlos Castaño again sought to create a unified bloc with Macaco as its commander, which would include not only the groups operating in the Middle Magdalena (Southern Bolívar, Santander, and Bajo Cauca), but also factions that the Castaño brothers had started in Putumayo and Nariño in the southern part of the country.<sup>60</sup> They hoped that this bloc would demonstrate solidarity among the paramilitary groups and earn them a seat at the negotiation table with the Colombian government and ELN when the time came.<sup>61</sup>

Additionally, the bloc would act as a unified front against the proposed demilitarized zone in Southern Bolívar.<sup>62</sup> On October 14, 2000, Macaco, Julian Bolívar, and Guillermo Pérez Alzate held a meeting with the other commanders in these regions and officially formed the Bloque Central Bolívar (BCB).<sup>63</sup> Macaco served as Commander General, with Julian Bolívar as his Sub-Commander. Recognizing the need for a political head of the organization, they then added Iván Roberto Duque Gaviria (alias Ernesto Baez).<sup>64</sup>

---

<sup>57</sup> *Id.*

<sup>58</sup> *Id.* at 75-76.

<sup>59</sup> *Id.* at 76.

<sup>60</sup> *Id.*

<sup>61</sup> *Id.*

<sup>62</sup> *Id.*

<sup>63</sup> *Id.*

<sup>64</sup> *Id.* at 77.

The BCB remained as a branch of the AUC from its formation in 2000 until June 2002, during which time it greatly expanded its reach. Under Ernesto Baez's political leadership, the BCB implemented a strategy for reaching out to the local populations via radio programs, a BCB website, and through the creation of political commissaries, who disseminated the political message of the organization.<sup>65</sup> However, due to disagreements with the AUC leader, Carlos Castaño, the BCB broke away from the AUC in June 2002 and became an autonomous paramilitary organization.<sup>66</sup>

**C. BCB Structure and Operations in the Middle Magdalena Region**

**1. BCB Membership and Command Structure in the Middle Magdalena**

At the point of demobilization in 2005, the BCB had about 7,063 members<sup>67</sup> and was the largest paramilitary group to demobilize in the Justice and Peace process. The BCB was made up of twelve "fronts,"<sup>68</sup> which operated in 15 departments: Antioquia, Bolívar, Boyacá, Caldas, Caquetá, Chocó, Cundinamarca, Huila, Meta, Nariño, Norte de Santander, Putumayo, Risaralda, Santander, and Vichada (*see* Map 9, *infra*).<sup>69</sup>

---

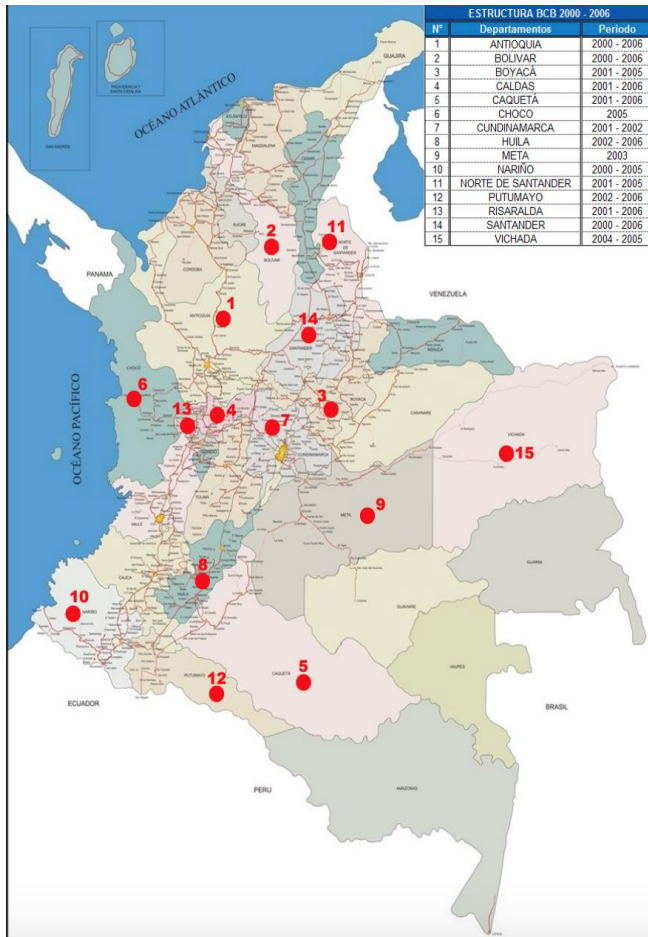
<sup>65</sup> *Id.* at 78.

<sup>66</sup> Macaco 2007 VL at 56-57.

<sup>67</sup> BCB 2017 Judgment at 25-26.

<sup>68</sup> *Id.* at 28-27.

<sup>69</sup> *Id.* at 25, 106 (map).



Map 9<sup>70</sup>

The main BCB fronts operating in Southern Bolívar within the Middle Magdalena were Frente Vencedores del Sur and Frente Libertadores del Río Magdalena. Frente Vencedores del Sur was present in the municipalities of Santa Rosa del Sur, Simití, Regidor, Morales, Arenal, and Rio Viejo, while Frente Libertadores del Río Magdalena was active in the municipalities of San Pablo and Canta Gallo.<sup>71</sup> In 2001, the BCB was present in San Pablo<sup>72</sup> when Eduardo

<sup>70</sup> *Id.* at 106.

<sup>71</sup> *Id.* at 98.

<sup>72</sup> *See* Defendant’s Responses to Plaintiffs’ Second Request for Admissions to Defendant (Response 21), 18 January 2018; Plaintiffs’ Second Request for Admissions to Defendant Carlos Mario Jiménez Naranjo (Request 21) (May 31, 2017).

Estrada was killed by BCB paramilitaries.<sup>73</sup> According to the Justice and Peace Tribunal, the municipality of San Pablo was a “zone of intervention” of the BCB from 2000 to 2006, meaning the paramilitary group had coercive control over the civilian population.<sup>74</sup>

The BCB command structure at the highest level consisted of a General Commander, Military Commander (or Sub-Commander), and Political Commander. Macaco has admitted that he was the General Commander, Rodrigo Pérez Alzate (alias Julian Bolívar) was the Military Commander, and Iván Roberto Duque Gaviria (alias Ernesto Baez) was the Political Commander.<sup>75</sup> Macaco further described the organizational structure of the BCB as follows: a “bloc” consisted of two or more fronts; a “front” consisted of two or more companies (160 men); a “company” consisted of two or more groups (80 men); a “group” consisted of two or more sections (40 men); a “section” consisted of two or more squads (20 men); a “squad” consisted of two or more teams (10 men); and a “team” consisted of five men.<sup>76</sup> Within those hierarchical structures, orders were given by superiors to their subordinates, who risked execution if they defied their superiors’ orders.<sup>77</sup> Reports were sent up the BCB chain of command by subordinates, including information on the number of guerilla sympathizers killed, BCB casualties, the buying of weapons and whether a superior’s order had been fulfilled.<sup>78</sup>

---

<sup>73</sup> República de Colombia, Rama Judicial, Iván Roberto Duque Gaviria, December 12, 2016; República de Colombia, Rama Judicial, Rodrigo Pérez Alzate (“Julián Bolívar Versiones Libres”), November 13, [year unknown].

<sup>74</sup> BCB 2017 Judgment at 105. The Court created three levels of control that the BCB had over different geographic areas. The highest level of control was a “zone of intervention,” followed by a “zone of influence,” and a “zone of incursion/sporadic action.” *Id.* at 101. *See also* Alzate Depo. at 29-30 (acknowledging that the BCB did “exercise social control” over the civilian population in the Southern Bolívar region).

<sup>75</sup> Defendant’s Responses and Objections to Plaintiffs’ First Set of Interrogatories (July 2016).

<sup>76</sup> Macaco 2007 VL at 33.

<sup>77</sup> Montealegre Depo. at 24-26.

<sup>78</sup> *Id.* at 25-26.

While Macaco remained as the General Commander and hierarchal head of the entire BCB, within this organizational structure, the BCB also had zones of direct command that were divided between Macaco, Rodrigo Pérez Alzate (aka Julian Bolívar), Guillermo Pérez Alzate, and Jhon Francis Arrieta.<sup>79</sup> In the Southern Bolívar region, where San Pablo is located, Julian Bolívar was the zone commander from June 1998 until February 2001, and Macaco was the zone commander from February 2001 until demobilization.<sup>80</sup> Macaco's direct control over the Southern Bolívar region, where San Pablo is located, is acknowledged in his own *versiones libres* and those of Julián Bolívar.<sup>81</sup> In addition, the 2013, 2017 and 2019 BCB Judgments all similarly conclude that, in addition to his role as the General Commander of the BCB, Macaco was the zone commander in the Southern Bolívar region by July 2001.<sup>82</sup>

---

<sup>79</sup> BCB 2017 Judgment at 77.

<sup>80</sup> *Id.*

<sup>81</sup> Macaco 2007 VL at 32; Julián Bolívar Versiones Libres.

<sup>82</sup> BCB 2013 Judgment at 282-83; BCB 2017 Judgment at 77. I have also reviewed the transcript of the deposition of Rodrigo Pérez Alzate (aka Julián Bolívar) where he indicates that his initial *versiones libres* was incorrect on this point and where he claims he later clarified in a subsequent *versiones libres* in 2007 or 2008 that it was he, and not Macaco, who served as the zone commander over the Southern Bolívar region in July 2001. *See* Alzate Depo. at 36-38. It remains my expert opinion that Macaco exercised control over the Southern Bolívar region as of July 2001. First, Macaco was the founder and General Commander of the BCB, over which he exercised overall control as its hierarchical head. Second, all of the more contemporaneous *versiones libres*, including Macaco's, establish him as the zone commander of the Southern Bolívar region by July 2001. Third, no subsequent clarifying *versiones libre* by Rodrigo Pérez Alzate has to my knowledge ever been produced that puts forth an alternative timeline for when Macaco became zone commander in Southern Bolívar. Fourth, none of the BCB judgments, each of which were issued after the supposed subsequent clarifying *versiones libre* by Rodrigo Pérez Alzate in 2007 or 2008 make any reference to a different timeline. Instead, they all conclude that Macaco was zone commander of the Southern Bolívar region as of July 2001. Notably, the 2019 BCB Judgement specifically considers and, as appropriate, grants requests for corrections or modifications of the 2017 judgment. *See* República de Colombia, Corte Suprema de Justicia, Sala de Casación Penal, Confirmación de Juicio (Bogotá: November 13, 2019) at 483-87. No correction or clarification regarding Macaco's control of San Pablo in early 2001 or Pérez Alzate's departure from San Pablo at the same time, appears to have been requested by Rodrigo Pérez Alzate, or other former BCB paramilitaries, that would detract from the conclusion that Macaco operated as zone commander of the Southern Bolívar region in July 2001. Finally, Father Francisco de Roux, the current head of the Colombian Truth Commission, who was in the Middle Magdalena region in 2001 and personally met with Rodrigo Pérez Alzate and other high ranking BCB paramilitaries has testified that Rodrigo Pérez

The command and disciplinary structures of the BCB were formalized in April 2001 with the creation of a “Functions Manual” (*Regimen Disciplinario Interno, Manual de Funciones* (April 2001)).<sup>83</sup> This Manual memorialized the rules regarding the BCB’s mission, chain of command, operational territory, rights and duties of members, sanctioning regime, and punishment.<sup>84</sup> Additionally, the Manual provided the functions of each of the commanders in the organization, as well as members at the lower levels.<sup>85</sup> According to Macaco, as the General Commander of the BCB he had the following functions<sup>86</sup>:

1. Represent the BCB and act as the spokesperson before the AUC and government bodies;
2. Manage the income and expenditure, and budget; supervise the collection of money and investments;
3. Designate the zone commanders;
4. Remove or transfer zone commanders when they commit abuses;
5. Remove any member of the political directorate when there was a serious history of non-compliance;
6. Order or authorize the creation, dissolution, annexation, or merger of zones and fronts within the BCB’s territory;
7. In conjunction with the Sub-Commander, coordinate, finance, and execute projects for economic and social development;
8. Manage the high-value assets of the BCB;
9. Manage the war materials and weapons of the BCB;
10. Jointly exercise the functions of Inspector General, principally to ensure that subordinates comply with international humanitarian law and human rights law; and
11. Take part in peace negotiations with the National Government for the purposes of demobilization, delivery of weapons, deactivation of military and political structures, delivery of goods, and transfer of assets.

---

Alzate left the region towards the beginning of 2001, in accordance with the conclusion that, in addition to being the General Commander of the BCB, Macaco had also assumed the role of zone commander over the Southern Bolívar region as of July 2001. de Roux Depo. at 30, 37, 69-70.

<sup>83</sup> Macaco 2007 VL at 51, 57.

<sup>84</sup> BCB 2017 Judgment at 78 (lists categories of the Functions Manual).

<sup>85</sup> *Id.*

<sup>86</sup> Macaco 2007 VL at 52.



Macaco describes the functions of Julian Bolívar, the Sub-Commander and Military Commander, and Ernesto Baez, the Political Commander, in similar detail.

At the time of the creation of the Functions Manual, the BCB was still a part of the AUC and therefore also abided by the AUC's own statutes.<sup>87</sup> In April 2002, the BCB enacted the Internal Disciplinary Statute (Regimen Disciplinario Interno, 10 de abril de 2002), which established the BCB's internal disciplinary regime based on that of the AUC.<sup>88</sup> However, this statute only remained in effect until June 2002, when the BCB separated from the AUC and enacted a new statute titled Reformed Discipline Regime and Adoption of Functions Manual (Reforma de Regimen Disciplinario y Adopcion del Manual de Funciones) on June 20, 2002, that recognizes its autonomy and laying out new directives for disciplinary action and organizational functions.<sup>89</sup>

## **2. Weapons and Military Assets of the BCB**

At the time of demobilization in 2005, the BCB handed over 5,512 firearms to the government.<sup>90</sup> Additionally, they turned in at least 2,122 grenades, 13 vehicles, five motorcycles, two aircrafts, and two boats.<sup>91</sup> As the General Commander of the BCB and a high-ranking representative of the AUC, Macaco officiated over the demobilization of the various BCB fronts, often times in military attire.<sup>92</sup> The use of high impact weapons, such as machine guns, hand grenades, rifles, and grenade launchers made it possible for the BCB to carry out

---

<sup>87</sup> BCB 2017 Judgment at 78.

<sup>88</sup> Macaco 2007 VL at 57; BCB 2017 Judgment at 78.

<sup>89</sup> *Id.*

<sup>90</sup> BCB 2017 Judgment at 25.

<sup>91</sup> Proceso de Paz con las Autodefensas, Oficina Alto Comisionado para la Paz, Dec. 2006 at 42.

<sup>92</sup> *Id.* (listing Macaco as the representative, including for the BCB fronts in Bolívar).

large-scale attacks, including a number of documented massacres.<sup>93</sup> Macaco personally assisted in obtaining these weapons. In 1997, after the paramilitaries' first failed attempt to enter into Southern Bolívar, Macaco made a commitment to provide the group with better weapons by virtue of his access to money due to his involvement in the drug trade.<sup>94</sup> Macaco ordered Guillermo Pérez Alzate to travel to Panama to purchase weapons on the black market, which were then used for the incursion into Southern Bolívar.<sup>95</sup> As the BCB expanded its sources of financing, which are elaborated below, they were able to purchase further weapons and vehicles for their activities. Much of the arms and ammunition for the BCB was purchased from members of the national army.<sup>96</sup>



### 3. Narco-Trafficking and Other Sources of Financing of the BCB

<sup>93</sup> BCB 2017 Judgment at 200.

<sup>94</sup> BCB 2013 Judgment at 275-76.

<sup>95</sup> *Id.*

<sup>96</sup> See VerdadAbierta.com, “El arsenal de guerra de ‘Macaco,’” <https://verdadabierta.com/el-arsenal-de-guerra-de-macaco>.

<sup>97</sup> *Id.* (image montage captioned as indicating the BCB commanded by Macaco grew to have 7,000 men in 9 departments of Colombia. During demobilization, the BCB turned in more than 4,000 weapons).

<sup>98</sup> VerdadAbierta.com, “El narcotráfico que incendió el conflicto armado,” <https://verdadabierta.com/el-narcotrafico-que-incendio-el-conflicto-armado/>; see also Jiménez Versión Libre, November 21, 2007, para. 33 (acknowledging that the BCB made arrangements with the military to obtain weapons).

In order to finance its military expansion, the BCB principally raised money through criminal enterprises, namely narco-trafficking and extortion of local businesses.<sup>99</sup> The BCB often based its geographic expansion not only on its political and military goals, but also to securing further financing for their operations.<sup>100</sup> This was the case of the Middle Magdalena, a key region for control of coca cultivation and for the exploitation of extractive industries, such as gold mining and oil.<sup>101</sup>

Paramilitary groups and narco-traffickers have been linked since the second half of the 1980s.<sup>102</sup> As determined by the Justice and Peace tribunal, all Colombian paramilitary structures were involved in the drug trade in some way.<sup>103</sup> Through the funds raised by drug trafficking, paramilitary groups were able to exponentially increase their membership, purchase arms, and expand their territorial reach.<sup>104</sup> Southern Bolívar was a key region in narco-trafficking, which was initially under the control of the ELN. When Macaco led paramilitary forces into the region in the late 1990's, he took control of the narco-trafficking industry and appointed a paramilitary member, Marlon Mahecha Virgüez, to oversee the imposition of heavy compulsory "taxes" (known as *gramaje*) on the cultivation and production of illegal narcotics.<sup>105</sup> The leaders of the BCB, including Macaco, have admitted to administering this *gramaje* tax on cocaine production,<sup>106</sup> and asserted that drug-trafficking was necessary to

---

<sup>99</sup> BCB 2017 Judgment at 120.

<sup>100</sup> *Id.* at 115.

<sup>101</sup> *Id.*

<sup>102</sup> BCB 2013 Judgment at 205.

<sup>103</sup> *Id.*

<sup>104</sup> *Id.* at 296.

<sup>105</sup> BCB 2017 Judgment at 70.

<sup>106</sup> Pensamiento social y politico del BCB at 76.

sustain the size and costs of the organization.<sup>107</sup> The BCB later expanded into the departments of Nariño and Caquetá in order to control the transport of narcotics and to further levy taxes on the drug trade.<sup>108</sup>

The BCB further financed its operations by extorting local businesses. The industries most heavily affected by the BCB included local retail and other businesses, transportation, hotels, bars, and clubs.<sup>109</sup> The BCB raised money by imposing a “tax” on both businesses and individual inhabitants for their provision of “security services.” For example, one business, Putumayo Liquors (Liquores del Putumayo), was forced to pay a sum of 40 million pesos per month.<sup>110</sup> In addition to extorting existing businesses, the BCB also established money laundering operations, such as construction companies, beauty pageants, sports, and other large-scale events. They also displaced many rural civilians in order to usurp their lands and profit from their farms. The BCB additionally financed its activities by becoming involved in local politics and siphoning municipal revenues.<sup>111</sup>

In the Middle Magdalena, the BCB also took control of the gold mining industry in Southern Bolívar,<sup>112</sup> as well as the oil and gas industry in Barrancabermeja.<sup>113</sup> Southern Bolívar had a strong mining industry, primarily from the La Gloria gold mine located in the municipality of Barranco de Loba.<sup>114</sup> This mine was acquired by the company Grifos S.A.,

---

<sup>107</sup> *Id.* at 79.

<sup>108</sup> BCB 2017 Judgment at 115.

<sup>109</sup> *Id.* at 120.

<sup>110</sup> BCB 2017 Judgment at 120.

<sup>111</sup> BCB 2013 Judgment at 207.

<sup>112</sup> BCB 2017 Judgment at 115.

<sup>113</sup> *Id.* at 121.

<sup>114</sup> *Id.* at 66.

which was linked to Macaco's wife, Rosa Edelmira.<sup>115</sup> The mine generated an income of approximately 36 million pesos each month.<sup>116</sup> Meanwhile, in December 1996, the then-ACCU decided to target Barrancabermeja, considering it to be the most important city in the Middle Magdalena due to the oil pipeline, which was controlled by Ecopetrol.<sup>117</sup> The oil workers union (USO) of Ecopetrol had alleged ties with the ELN, and the BCB claimed that the ELN served as the armed apparatus of the union.<sup>118</sup> The BCB took control of the gasoline cartel, stealing gasoline from Ecopetrol's pipelines and using it to buy the loyalty of the local population.<sup>119</sup> Through control of the gasoline cartel, the BCB was not only able to make money, but also able to legitimize their presence in the region as necessary to combat the guerrillas' infiltration into the oil and gas industry.<sup>120</sup> The BCB has acknowledged its involvement in fuel theft, noting that BCB commanders had taken control of the Ecopetrol pipeline and engaged in extortion, vehicle assaults, and cargo theft in the area.<sup>121</sup> These commanders raised millions of dollars, much of which was then invested into real estate, vehicles, clubs, furniture factories, farms, and livestock.<sup>122</sup>

#### 4. Macaco's Involvement in Narco-Trafficking

Macaco officially demobilized on December 12, 2005. By this time, the U.S. government had him on their narco-trafficking radar for a decade. Despite the demobilization,

---

<sup>115</sup> *Id.* at 66; BCB 2013 Judgment at 207.

<sup>116</sup> BCB 2017 Judgment at 66; BCB 2013 Judgment at 207.

<sup>117</sup> BCB 2017 Judgment at 123.

<sup>118</sup> *Id.* at 122-23; Pensamiento social y politico del BCB at 151.

<sup>119</sup> BCB 2017 Judgment at 121-23; National Security Archives, Subject: "Notes from the field: Barrancabermeja" (Dec. 4, 2001), at 74.

<sup>120</sup> BCB 2017 Judgment at 123.

<sup>121</sup> Pensamiento social y politico del BCB at 124.

<sup>122</sup> *Id.*

he continued to engage in illicit activities, specifically the drug trade. On February 12, 2008, the U.S. Department of the Treasury's Office of Foreign Assets Control designated Macaco a "Specially Designated Narcotics Trafficker [SDNT]," Pursuant to Executive Order 12978 signed by President Clinton on October 21, 1995.<sup>123</sup> This designation signifies that an individual plays a significant role in international narcotics trafficking centered in Colombia or materially assists in or provides financial or technological support for, or goods or services in support of, the narcotics trafficking activities of persons designated in or pursuant to the Order.<sup>124</sup> The Order freezes all property and assets of principal individuals under U.S. jurisdiction and prevents U.S. citizens from conducting business with principal individuals.

According to a February 12, 2008 press release from the Department of Treasury, the Office of Foreign Assets Control (OFAC) designated Macaco, as a "Specially Designated Narcotics Trafficker."<sup>125</sup> They also sanctioned seven companies in Antioquia and seven individuals comprising Macaco's financial network.<sup>126</sup> The sanctions froze all assets held by Macaco and the other individuals subject to U.S. jurisdiction, and prohibited all financial and commercial transactions by any U.S. person with the same. This was months prior to Macaco's extradition to the U.S.

#### **D. BCB Activities in the Middle Magdalena Region**

##### **1. Counterinsurgency**

---

<sup>123</sup> See U.S. Department of the Treasury, "Sanctions Pursuant to Executive Order 12978" (last updated Aug. 22, 2017), [https://www.treasury.gov/resource-center/sanctions/Programs/Documents/narco\\_sanctions\\_eo12978.pdf](https://www.treasury.gov/resource-center/sanctions/Programs/Documents/narco_sanctions_eo12978.pdf); U.S. Department of the Treasury, "Treasury Targets Medellín Drug Lord," Press Release (Feb. 12, 2008), <https://www.treasury.gov/press-center/press-releases/Pages/hp821.aspx>.

<sup>124</sup> Executive Order 12978: Blocking Assets and Prohibiting Transactions with Significant Narcotics Traffickers, <https://www.treasury.gov/resource-center/sanctions/Documents/12978.pdf>.

<sup>125</sup> U.S. Department of the Treasury, "Treasury Targets Medellín Drug Lord," Press Release (Feb. 12, 2008), <https://www.treasury.gov/press-center/press-releases/Pages/hp821.aspx>.

<sup>126</sup> *Id.*

The stated purpose of the AUC was to rid Colombia of leftist guerillas. Initially, they presented themselves as patriots who would get rid of the guerillas in defense of Colombia. They amassed control of the country through military force and violence. As a clandestine force, they employed sadistic social, political, and economic strategies. They used chainsaws and other weapons to mutilate and kill persons. Many of these massacres were public spectacles whereby locals were forced to watch as the AUC committed atrocities. The idea behind this was to foment terror so they could exert social, political, and economic control over communities. The AUC committed grave human rights abuses against civilians and atrocious acts of violence against those whom they perceived to be an enemy or disagreed with them. The BCB left at least 14,000 victims.<sup>127</sup> In the Middle Magdalena region, the BCB specifically targeted members of the PDP, which focused on “developing peace efforts in a territory of war [and] building social and economic development.”<sup>128</sup> Part of its work was to develop agricultural alternatives to coca growth and the drug trade.<sup>129</sup> At least 12 people from the PDP were assassinated by the BCB.<sup>130</sup>

Former BCB-members Rodrigo Pérez Alzate and Oscar Montealegre confirmed that perceived guerilla sympathizers, including members of civil society and social organizations, were identified and targeted for execution by the BCB.<sup>131</sup> In the words of Rodrigo Pérez Alzate, the BCB “became a killing machine.”<sup>132</sup> In San Pablo specifically, many guerilla

---

<sup>127</sup> *Kline, Historical Dictionary of Colombia* (2012) at 79.

<sup>128</sup> de Roux Depo. at 12, 43-44, 67-68.

<sup>129</sup> *Id.* at 15-16.

<sup>130</sup> *Id.* at 44.

<sup>131</sup> Alzate Depo. at 18-19; Montealegre Depo. at 14.

<sup>132</sup> Alzate Depo. at 22.

sympathizers, including civilians, were identified and targeted by the BCB.<sup>133</sup> Multiple former BCB paramilitaries have acknowledged that Eduardo Estrada was among the many civilians targeted and killed by the BCB.<sup>134</sup>

These massacres led to the massive displacement of civilians and victims. Today, Colombia remains the country with the second largest internally displaced population in the world after Syria. The heights of displacements coincide with the periods of AUC activity and abuses. Civilians who remained under paramilitary controlled areas lived in daily terror. Many women were forced into relationships with AUC men against their will. Some persons joined the AUC's networks in order to protect themselves from harm, seeing it as their only way to survive that reality.

## **2. Role of State Actors in BCB Activities**

All of the above could not have taken place without the explicit and implicit support or acquiescence of the public forces, including members of the armed forces and police. A large number of public officials from the military or elected office colluded with the paramilitaries. The latter, long denied by the Colombian government, were later proved correct through the testimonies of the Justice and Peace process. Furthermore, investigations into the para-politics scandal revealed that an estimated 30 percent of Colombian Congress members had made pacts with the AUC.

Powerful political officials, including top officials in former Colombian President Álvaro Uribe Vélez's government, had strong links to and received funding from the AUC. For

---

<sup>133</sup> *Id.* at 22.

<sup>134</sup> Montealegre Depo. at 17-35 (acknowledging the BCB killed Eduardo Estrada); Alzate Depo. at 35-38 (same); Julián Bolívar Versiones Libres; República de Colombia, Rama Judicial, Iván Roberto Duque Gaviria ("Ernesto Báez Versiones Libres"), December 12, 2016 (same).



example, Flavio Buitrago, who served as Police General under President Uribe, was on the payroll of Macaco's criminal organization, a fact to which Macaco has testified.<sup>135</sup>

Colombia's intelligence agency, the DAS — functionally equivalent to the combination of the FBI and CIA — which reported directly to the President, had to be dismantled after the Attorney General found that it had led clandestine operations including the illegal wiretapping and the sabotaging of activities of political opponents, judges, human rights defenders, and journalists. On numerous occasions, members of the DAS provided the AUC with “death lists” of trade unionists and others whom the AUC later murdered. I co-authored a report that details these activities titled *Far Worse than Watergate: Widening Scandal regarding Colombia's Intelligence Agency*. As the AUC gained territorial control of the country, their ambitions grew to encompass a political role.

I myself have witnessed how AUC paramilitaries have operated right under or next to members of the military over the years. I have also attended to numerous victims of joint military-paramilitary operations and documented numerous instances of relationships between the two in Colombia. The Middle Magdalena region was no exception in Colombia.

Regional business and political elites viewed their government to be weak in the face of guerilla groups and looked down upon peace negotiation efforts that took place over the decades with the FARC, ELN, and smaller guerilla groups such as the M-19 and Quintin Lame, all of whom successfully negotiated peace agreements. Colombians on the right side of the political spectrum considered the AUC — in particular Carlos Castaño — to be heroes against leftist-Marxist subversive threats. They looked the other way when it came to his 39 arrest

---

<sup>135</sup> Christoffer Frensdén, *Uribe's former security chief confesses to ripping off state, denies drug links*, COLOMBIA REPORTS, Sep. 3, 2014, <https://colombiareports.com/former-security-chief-confesses-money-laundering-denies-drug-relation/>. See also Montealegre Depo. at 16 (referring to the issue of “parapolitics,” whereby politicians supported the AUC).

warrants, various convictions, and trials due to abuses including massacres, assassination of political leaders, and other crimes.

Many of these elites justified the civilian killings by the AUC as either collateral damage or as necessary to get rid of the guerillas since they viewed these populations to be guerilla collaborators. The brutality exhibited by the AUC was seen as an evil required to re-establish law and order in the country.

Unable to defeat the guerillas militarily, members of the Colombian armed forces tolerated or actively planned combat operations with the AUC, including through 2001. Those links are well documented by the United Nations and by credible international and national human rights organizations.<sup>136</sup> On many occasions, the AUC operated with the support of units of the Colombian military. Organizations, most notably Human Rights Watch, have documented extensive collusion between these two actors,<sup>137</sup> including joint military-

---

<sup>136</sup> See, e.g., Commission on Human Rights, *Report by the United Nations High Commissioner for Human Rights on the human rights situation in Colombia in the year 2000*, E/CN.4/2001/15, February 8, 2001, ¶¶ 131-136, 254, [https://www.hchr.org.co/documentoseinformes/informes/altocomisionado/informe2000\\_eng.pdf](https://www.hchr.org.co/documentoseinformes/informes/altocomisionado/informe2000_eng.pdf) (“The existence of links between public servants and members of paramilitary organizations and the absence of sanctions remain matters of the greatest concern.”); Commission on Human Rights, *Report by the United Nations High Commissioner for Human Rights on the human rights situation in Colombia in 2001*, E/CN.4/2002/17, February 28, 2002, ¶¶ 202, 211, 365, [https://www.hchr.org.co/documentoseinformes/informes/altocomisionado/informe2001\\_eng.pdf](https://www.hchr.org.co/documentoseinformes/informes/altocomisionado/informe2001_eng.pdf) (“Finally, the impunity that protects those responsible for paramilitary acts, owing to acts of commission or omission, and the limited effectiveness of the State’s mechanisms for combating these groups, in large measure account for their increased strength.”); Commission on Human Rights, *Report by the United Nations High Commissioner for Human Rights on the human rights situation in Colombia in the year 2002*, E/CN.4/2003/13, February 24, 2003, ¶¶ 34, 74, 75-77, [https://www.hchr.org.co/documentoseinformes/informes/altocomisionado/informe2002\\_eng.pdf](https://www.hchr.org.co/documentoseinformes/informes/altocomisionado/informe2002_eng.pdf) (“The fact that the great majority of these cases go unpunished and public officials are never held criminally liable for their links with paramilitary groups and operations, is one of the more questionable aspects of the commitment to oppose such situations.”).

<sup>137</sup> See, e.g., Human Rights Watch, *The “Sixth Division”: Military-paramilitary Ties and U.S. Policy in Colombia*, October 4, 2001, <https://www.hrw.org/report/2001/10/04/sixth-division/military-paramilitary-ties-and-us-policy-colombia>.

paramilitary operations, the sharing of intelligence and death lists, and military facilitation of the AUC's movement in checkpoints throughout the country.<sup>138</sup> Colombian judicial proceedings have recognized the relationship between the AUC and state actors. On May 16, 1998, for example, the Massacre of Barrancabermeja (Middle Magdalena), which resulted in the deaths of 11 people and the disappearance of another 35, was committed by an AUC bloc in Barrancabermeja with the assistance and acquiescence of government security forces. One police and two military officers "were charged for having omitted, in a concerted and intentional manner, their duty to protect the civilian population; for this reason, they were held responsible as co-authors of the crimes of aggravated homicide [...] and forced disappearance."<sup>139</sup> The paramilitary who coordinated this massacre confessed, in his *versiones libres*, that the assistance that the paramilitaries received from security officers included planning meetings, and removing troops and possible military checkpoints from certain bridges, to facilitate the movement of the paramilitaries.<sup>140</sup> Similarly, this linkage between

---

<sup>138</sup> *Id.*

<sup>139</sup> Press Release, Special Jurisdiction for Peace (JEP), Comunicó 040, *The JEP accepts the submission of three officers investigated for the massacre in Barrancabermeja* (March 19, 2020), <https://www.jep.gov.co/Sala-de-Prensa/Paginas/La-JEP-acepta-el-sometimiento-de-tres-oficiales-investigados-por-masacre-en-Barrancabermeja.aspx>. Translation by the author.

<sup>140</sup> "Masacre de Barranca: nuevos señalamientos del 'Panadero' a miembros de la Fuerza Pública." *Verdad Abierta*, March 10, 2010, <https://verdadabierta.com/masacre-de-barranca-los-nuevos-senalamientos-del-panadero-a-miembros-de-la-fuerza-publica/>; "Alias El Panadero señaló a las autoridades de cómplices." *Vanguardia* (Santander, Colombia), March 10, 2010, <https://www.vanguardia.com/santander/barrancabermeja/alias-el-panadero-senalo-a-las-autoridades-de-complices-YBVL55742>.

Colombian state actors and paramilitaries has been acknowledged by the Inter-American Court of Human Rights,<sup>141</sup> as well as documented before courts here in the Eleventh Circuit.<sup>142</sup>

Like many AUC fronts, the BCB's operations could not have taken place without the Colombian armed forces actively colluding with them or looking the other way. Former BCB

---

<sup>141</sup> See, e.g., Inter-American Court of Human Rights, *Omeara Carrascal and Others v. Colombia*, Merits, Reparations, and Costs, Judgment, Inter-Am. Ct. H.R., ser. C (No. 368), ¶ 178 (Nov. 21, 2018) (the Court recalled that, on several occasions, it has found as proven that a context of links between the armed forces and paramilitary groups existed in Colombia as manifested through actions and omissions, between the paramilitary groups and members of the government forces with regard to violations of human rights, such as extrajudicial executions and enforced disappearances); *19 Tradersmen v. Colombia*, Merits, Reparations, and Costs, Judgment, Inter-Am. Ct. H.R., ser. C (No. 109), ¶ 86 (July 5, 2004) (documenting relationship between paramilitaries in the Middle Magdalena and state actors); *Case of the Massacre of Mapiripán v. Colombia*, Merits, Reparations and Costs, Judgment, Inter-Am. Ct. H.R. ser. C (No. 192), ¶¶ 93, 76 (Nov. 27, 2008) (finding active collaboration between the AUC paramilitaries and military forces in carrying out a massacre over several days in which about 49 individuals were killed); *Caso Vereda La Esperanza v. Colombia*, Preliminary Objections, Merits, Reparations, and Costs, Judgment, Inter-Am. Ct. H.R., Ser. C (No. 341), ¶ 68 (August 31, 2017) (noting that the existence of links between members of the Colombian armed forces and paramilitary groups has been established in several judgments of the Inter-American Court, as well as in decisions of the Colombian high Courts); *Caso Valle Jaramillo v. Colombia*, Merits, Reparations and Costs, Judgment, Inter-Am. Ct. H.R. ser. C (No. 192), ¶¶ 93, 76 (Nov. 27, 2008) (recalling the numerous links between paramilitaries and members of the armed forces and finding that the decedent's death occurred the day after he testified regarding the collusion between the two); *Case of the Rochela Massacre v. Colombia*, Merits, Reparations, and Costs, Judgment, Inter-Am. Ct. H.R. ser. C (No. 163) (May 11, 2007). See also ANNUAL REPORT OF THE INTER-AMERICAN COMMISSION ON HUMAN RIGHTS 2002, Chapter IV: Human rights Developments in the Region: Colombia, OEA/SerOEA/Ser.L/V/II.117, Doc. 1 rev. 1, ¶¶ 28, 30 (7 March 2003) ("Paramilitary groups continue to operate with impunity throughout much of Colombia, despite the military presence. Violence is running high and still escalating, forcing the civilian population into displacement. All this suggests that the acquiescence and collaboration of State agents vis-à-vis these groups persist [in 2002].").

<sup>142</sup> See, e.g., *In re Chiquita Brands Int'l, Inc. Alien Tort Statute & S'holder Derivative Litig.*, 792 F. Supp. 2d 1301, 1326-30 (S.D. Fla. 2011), *rev'd on other grounds Cardona v. Chiquita Brands Int'l, Inc.*, 760 F.3d 1185 (11th Cir. 2014) (finding that "complaints allege facts regarding a direct, symbiotic relationship between the Colombian government and the AUC"); *In re Chiquita Brands Int'l, Inc. Alien Tort Statute & S'holder Derivative Litig.*, 190 F. Supp. 3d 1100, 1117 (S.D. Fla. 2016) (affirming previous decisions on the symbiotic relationship between the AUC and the Colombian government); *Penaloza v. Drummond Co.*, 384 F. Supp. 3d 1328, 1350 (N.D. Ala. 2019) (finding that Plaintiffs sufficiently alleged a symbiotic relationship between the AUC and the Colombian government); *Doe v. Drummond Co.*, No. 2:09-CV-01041-RDP, 2010 WL 9450019, at \*6 (N.D. Ala. Apr. 30, 2010) (same); *Doe v. Drummond Co.*, 782 F.3d 576, 604 n. 37 (11th Cir. 2015) (noting approvingly that the district court found that the AUC had a "symbiotic relationship" with the Colombian government).

paramilitaries have acknowledged that state security forces were complicit in the operations of the BCB,<sup>143</sup> including by routinely providing the BCB with information to identify and kill perceived guerilla sympathizers.<sup>144</sup> State security forces also provided weapons and war materiel to the BCB.<sup>145</sup> The BCB bribed members of the state security forces, for whom they kept an alternative payroll,<sup>146</sup> in part to keep them from investigating targeted killings carried out by the paramilitaries.<sup>147</sup>

San Pablo, the town where Eduardo Estrada was killed and over which the BCB exercised control, followed the same pattern. In January 1999, the BCB paramilitaries outfitted in military uniforms obtained from Colombian security forces carried out a massacre of civilians in the town center, including killings near the police station.<sup>148</sup> Despite the fact that there was a large police presence in San Pablo at the time, the police made no attempts to stop the massacre.<sup>149</sup> Nor did the army intervene. Instead, in advance of the attack, the BCB had informed the commander of the nearby battalion to stand down their forces because there was going to be an attack on San Pablo.<sup>150</sup>

---

<sup>143</sup> Alzate Depo. at 28; Montealegre Depo. at 26-27; de Roux Depo. at 27-28.

<sup>144</sup> Montealegre Depo. at 26-27 (Q. “Okay. And I just want to revisit something that we talked about earlier when we discussed information that the police and military would give to the BCB. Did that information sometimes lead the BCB to target people for killing?” A. “Yes, on many occasions, the army or the police could capture people but they weren’t able to prosecute them or detain them. And so when that person left, they would come find us and say, Look, we captured this guy yesterday, but the legal process was done wrong, but he is a member of the guerrilla.” Q. “Did you ever personally see this happen?” A. “Yes, of course, on many occasions and in various regions.”), 14-15; Alzate Depo. at 19-20.

<sup>145</sup> Macaco 2007 VL at 146; Alzate Depo. at 31-32.

<sup>146</sup> Alzate Depo. at 33.

<sup>147</sup> *Id.* at 33-34.

<sup>148</sup> *Id.*

<sup>149</sup> de Roux Depo. at 30-31.

<sup>150</sup> *Id.* at 74-75, 77.

The relationship between the BCB paramilitaries and Colombian state actors has also been documented by the U.S. government. According to a declassified CIA Report No. 2001312 from 2001, Colombian military units seeking to clear an area in southern Bolivar “relocated” BCB elements found during their sweep, moving them to the César department.<sup>151</sup> According to the CIA report, the army treated them “well,” adding that “the [redacted] AUC members captured during the operation were subsequently released, along with their weapons.”<sup>152</sup> Declassified State Department documents from December 2001 state that the paramilitaries cleared the Barrancabermeja area of Middle Magdalena from guerillas and that now things are calm, “which is probably a consequence of the paramilitaries’ policy of not attacking government forces.”<sup>153</sup> Ultimately, the paramilitaries’ atrocities became so unbearable that the international community began pressuring the Colombian government to address them.

Executed on: May 22, 2020

by: 

Gimena Sánchez-Garzoli

---

<sup>151</sup> National Security Archives, Central Intelligence Agency Information Report; Country: Colombia; Subj: “Relocation of United Self-defense Groups of Colombia Southern and Central Bolivar Bloc in response to Colombian Army operations in Southern Bolivar”; DOI: mid-February 2001; 20010312; MORI Doc ID 587669:587669 (Mar. 12, 2001).

<sup>152</sup> *Id.*

<sup>153</sup> National Security Archives, Subject: “Notes from the field: Barrancabermeja” (Dec. 4, 2001) at 72.

**EXHIBIT A: Curriculum Vitae**

**Gimena Sánchez-Garzoli**

1330 New Hampshire Avenue, NW, Apt. 515, Washington, DC 20036, (202) 489-1702,  
[anagimena2@gmail.com](mailto:anagimena2@gmail.com)

EXPERIENCE 20+ years of human rights advocacy experience with in-depth work on US foreign policy in the Americas and the Caribbean, global conflicts and displacement in the Americas, Asia and Africa. Recognized advocate in dismantling illegal armed groups and peace, human rights, forced migrants and refugee rights, labor rights, women's rights and Afro-Colombian and indigenous communities.

Feb. 2006-  
Present

**WOLA (Washington Office on Latin America)**, Washington, DC  
*Director for the Andes, former Senior Associate for Colombia and Haiti*  
Responsible for WOLA's human rights in the Andes program and lead Colombia rights advocate. The Colombia program is currently focused on guaranteeing and supporting FARC accord peace implementation, dialogues with the ELN, dismantling illegal armed groups, protecting human rights defenders, labor rights, and justice for crimes against humanity and promoting the agenda of Afro-Colombian and indigenous groups. Lead Colombia project activities on organized criminal networks and paramilitary infiltration of the state. Monitor and analyze human rights and democracy issues influenced by US policy towards South America. Work includes direct advocacy with US Congress, policymakers, UN and OAS regional mechanisms, global media and civil society. Implement joint advocacy and public education strategies with extensive network of Colombian partner organizations including human rights groups, Afro-Colombian and indigenous territorial authorities and resistance communities in remote parts of the country. Represent WOLA in global forums including the Department of State human rights consultation process and USAID consultations, efforts pertaining to the US-Colombia Labor Action Plan and the US-Colombia Racial Action Plan (afro descendants and first nations Colombia and US). Organize conferences, seminars, NGO briefings and delegations, speaking and media appearances that promote WOLA's work. Frequent travel to the region. Working to build South American solutions to the Venezuelan humanitarian crisis and the regional forced migration crisis for Venezuelans and Haitians.

In this capacity, have lectured/done workshops on human rights, peace, ethnic rights and Colombian politics at numerous universities including Georgetown, American University, UPenn, NYU, George Washington, Winnipeg University, Loyola, University of Denver, Amherst, University of Pennsylvania, Foreign Service Officers Training Institute, Southern Command Training, among others.

Worked on or served as independent expert in over 70 asylum cases. Provided expert testimony for the Inter-American Court of Human Rights Operation Genesis case.

August- October 2017 Research Sabbatical at the **Center for Justice and Human Rights (CELS)** in Buenos Aires, Argentina.

Summer 2011 Visiting Fellow Sabbatical at the **Norwegian Peacebuilding Institute (NOREF)** in Oslo, Norway where was engaged in human rights speaking/training tour at the Norwegian MFA and University of Bergen.



Recipients of recognitions/awards from the Colombian Senate for advancing labor rights, DC Mayor's Office of Latino Affairs for outstanding work with Afro-Latinos, SINTRAEMCALI labor union for successfully restitute the rights of 51 workers fired at gun point, and awards on advancing ethnic rights from the Catholic Dioceses of Quidbo, AFRODES, Ethnic Commission for Peace and Defense of Territory, Afro-Colombian Labor Council, Black Communities Process (PCN) and others.

In 2017, was nominated to be a Commissioner for the Colombia Truth Commission by the Ethnic Commission for Peace.

Fall 2018 Adjunct Professor, Schar School of Government at George Mason University, Arlington, Virginia.

Oct. 2004-  
Jan. 2006 **Peace Brigades International (PBI) Colombia Project,**

Washington, DC; Colombia

*United States Representative*

Responsible for representing the interests of the Colombia Project in the US. The Project provided physical unarmed accompaniment to over 12 Colombian human rights organizations/activists and three peace communities/humanitarian zones of returned internally displaced persons and civilians throughout Colombia. Served as advocate on a broad range of human rights concerns including impunity, Afro-Colombian and indigenous rights, breaches of international humanitarian law, rights of internally displaced persons, peace communities/humanitarian zones, security and interests of human rights defenders, labor rights, forced disappearances, arbitrary detentions, prison conditions and women's rights. Responsible for keeping PBI's extensive Political Support Network informed of human rights developments and generating political pressure with the US Congress, United Nations, Diplomatic Corps, Organization of American States, Non-governmental organizations and human rights networks within the US. Provide support for PBI's work on Colombia in Canada. Lobbying for immediate political action in high profile human rights cases and to ensure the physical safety of persons and communities accompanied by PBI. Organized briefings and delegations for human rights defenders accompanied by PBI in the US. Generated analyses of the human rights situation in Colombia and the political response in the US, as well as US Foreign Policy and programs towards Colombia. Gave lectures and trainings on human rights, US Foreign Policy towards Colombia and the United Nations' global response to the internal displacement crisis worldwide.

Dec. 1999-  
Oct. 2004 **The Brookings Institution-Johns Hopkins School for Advanced International Studies (SAIS) Project on Internal Displacement,** Washington, DC, December 1999- October 2004.

*Senior Research Analyst, Research Analyst, Senior Research Assistant, Research Assistant*

Monitored, researched, analyzed and served as advocate for the human rights and humanitarian rights concerning internally displaced persons worldwide for the mandate of the UN Representative of the Secretary-General on Internally Displaced Persons, Francis M. Deng. Presented and lectured on issues concerning the internally displaced in university, governmental and practitioners' settings in the United States, Colombia and Peru. Monitored, reported, traveled and advocated for the rights displaced persons worldwide including Asia, the Caucasus, Africa and Latin America. Responsible for the mandate's work with Non-State actors. Recipient of the Bucarius Summer School on Global Governance Scholarship, Hamburg, Germany



Oct. 1999- **Amnesty International USA (AIUSA)**, Washington, DC  
Dec. 1999 *Media Assistant*

July 1999- **Independent Consultant for Policy Analyst from the U.S. Committee**  
Dec. 1999 **for Refugees (USCR)**, Washington, DC

Sept. 1998- **U.S. Committee for Refugees (USCR)**, Washington, DC  
May 1999 *Research Assistant Intern/Consultant*

June 1998- **American Red Cross (ARC), Intl. Social Services**, Washington, DC  
Aug. 1998 *Presidential Intern*

Nov. 1996- **United Methodist Committee on Relief, Health and Welfare's Refugee Unit**, NY  
Aug. 1997 *Program Coordinator*

Oct. 1995- **NYC Mayor's Office of Immigrant Affairs & Language Services**  
Nov. 1996 *Special Assistant, Urban Fellow*

April 1994 **NY State Attorney General's Environmental Protection Bureau**  
*Environmental Science Aide*

EDUCATION **Johns Hopkins University**  
**School of Advanced International Studies (SAIS)**, Washington, DC  
Master of Arts, May 1999. Concentrations in International Law and Economics.

**Barnard College, Columbia University**, New York, NY  
Bachelor of Arts, May 1995.  
Major: Environmental Science, Minor: Dance. Dean's List 1994-1995.

LANGUAGES Fluent in English and Spanish; Proficient in French and Portuguese

Extensive list of media appearances and publications available upon request. For most recent media appearances please go to: <https://www.wola.org/people/gimena-sanchez-garzoli/>



Advocacy for Human Rights in the Americas

**EXHIBIT B : Gimena Sanchez–Garzoli Publications**

Isacson, Adam, Ramsey, Geoff, Meyer, Maureen, Sanchez–Garzoli, Gimena, and Walsh, John. “[COVID–19, Anti–Democratic Trends, and Human Rights Concerns](#),” *WOLA Podcast*, May 1, 2020.

Isacson, Adam and Sanchez–Garzoli, Gimena. “[COVID–19, Communities, and Human Rights in Colombia](#),” *WOLA Podcast*, April 10, 2020.

Sanchez–Garzoli, Gimena. “[COVID–19 and Human Rights in Colombia](#),” *WOLA*, April 10, 2020.

Sanchez–Garzoli, Gimena. “[Colombian Social Leaders at Great Risk in Chocó, Arauca, Cauca and Elsewhere](#),” *WOLA*, March 10, 2020.

Sanchez–Garzoli, Gimena. “[Ongoing Human Rights Violations in Colombia](#),” *WOLA*, February 7, 2020.

Sanchez–Garzoli, Gimena. “[Colombia Update: Protests, Bojayá, and Security for Social Leaders](#),” *WOLA*, January 10, 2020.

Isacson, Adam and Sanchez–Garzoli, Gimena. “[Protest and Politics in Post–Conflict Colombia](#),” *WOLA Podcast*, December 17, 2020.

Sanchez–Garzoli, Gimena. “[Concerning Human Rights Situation in Colombia](#),” *WOLA*, November 8, 2019.

Sanchez–Garzoli, Gimena. “[Ethnic Communities are the Pathway to Peace in Colombia’s Abandoned Areas](#),” *WOLA*, October 31, 2019.

Sanchez–Garzoli, Gimena. “[The Slow Death of Colombia’s Peace Deal](#),” *Foreign Affairs*, October 30, 2019.

Sanchez–Garzoli, Gimena. “[Political, Ethnic, and Civil Society Activists Remain at Risk in Colombia](#),” *WOLA*, October 14, 2019.

Sanchez-Garzoli, Gimena. "[Social Leaders Remain at Risk as Colombians Mobilize for Their Protection](#)," *WOLA*, July 25, 2019.

Sanchez-Garzoli, Gimena. "[Peace Implementation Needed to Address Colombia's Security and Humanitarian Crisis](#)," *WOLA*, June 21, 2019.

Sanchez-Garzoli, Gimena. "[Indigenous and Social Leaders Remain at Risk in Colombia](#)," *WOLA*, June 4, 2019.

Sanchez-Garzoli, Gimena and Worcman, Nicola. "[Brazilian Congress Takes Steps to Address Crimes against LGBTQ People, Former Congressman Highlights Minorities are Under Attack](#)," *WOLA*, May 31, 2019.

Sanchez-Garzoli, Gimena. "[In Southwest Colombia, Human Rights Crisis is Deadlier Than Ever](#)," *WOLA*, April 29, 2019.

Sanchez-Garzoli, Gimena. "[Human Rights Attacks Continue in Colombia](#)," *WOLA*, April 2, 2019.

Sanchez-Garzoli, Gimena. "[At Least 13 Human Rights, Social Leaders Killed in Colombia So Far in 2019](#)," *WOLA*, February 7, 2019.

Sanchez-Garzoli, Gimena. "[Bolsonaro Acts on Promises to Dismantle Human Rights Protections in Brazil](#)," *WOLA*, January 24, 2019.

Sanchez-Garzoli, Gimena and Orga, Rachel. "[What Does the U.S.-Argentina Partnership Mean for Human Rights?](#)" *WOLA*, January 24, 2019.

Sanchez-Garzoli, Gimena. "[January Update: Colombian Social Leaders Begin 2019 with a Disturbing Security Situation](#)," *WOLA*, January 18, 2019.

Sanchez-Garzoli, Gimena. "[December Update: At Least 120 Activists Killed in Colombia So Far This Year](#)," *WOLA*, December 18, 2018.

Sanchez-Garzoli, Gimena and Yuille, Crystal. "[The Outcome of the International Decade for People of African Descent in the Americas Depends on All of Us](#)," *Race & Equality*, December 7, 2018.

Sanchez-Garzoli, Gimena. "[November Update: Six Massacred in Cauca as Killings Continue in Colombia](#)," *WOLA*, November 28, 2018.

Sanchez-Garzoli, Gimena. [“October Update: Colombia Must Act as Assassinations Continue,”](#) *WOLA*, October 23, 2018.

Sanchez-Garzoli, Gimena. [“September Update: Killings, Threats Against Colombia Human Rights Leaders Continue,”](#) *WOLA*, September 18, 2018.

Ramsey, Geoff and Sanchez-Garzoli, Gimena. [“Venezuelan Refugees Are Miserable. Let’s Help Them Out.”](#) *The New York Times*, August 29, 2018.

Sanchez-Garzoli, Gimena. [“August Update: At Least 75 Activists Killed in Colombia So Far This Year,”](#) *WOLA*, August 21, 2018.

Sanchez-Garzoli, Gimena. [“July Update: At Least 11 Social Leaders Killed in Colombia,”](#) *WOLA*, August 3, 2018.

Ramsey, Geoff and Sanchez-Garzoli, Gimena. [“Responding to an Exodus: Venezuela’s Migration and Refugee Crisis as Seen From the Colombian and Brazilian Borders,”](#) *WOLA*, July 26, 2018.

Bernal, Sebastian and Sanchez-Garzoli, Gimena. [“June Update: Deadliest Month of the Year for Human Rights Defenders in Colombia,”](#) *WOLA*, July 6, 2018.

Bernal, Sebastian and Sanchez-Garzoli, Gimena. [“May Update: Attacks against Colombian Social Leaders Continue,”](#) *WOLA*, June 27, 2018.

Sanchez-Garzoli, Gimena. [“Colombia’s Ethnic Communities Wary of an Ivan Duque Presidency,”](#) *WOLA*, June 18, 2018.

Sanchez-Garzoli, Gimena. [“Attack Against Colombian Labor Rights Senator Must Be Widely Condemned,”](#) *WOLA*, May 15, 2018.

Bernal, Sebastian and Sanchez-Garzoli, Gimena. [“April Update: Shameful Attacks and Harassment against Colombian Civil Society Continues,”](#) *WOLA*, May 5, 2018.

Bernal, Sebastian and Sanchez-Garzoli, Gimena. [“March Update: Colombian Civil Society Continues to Be Attacked and Harassed,”](#) *WOLA*, March 30, 2018.

Bernal, Sebastian and Sanchez-Garzoli, Gimena. [“Second February Update: Action Required to Guarantee Rights in Colombia,”](#) *WOLA*, February 28, 2018.

Bernal, Sebastian and Sanchez-Garzoli, Gimena. "[February Update: Security Situation for Colombian Social Leaders Remains Dire,](#)" *WOLA*, February 9, 2018.

Cordoba, Marino and Sanchez-Garzoli, Gimena. "[African Diaspora Must Act on Security Crisis Faced by Afro-Colombians,](#)" *Black Activism*, February 5, 2018.

Bernal, Sebastian and Sanchez-Garzoli, Gimena. "[January Update: Communities in Colombia Face Ongoing Security Incidents,](#)" *WOLA*, January 31, 2018.

Sanchez-Garzoli, Gimena. "[December Update: Colombia Social Leaders Face Imminent Security Threat from Illegal Armed Groups,](#)" *WOLA*, December 15, 2017.

Sanchez-Garzoli, Gimena. "[November Update: Indigenous Peoples and Others Face Serious Security Risk in Colombia,](#)" *WOLA*, November 28, 2017.

Kovalik, Daniel and Sanchez-Garzoli, Gimena. "[Crushing The Wings Of Labor: The Air Pilot's Strike And Colombia's Ongoing Labor Crisis,](#)" *Huffington Post*, November 8, 2017.

Sanchez-Garzoli, Gimena. "[October Update: Colombian Community Leaders and Defenders Face an Ongoing Security Crisis,](#)" *WOLA*, October 24, 2017.

Sanchez-Garzoli, Gimena. "[Colombia's Peace Implementation Will Only Succeed With an Ethnic Perspective,](#)" *WOLA*, August 18, 2017.

Sanchez-Garzoli, Gimena. "[July Update: Dangerous Trends Continue to Affect Human Rights Defenders and Social Leaders,](#)" *WOLA*, August 8, 2017.

Sanchez-Garzoli, Gimena. "[Human Rights Update: Pattern of Violence Against Human Rights Defenders Continues,](#)" *WOLA*, July 21, 2017.

Sanchez-Garzoli, Gimena. "[June Update: Deadly Pattern of Violence Claims the Life of Respected Colombian Human Rights Defenders,](#)" *WOLA*, June 28, 2017.

Sanchez-Garzoli, Gimena. "[Why Are the Recent Afro-Colombian Strikes on Colombia's Pacific Coast Important to U.S.-Colombia Relations?,"](#)" *WOLA*, June 16 2017.

Sanchez-Garzoli, Gimena. "[FAQ: How the United States Can Advance a Lasting Peace in Colombia,](#)" *WOLA*, May 17 2017.

Isacson, Adam and Sanchez-Garzoli, Gimena. "[President Trump and Colombia's Santos to Meet this Week](#)," *WOLA*, May 15 2017.

Sanchez-Garzoli, Gimena. "[Questions for Luis Gilberto Murillo, Colombia's Minister of the Environment](#)," *WOLA*, May 2 2017.

Sanchez-Garzoli, Gimena. "[Colombia Human Rights Update: Indigenous, Afro-Colombians and Social Leaders Face Grave Security Crisis](#)," *WOLA*, April 28, 2017.

Isacson, Adam and Sanchez-Garzoli, Gimena. "[Álvaro Uribe's Questionable 'Message to U.S. Authorities' About Colombia's Peace Effort](#)," *WOLA*, April 19, 2017.

Sanchez-Garzoli, Gimena. "[April Update: Colombian Human Rights Defenders Under Attack](#)," *WOLA*, April 12, 2017.

Sanchez-Garzoli, Gimena. "[March Update: Deadly Pattern of Threats Against Colombian Human Rights Defenders Continues](#)," *WOLA*, March 17, 2017.

Sanchez-Garzoli, Gimena. "[February Update: Colombian Human Rights Defenders Increasingly Under Fire](#)," *WOLA*, Feb 22, 2017.

Sanchez-Garzoli, Gimena. "[February Update: Colombian Human Rights Defenders Increasingly Under Fire](#)," *WOLA*, Feb 17, 2017.

Londoño, Sonia and Sanchez-Garzoli, Gimena. "[The Activists Key to Consolidating Colombia's Peace Are Facing Increased Attacks](#)," *WOLA*, Feb 15, 2017.

Ramsey, Geoff and Sanchez-Garzoli, Gimena. "[5 Ways Supporting Peace in Colombia Benefits U.S. Interests](#)," *WOLA*, Jan 30, 2017.

Sanchez-Garzoli, Gimena. "[Security Situation for Human Rights Defenders in Colombia Continues to Deteriorate](#)," *WOLA*, January 19, 2017.

Cordoba, Marino and Sanchez-Garzoli, Gimena. "[Despite Obstacles, Colombia's Ethnic Minorities Integrate Themselves into Peace Accord](#)," *LASA*, January 2017.

Isacson, Adam, and Gimena Sanchez-Garzoli. "[Colombia's New Transitional Justice Law Violates the Spirit of the Peace Accords](#)," *WOLA* (2017).

Sanchez-Garzoli, Gimena. "[Recommendations to USAID for Future Work in Colombia](#)," *WOLA*, November 8, 2016.

Camacho, Cristina and Sanchez-Garzoli, Gimena. [“Debunking the myths about “Gender Ideology” in Colombia,”](#) *WOLA*, October 25, 2016.

Sanchez-Garzoli, Gimena. [“Afro Descendants and Indigenous Defend Historic Peace Agreement,”](#) *World Policy Blog*, October 19, 2016.

Sanchez-Garzoli, Gimena. [“Article: Internal Displacement in Colombia,”](#) *Defensor*, August 16, 2016.

Sanchez-Garzoli, Gimena. [“The Inclusion of Ethnic Groups is Essential for A Lasting Peace in Colombia,”](#) *WOLA*, June 28, 2016.

Sanchez-Garzoli, Gimena. [“Civil Society is Colombia’s Best Bet for Constructing Peace,”](#) *WOLA*, April 4, 2016.

Sanchez-Garzoli, Gimena. [“Colombia’s Peace Process: Integrating Afro-Colombian and Indigenous Rights,”](#) *WOLA*, March 16, 2016.

Cordoba, Marino and Sanchez-Garzoli, Gimena. [“Afro- Colombians in the United Statesand Colombia International Relations,”](#) *Actualidad Etnica*, February 1, 2016.

Isacson, Adam and Sanchez-Garzoli, Gimena. [“Interactive Data Presentation: Explore Plan Colombia’s Legacy,”](#) *WOLA*, February 1, 2016.

Sanchez-Garzoli, Gimena. [“Women Are Key to Making Peace Last in War- Torn Colombia,”](#) *WOLA*, January 19, 2016.

Sanchez-Garzoli, Gimena. [“Colombia Needs to Take a Gendered Approach to Make Peace Last,”](#) *Pass Blue*, January 18, 2016.

Sanchez-Garzoli, Gimena. [“Recommendations to the United States to Support the Consolidation of Peace in Colombia,”](#) *WOLA*, January 6, 2016.

Sanchez-Garzoli, Gimena. [“Colombian Activists Face Alarming Security Crisis,”](#) *WOLA*, November 23, 2015.

Kovalik, Dan and Sanchez-Garzoli, Gimena. [“Coalition of Black Trade Unionists\(CBTU\) Afro- Colombian Accompaniment Mission to Colombia,”](#) *WOLA*, October 23, 2015.

Sanchez-Garzoli, Gimena. [“The Colombia- Venezuela Border Crisis Must Be Resolved](#)



[Respecting Human Rights,](#)” *WOLA*, September 2, 2015.

Quesada, Carlos and Sanchez–Garzoli, Gimena. [“International Community Must Guarantee Rights of Dominico–Haitian Defenders,”](#) *WOLA*, August 27, 2015.

Sanchez–Garzoli, Gimena. [“WOLA: Defending Workers’ Rights in Colombia,”](#) *WOLA*, July 14, 2015.

Sanchez–Garzoli, Gimena. [“Colombia Must Take Concrete Actions for Greater Inclusion and Protection of Minority Population,”](#) *WOLA*, April 27, 2015.

Sanchez–Garzoli Gimena. [“Five Ways the U.S. Could Encourage Colombia to Work for a Lasting Peace,”](#) *WOLA*, April 27, 2015.

Sanchez–Garzoli, Gimena. [“New Threats against Afro–Colombian Communities, Human and Labor Rights Groups Raise Concern,”](#) *WOLA*, February 20, 2015.

Sanchez–Garzoli, Gimena. [“Labor Rights Violations Continue in Colombia as Officials Declare “Victory,”](#)” *WOLA*, October 23, 2014.

Sanchez–Garzoli, Gimena. [“June Human and Labor Rights Update in Colombia,”](#) *WOLA*, June 24, 2014.

Sanchez–Garzoli, Gimena. [“Labor Rights Violations Persist in Colombia,”](#) *WOLA*, October 29, 2013.

Sanchez–Garzoli, Gimena. [“Upon Colombian Labor Minister’s Visit to Washington, Labor Rights Violations Continue,”](#) *WOLA*, June 3, 2013.

Kovalik, Daniel and Sanchez–Garzoli, Gimena. [“Obama’s Second Term: Time to Take Affirmative Steps to Ensure Labor, Human Rights in Colombia,”](#) *WOLA*, January 31, 2013.

Sanchez–Garzoli, Gimena. [“Left Behind,”](#) *Boston Review*, March, 2013.

Sanchez–Garzoli, Gimena. [“As Colombian Senate Holds Hearing, Labor Rights Situation Remains Dire,”](#) *WOLA*, November 30, 2012.

Sanchez–Garzoli, Gimena. [“Peace Talks: An Opportunity to Fill Colombia’s Deficit to Afro–Colombian Women,”](#) *WOLA*, November 15, 2012.



Sanchez-Garzoli, Gimena. "[GM's Hunger Games](#)," *The American Prospect*, September 10, 2012.

Sanchez-Garzoli, Gimena. "[Stopping irreparable harm: acting on Colombia's Afro-Colombian and indigenous communities protection crisis](#)," *NOREF*, June 19, 2012.

Sanchez-Garzoli, Gimena. "[Murder of Trade Unionist Underscores Fragility of U.S.-Colombia Labor Action Plan](#)," *WOLA*, April 30, 2012.

Sanchez-Garzoli, Gimena. "[FTA Turns a Blind Eye to Exploitation](#)," *WOLA*, October 6, 2011.

Sanchez-Garzoli, Gimena. "[Labor Action Plan: Just Paper or Real Changes?](#)" *WOLA*, September 23, 2011.

Nicholls, Kelly and Sanchez-Garzoli, Gimena. "[Buenaventura, Colombia: Where Free Trade Meets Mass Graves](#)," *NACLA*, September 16, 2011.

Dest, Anthony, Kovalik, Daniel and Sanchez-Garzoli, Gimena. "[Colombia: Obama's Bloodiest Betrayal?](#)" *CounterPunch*, April 11, 2012.

Sanchez-Garzoli, Gimena. "[Workers without Rights](#)," *WOLA*, January 21, 2011.

Sanchez-Garzoli, Gimena, et. al. "Combustible al Fuego: El impacto del aceite de palma en las comunidades desplazadas y en los derechos afro-colombianos," *Comisión de Justicia y Paz*, 2011.

Sanchez-Garzoli, Gimena. "[Against All Odds: Experiences of IDP SelfProtection Measures in Colombia](#)," *The Brookings Institution*, October, 2010.

Sanchez-Garzoli, Gimena. "[Giving Colombia a Free Pass: State Department Ignores Abuses of Afro-Colombian and Indigenous Rights](#)," *Upside Down World*, September 22, 2010.

Haugaard, Lisa and Sanchez-Garzoli, Gimena, et. al.. "Far Worse than Watergate: Widening Scandal regarding Colombia's Intelligence Agency," *WOLA, CIP, LAWG and USOC*, June 2010.

Sanchez-Garzoli, Gimena. "Comunidad internacional debe fortalecer Consulta Previa en Cauca," *Actualidad Étnica*, 9 de diciembre, 2009.

Sanchez-Garzoli, Gimena. "No ratificar el TLC sin consideración de los derechos de las comunidades afrocolombianas e indígenas," *Actualidad Étnica*, 15 de octubre, 2009.

Sanchez-Garzoli, Gimena. "Nuevo Mural en Washington, un Homenaje a la Fortaleza del Pueblo," *Actualidad Étnica*, 15 de octubre, 2009.

Sanchez-Garzoli, Gimena. "Comunidades afro y el Senado evalúan los 15 años de la Ley 70," 22 de noviembre, 2008, *Actualidad Étnica*, 15 de octubre, 2009.

Sanchez-Garzoli, Gimena. "Afrocolombianos piden a EE.UU. reexaminar política de fumigaciones," *Actualidad Étnica*, 14 de agosto, 2009.

Sanchez-Garzoli, Gimena and Walsh, John. "Chemical Reactions: Fumigation – Spreading Coca and Threatening Colombia's Ecological and Cultural Diversity," *WOLA*, February 2008.

Haugaard, Lisa, Gimena Sánchez-Garzoli, Adam Isacson, John Walsh, and Robert Guitteau. "Un nuevo rumbo para la política estadounidense hacia Colombia." una publicación de Center for International Policy, Latin America Working Group Education Fund, US Office on Colombia y Washington Office for Latin America (2008).

Haugaard, Lisa, Gimena Sánchez-Garzoli, Adam Isacson, John Walsh, and Robert Guitteau. *A Compass for Colombia Policy*. Latin America Working Group, Education Fund, 2008.

Haugaard, Lisa and Sanchez-Garzoli, Gimena, et. al., "A Compass for a New Colombia Policy," *WOLA, LAWG, CIP and USOC*, March 2005.

Consultoría para los Derechos Humanos y el Desplazamiento Interno (CODHES) y Sanchez-Garzoli, Gimena, *WOLA*. Una Guía Para la Aplicación de Los Principios Rectores de los Desplazamientos Internos en Contextos Urbanos, Bogotá, Colombia. Junio 2006.

Sanchez-Garzoli, Gimena. "Collection of Course Syllabi Relating to the Global Crisis of Internal Displacement," *The Brookings-SAIS Project on Internal Displacement*, October 2004.

Brown, Michelle and Sanchez-Garzoli, Gimena. "Ecuador: International Support Needed for Colombian Refugees," *Refugees International Bulletin*, April 21, 2004.

Brown, Michelle and Sanchez-Garzoli, Gimena. "Panama: Colombian Asylum Seekers in Legal Limbo," *Refugees International Bulletin*, April 8, 2004.

Sánchez-Garzoli, Ximena. "Buscando soluciones verdaderas para los desplazados: Principios Rectores de los Desplazamientos Internos y experiencias internacionales de retorno, reasentamiento y reintegración voluntaria." *Análisis de experiencia en restablecimiento de la población en situación de desplazamiento* (2004).

Sanchez-Garzoli, Gimena. "Interview with Afro-Colombian IDP Leaders," *Refugee Watch*, December 2003.

Sanchez-Garzoli, Gimena. "No Refuge: Colombia's IDP Protection Vacuum," *Refugees International Bulletin*, June 2003.

Sanchez-Garzoli, Gimena. "Selected bibliography on displacement caused by development projects." *Risks and Rights: The Causes, Consequences, and Challenges of Development-Induced Displacement* (2003): 72-96.

Huertas, Carlos and Sanchez-Garzoli, Gimena, Editores. "Guía Para La Aplicación de los Principios Rectores de los Desplazamientos Internos," *Proyecto Sobre Desplazamiento Interno del Instituto Brookings*, 2002.

Sanchez-Garzoli, Gimena. Cohen, Roberta, Deng, Francis "Selected Bibliography on the Global Crisis of Internal Displacement," *The Brookings-CUNY Project on Internal Displacement*, December 2001.

Cohen, Roberta and Sanchez-Garzoli, Gimena. "Internal Displacement in the Americas: Some Distinctive Features, An Occasional Paper," *The Brookings-CUNY Project on Internal Displacement*, May 2001. Published in Spanish by the Inter-American Institute of Human Rights (IIHR) and the United Nations High Commissioner for Refugees (UNHCR) in Costa Rica as a chapter in a book on displacement in the Americas.

Cohen, Roberta, and Gimena Sánchez Garzoli. "El desplazamiento interno en las Américas: algunas características distintivas." *Derechos humanos y refugiados en las América: lecturas seleccionadas*. San José, ACNUR(2001): 41-74.

Ruiz, Hiram and Sanchez-Garzoli, Gimena. "Double Jeopardy: Tibetan Refugees' Flight through Nepal, Issue Brief," *U.S. Committee for Refugees*, June 1999.

Sanchez-Garzoli, Gimena. "The American Red Cross Helped Reunite Father and Son," *The Foreign Observer*, Johns Hopkins University-SAIS, Vol. 9. No. 2, November 1998.

Ein, Jason; Rehman, Naheed; Sanchez-Garzoli, Gimena. "Not A World Away..." Refugee Update, UNHCR, Vol. 3, Issue 1, winter 1996.

Surgan, Michael; Goldweber, Ann; Sanchez-Garzoli, Gimena. "Pest Management in New York State Hospitals: Risk Reduction and Health Promotion," NYSDOL, December 1995.

## **EXHIBIT C**

### **List of Documents and Things Reviewed and/or Relied On**

#### **Books**

William Aviles, *Global Capitalism, Democracy, and Civil-Military Relations in Colombia* (2012)

Proceso de Paz con las Autodefensas, Oficina Alto Comisionado para La Paz (Dec. 2006)

Harvey F. Kline, *Historical Dictionary of Colombia* (2012)

#### **Maps**

Google Maps: Colombia

Google Images ([www.aipazcomun.org/wp-content/uploads/2016/03/MAPA-DEL-MAGDALENA-MEDIO-marzo-2016.png](http://www.aipazcomun.org/wp-content/uploads/2016/03/MAPA-DEL-MAGDALENA-MEDIO-marzo-2016.png))

Google Images (<http://www.sogeocol.edu.co/bolivar.htm>)

Google Images ([www.mapsofworld.com/colombia/departments/bolivar-map.html](http://www.mapsofworld.com/colombia/departments/bolivar-map.html))

Observatorio de Paz Integral, Mapa del Magdalena Medio Colombiano Completo, <https://www.opi.org.co/Cartografia/18.jpg>

Fundación Ideas para la Paz, El Narco Ahí Detrás, Mapa 7, <http://utopialapalabra.blogspot.com/2013/03/colombia-el-paramilitarismo-sigue-ahi.html#!/2013/03/colombia-el-paramilitarismo-sigue-ahi.html>

#### **Colombian Court Documents**

República de Colombia, Rama Judicial, Carlos Mario Jiménez Naranjo: *Versiones Libres* (June 12, 2007)

Tribunal Superior del Distrito Judicial de Bogotá, Sala de Justicia y Paz, Sentencia Rodrigo Pérez Alzate, Homicidio en persona protegida y otros (Bogotá: August 30, 2013)

República de Colombia, Rama Judicial, Tribunal Superior del Distrito Judicial de Bogotá, Sala de Justicia y Paz, Sentencia Iván Roberto Duque Gaviria, Rodrigo Pérez Alzate, et al., Estructura Paramilitar: Bloque Central Bolívar (Aug. 11, 2017)

Corte Suprema de Justicia (Colombia), Sala de Casación Penal, Acta No. 302, SP4936-2019, Resolución de Recursos de Apelación de la Sentencia del 11 de agosto de 2017, Iván Roberto Duque Gaviria, Rodrigo Pérez Alzate, et al. (November 13, 2019)

República de Colombia, Rama Judicial, Iván Roberto Duque Gaviria, December 12, 2016

República de Colombia, Rama Judicial, Rodrigo Pérez Alzate, November 13, [year unknown].

### **U.S. Pleadings and other Legal Documents**

Defendant's Responses and Objections to Plaintiffs' First Set of Interrogatories, No. 10-cv-21951, *Jaramillo v. Naranjo* (S.D. Fla. July 2016)

Plaintiffs' Second Request for Admissions to Defendant Carlos Mario Jiménez Naranjo, No. 10-cv-21951, *Jaramillo v. Naranjo* (S.D. Fla. May 31, 2017)

Defendant's Responses to Plaintiffs' Second Request for Admissions to Defendant, No. 10-cv-21951, *Jaramillo v. Naranjo* (S.D. Fla. Jan. 18, 2018)

Deposition of Francisco de Roux, No. 10-cv-21951, *Jaramillo v. Naranjo* (S.D. Fla. Sept. 5, 2018)

Deposition of Rodrigo Pérez Alzate, No. 10-cv-21951, *Jaramillo v. Naranjo* (S.D. Fla. Oct. 22, 2019)

Deposition of Oscar Montealegre, No. 10-cv-21951, *Jaramillo v. Naranjo* (S.D. Fla. Oct. 23, 2019)

*In re Chiquita Brands Int'l, Inc. Alien Tort Statute & S'holder Derivative Litig.*, 792 F. Supp. 2d 1301 (S.D. Fla. 2011)

*In re Chiquita Brands Int'l, Inc. Alien Tort Statute & S'holder Derivative Litig.*, 190 F. Supp. 3d 1100 (S.D. Fla. 2016)

*Penaloza v. Drummond Co.*, 384 F. Supp. 3d 1328 (N.D. Ala. 2019)

*Doe v. Drummond Co.*, No. 2:09-CV-01041-RDP, 2010 WL 9450019 (N.D. Ala. Apr. 30, 2010)

*Doe v. Drummond Co.*, 782 F.3d 576 (11th Cir. 2015)

### **Articles and Other Documents**

CIDH, Decisión de 19 de diciembre de 2012. *Caso Marino López y Otros (Operación Genesis) vs. Colombia*, [http://www.corteidh.or.cr/docs/asuntos/marinolopez\\_19\\_12\\_12.pdf](http://www.corteidh.or.cr/docs/asuntos/marinolopez_19_12_12.pdf).

International Center for Transitional Justice, "Colombia," <https://www.ictj.org/our-work/regions-and-countries/colombia>

Beittel, June S., Colombia: Background, U.S. Relations, and Congressional Interest, Congressional Research Service (Nov. 28, 2012), <https://fas.org/sgp/crs/row/RL32250.pdf>

Centro Nacional de Memoria Histórica, General Report by the Historical Memory Group, English Version, Basta Ya! Colombia: Memories of War and Dignity (2016), <http://centrodememoriahistorica.gov.co/descargas/informes2016/basta-ya-ingles/BASTA-YA-ingles.pdf>

Picón Paez Y.A., Ardila Garcia J., Centro de Estudios Regionales del Magdalena Medio CER, Diagnóstico del territorio Magdalena Medio (May 2013), <http://cer.org.co/Documentos/Dterritoriomagdalenedio.pdf>

U.S. Department of State, Country Reports on Human Rights Practices 1999-Colombia (Feb. 23, 2000), <https://www.state.gov/j/drl/rls/hrrpt/1999/380.htm>

Amnesty International, “Further Information on UA 38/01 (AMR 23/017/2001, 9 February 2001) – Fear for Safety,” AMR 23/133/2002 (Nov. 20, 2002), <https://www.amnesty.org/en/documents/amr23/133/2002/en/>.

COLOMBIA: *el paramilitarismo sigue ahí....*, Utopía La Palabra (Mar. 11, 2013), <http://utopialapalabra.blogspot.com/2013/03/colombia-el-paramilitarismo-sigue-ahi.html>

Amnesty International, “Fear for Safety / Death Threats,” AMR 23/80/00, UA 307/00 (Oct. 4, 2001), <https://www.amnesty.org/download/Documents/132000/amr230802000en.pdf>

U.S. Department of State, “Designation of the AUC As a Foreign Terrorist Organization” (Sept. 10, 2001), <https://2001-2009.state.gov/secretary/former/powell/remarks/2001/4852.htm>

National Security Archives, Subject: “Notes from the field: Barrancabermeja” (Dec. 4, 2001)

U.S. Department of the Treasury, “Sanctions Pursuant to Executive Order 12978” (last updated Aug. 22, 2017), [https://www.treasury.gov/resource-center/sanctions/Programs/Documents/narco\\_sanctions\\_eo12978.pdf](https://www.treasury.gov/resource-center/sanctions/Programs/Documents/narco_sanctions_eo12978.pdf)

U.S. Department of the Treasury, “Treasury Targets Medellín Drug Lord,” Press Release (Feb. 12, 2008), <https://www.treasury.gov/press-center/press-releases/Pages/hp821.aspx>

Executive Order 12978: Blocking Assets and Prohibiting Transactions with Significant Narcotics Traffickers, <https://www.treasury.gov/resource-center/sanctions/Documents/12978.pdf>

Christoffer Frendsen, *Uribe’s former security chief confesses to ripping off state, denies drug links*, COLOMBIA REPORTS, Sep. 3, 2014, <https://colombiareports.com/former-security-chief-confesses-money-laundering-denies-drug-relation/>

Human Rights Watch, *The “Sixth Division”: Military-paramilitary Ties and U.S. Policy in Colombia*, Oct. 4, 2001, <https://www.hrw.org/report/2001/10/04/sixth-division/military-paramilitary-ties-and-us-policy-colombia>

National Security Archives, Central Intelligence Agency Information Report; Country: Colombia; Subj: “Relocation of United Self-defense Groups of Colombia Southern and Central Bolivar Bloc in response to Colombian Army operations in Southern Bolivar”; DOI: mid-February 2001; 20010312; MORI Doc ID 587669:587669 (Mar. 12, 2001)

National Security Archives, Subject: “Notes from the field: Barrancabermeja” (Dec. 4, 2001)

VerdadAbierta.com, “El arsenal de guerra de ‘Macaco,’” <https://verdadabierta.com/el-arsenal-de-guerra-de-macaco>

VerdadAbierta.com, “La paradoja de ‘Macaco’ (Semana),” <https://verdadabierta.com/la-paradoja-de-macaco/>

VerdadAbierta.com, “‘Macaco,’ Carlos Mario Jiménez,” <https://verdadabierta.com/perfil-de-carlos-mario-jimenez-alias-macaco/>

VerdadAbierta.com, “Los tentáculos del Bloque Central Bolívar,” <https://verdadabierta.com/los-tentaculos-del-bloque-central-bolivar/>

VerdadAbierta.com, “El narcotráfico que incendió el conflicto armado,” <https://verdadabierta.com/el-narcotrafico-que-incendio-el-conflicto-armado/>

Verdad Abierta.com, “Masacre de Barranca: nuevos señalamientos del ‘Panadero’ a miembros de la Fuerza Pública,” March 10, 2010, <https://verdadabierta.com/masacre-de-barranca-los-nuevos-senalamientos-del-panadero-a-miembros-de-la-fuerza-publica/>

Department of Justice, Office of Public Affairs, Press Release, « Colombian Paramilitary Leader Sentenced in Miami to 33 Years in Prison for Drug Trafficking and Narco-Terrorism, November 9, 2011, <https://www.justice.gov/opa/pr/colombian-paramilitary-leader-sentenced-miami-33-years-in-prison-drug-trafficking-and-narco>

El Espectador, “Corte Suprema deja en firme exclusión de ‘Macaco’ de Justicia y Paz, Nov. 2, 2016, <https://www.elespectador.com/noticias/judicial/corte-suprema-deja-firme-exclusion-de-macaco-de-justici-articulo-663703>

Sontag, Deborah, New York Times, The Secret History of Colombia’s Paramilitaries and the U.S. War on Drugs, Sept. 10, 2016, <https://www.nytimes.com/2016/09/11/world/americas/colombia-cocaine-human-rights.html>

Commission on Human Rights, *Report by the United Nations High Commissioner for Human Rights on the human rights situation in Colombia in the year 2000*, E/CN.4/2001/15, February 8, 2001, [https://www.hchr.org.co/documentoseinformes/informes/altocomisionado/informe2000\\_eng.pdf](https://www.hchr.org.co/documentoseinformes/informes/altocomisionado/informe2000_eng.pdf)

Commission on Human Rights, *Report by the United Nations High Commissioner for Human Rights on the human rights situation in Colombia in 2001*, E/CN.4/2002/17, February 28, 2002, [https://www.hchr.org.co/documentoseinformes/informes/altocomisionado/informe2001\\_eng.pdf](https://www.hchr.org.co/documentoseinformes/informes/altocomisionado/informe2001_eng.pdf)

Commission on Human Rights, *Report by the United Nations High Commissioner for Human Rights on the human rights situation in Colombia in the year 2002*, E/CN.4/2003/13, February 24, 2003, [https://www.hchr.org.co/documentoseinformes/informes/altocomisionado/informe2002\\_eng.pdf](https://www.hchr.org.co/documentoseinformes/informes/altocomisionado/informe2002_eng.pdf)

Press Release, Special Jurisdiction for Peace (JEP), Comunicado 040, *The JEP accepts the submission of three officers investigated for the massacre in Barrancabermeja* (March 19, 2020),



<https://www.jep.gov.co/Sala-de-Prensa/Paginas/La-JEP-acepta-el-sometimiento-de-tres-oficiales-investigados-por-masacre-en-Barrancabermeja.aspx>

Inter-American Court of Human Rights, *Omeara Carrascal and Others v. Colombia*, Merits, Reparations, and Costs, Judgment, Inter-Am. Ct. H.R., ser. C (No. 368 (Nov. 21, 2018))

*19 Tradesmen v. Colombia*, Merits, Reparations, and Costs, Judgment, Inter-Am. Ct. H.R., ser. C (No. 109) (July 5, 2004)

*Case of the Massacre of Mapiripán v. Colombia*, Merits, Reparations and Costs, Judgment, Inter-Am. Ct. H.R. ser. C (No. 192) (Nov. 27, 2008)

*Caso Vereda La Esperanza v. Colombia*, Preliminary Objections, Merits, Reparations, and Costs, Judgment, Inter-Am. Ct. H.R., Ser. C (No. 341) (August 31, 2017)

*Caso Valle Jaramillo v. Colombia*, Merits, Reparations and Costs, Judgment, Inter-Am. Ct. H.R. ser. C (No. 192) (Nov. 27, 2008)

ANNUAL REPORT OF THE INTER-AMERICAN COMMISSION ON HUMAN RIGHTS 2002, *Chapter IV: Human rights Developments in the Region: Colombia*, OEA/SerOEA/Ser.L/V/II.117, Doc. 1 rev. 1 (7 March 2003)