

EXHIBIT 4



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Transcript of Rodrigo Perez Alzate

Date: October 22, 2019

Case: Jaramillo, et al. -v- Naranjo

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

Case Number 1:10-cv-21951-EG

JESUS CABRERA JARAMILLO, in his individual
capacity, and in his capacity as the personal
representative of the estate of Alma Rosa
Jaramillo,

JANE DOE, in her individual capacity, and
JOHN DOE, in his individual capacity, and in
his capacity as the personal representative of
the estate of Eduardo Estrada,

Plaintiffs,

v.

CARLOS MARIO JIMINEZ NARANJO, also known as
Macaco, El Agricultor, Lorenzo González
Quinchía, and Javier Montañez,
Defendant.

VIDEO DEPOSITION OF RODRIGO PEREZ ALZATE
October 22, 2019

Pursuant to Notice and the Federal Rules of
Civil Procedure, video the deposition of RODRIGO
PEREZ ALZATE, taken by Plaintiffs, was held at
HOTEL PARK 10, Cra. 36B #11, 12, El Poblado,
Medellin, Colombia, on Tuesday, October 22, 2019, at
9:40 a.m., before Jason T. Meadors, RPR, CRR, CRC,
and Notary Public.

Transcript of Rodrigo Perez Alzate
Conducted on October 22, 2019

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18 Also Present:
19 Julian Mejia, videographer
20 Lisa Taylor, interpreter
21 Delilah Crim

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1 MR. LISS: Buenos dias, Senor Perez.
2 Gracias por su tiempo. Me llamo es Luke Liss, and I
3 will speak in English because my Spanish es muy mal.

4 We understand you have limited time today,
5 so we will go as quickly as possible. And again,
6 thank you for coming.

7 THE REPORTER: Did you want me to swear him
8 in?

9 MR. LISS: Yeah.

10 And let me just explain. So what we are
11 doing here is a deposition for a civil case in the
12 United States. We represent the family of Eduardo
13 Estrada.

14 This is a civil case. It is not criminal.
15 We are not affiliated with the US government. And we
16 are not here to cause you any problems or issues. We
17 simply need you to confirm items that other people
18 and you have testified to before for the civil case.

19 And do you have any questions about that?

20 THE WITNESS (interpreted): I would just
21 like to clear up that I only have two hours today for
22 this procedure.

23 MR. LISS: Okay. I will go as quickly as I
24 can. And counsel for the defendant is on the phone,
25 and they may have a few questions as well.

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1 And just to explain the process a little
2 bit, Jason here is the court reporter, and he will be
3 typing up what we say. So in order for a clear
4 record, it is best if we don't speak over each other
5 and kind of wait until we're done talking, which
6 you're already doing a great job of.

7 So now Jason will swear you in for the
8 deposition.

9 (Interpreter sworn.)

10 RODRIGO PEREZ ALZATE,
11 having been first duly sworn, testified as follows:

12 EXAMINATION

13 QUESTIONS BY MR. LISS:

14 ANSWERS THROUGH THE INTERPRETER:

15 Q Okay. Thank you.

16 So just a couple of other preliminary
17 matters. If you would like a break at any time,
18 that's fine. Cafe or agua, you're welcome. And if
19 you don't understand a question I ask, please ask me
20 to clarify so I may ask that question.

21 From time to time, your attorney or
22 attorneys for defendants may object to my questions,
23 and -- but you can answer unless your attorney
24 instructs you not to.

25 Okay. So with that, we'll get started.

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1 And so I will ask you some background
2 questions that will seem very basic and somewhat
3 stupid. The reason for that is to get the whole
4 background of the BCB and related matters. So I just
5 thank you for your patience.

6 And do you understand if I refer to the
7 Bloque Central Bolivar as BCB? Is that okay?

8 And for the United Self Defense Forces of
9 Colombia, can I refer to as AUC?

10 A Perfect.

11 Q Okay. Were you a member of the BCB?

12 A Yes. I was.

13 Q When did you join the BCB?

14 A From the moment of its creation from
15 September 2000.

16 Q And what was your position with the BCB?

17 A I was a commander responsible for part of
18 the territory where we were responsible.

19 Q Okay. And could you describe where those
20 territories were?

21 A In the region, the municipality of Caceres
22 and Antioquia, part of the lower Cauca region. Also
23 starting from 2001 -- sorry, I mean 2000 in Southern
24 Bolivar and in El Sonde. From 2001 the municipality
25 of Puerto Medio and Antioquoia. And the Department

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1 of Visaranda. Also, the Department of Cauca. And
2 the Department of Narino.

3 Q Okay. And are you familiar -- gracias.
4 Are you familiar with San Pablo?

5 A Yes. I know that.

6 Q Was the BCB active in San Pablo?

7 A They had -- we had presence from 1998 until
8 the day of demobilization on January 31, 2006.

9 Q Okay. So it's correct that the BCB was
10 operating in San Pablo in 2001?

11 A That's right.

12 Q Gracias. Was Senor Jimenez also a member
13 of the BCB?

14 A Effectively, that's how it was.

15 Q When did you first meet him?

16 A In 1997.

17 Q Okay. And what were his positions with
18 BCB?

19 A Likewise, one of the commanders in the
20 structure, in the BCB structure.

21 Q Okay. And are you familiar with the term
22 the Sixth Division?

23 A Of the National Army?

24 Q Si.

25 A Yes. I do know that.

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1 Q And then did you participate in the justice
2 and peace process?

3 A I am currently still participating.

4 Q Can you explain why you once participated
5 in the justice and peace process?

6 A Because I voluntarily decided to join that
7 process in demobilization, and I wanted to work for
8 the disarmament of all of these structures. All of
9 the men under my command also agreed that the
10 decision to take up arms was an error.

11 Q Gracias.

12 A So together with my other colleagues, we
13 decided that we wanted to demobilize as part of the
14 agreement with the national government. There was a
15 law that Congress passed, a law about conditional
16 justice for demobilization. In my case and in the
17 case of Carlos Mario, we were demobilized in
18 December 12, 2005.

19 Q Gracias. Could you please describe how the
20 BCB was created?

21 A From 1998, we were part of a structure
22 known as the United Self Defense Forces of Colombia,
23 AUC. In 2000, Mr. Carlos Castano considered it
24 important to concentrate all of the different forces
25 that were present in the Middle Magdalena in one

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1 bloc.

2 As with the knowledge of the Colombia
3 justice system and also public opinion, in the Middle
4 Magdalena region, there were different self-defense
5 forces that were operating, including the
6 self-defense forces of Middle Magdalena, commanded by
7 Ramon Isaza. Also the self-defense forces headed by
8 Edmundo Mijana alias Bocavon, and the self-defense
9 forces in the municipality of Puerto Bruni. Also the
10 ACCU. Also the structure in Southern Sason,
11 commanded by Mr. Pancho Prada. Structures commanded
12 by a man named Mario Sevala.

13 Q Okay.

14 A And the other operations were in the
15 municipality -- in municipalities within North
16 Eresantanan and another structure headed by Carmillo
17 Morales -- Morante.

18 So Carlos Castano wanted to integrate all
19 of these different structures into one -- one bloc.
20 Seeing that it wasn't possible, decided to form the
21 BCD, which is combination of structures commanded by
22 Carlos Mario Jimenez in the Lower Cauca region, Pablo
23 Sevillana in Narino, and me, known as Julian Bolivar
24 in the Southern Bolivar region.

25 Q Okay. At some point, did Senor Jimenez,

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1 was he in charge of the San Pablo region?

2 A Just after 2002.

3 Q Okay. How about 2001?

4 A In 2001, no, because I was the commander of
5 these structures of the BCB. At that time, Carlos
6 Mario Jimenez didn't have anything to do with it.

7 Q So I'm going to mark an exhibit as
8 Exhibit 1. And so this is -- do you understand the
9 term Versiones Libres? Can you give us your
10 understanding of this, of Versiones Libres?

11 A Version Libre is a declaration that's given
12 in the context of Law 975, in which we voluntarily
13 accepted the events and where we're supposed to tell
14 everything that happened, all of the victimizing
15 events in the context of the creation and the
16 functioning of the self-defense forces. AUC, in our
17 case.

18 Q Okay. And as you'll see here, this is
19 Exhibit 1, is an excerpt of a version of Versiones
20 Libre by Senor Jimenez dated June 12th, 2007. And so
21 do you understand that this is a statement that Senor
22 Jimenez has given?

23 And he can take his time to read it. But I
24 will only ask about a specific part of that, if I
25 could just do that.

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1 A (Examines an exhibit.)

2 Q On page 38. Libertadores Del Rio Magdalena
3 Front.

4 A Yeah.

5 Q Can he explain his understanding of the
6 organizational structures listed here?

7 A Okay. What is the exact question?

8 Q Can he -- can he explain his understanding
9 of the organizational structure from 2000 to 2002?

10 A So exactly as it is here. The zone
11 commander, Gustavo Alarcon, was the second head, and
12 I was his commander. Also, Eduardo Estrada, who was
13 also part of the structure of the Libertadores de
14 Medio Magdalena.

15 Q Okay.

16 A And so this anti-guerrilla structure was
17 named for different coordinators in mobile units, and
18 every anti-guerrilla unit had four squadrons.

19 Q Okay. And we'll talk about the guerrillas
20 a little bit more in a little bit, but I just have a
21 few more background questions.

22 MR. LISS: So we'll mark this as Exhibit 2.
23 (Exhibit 2 marked.)

24 Q (By Mr. Liss) And I'll represent that this
25 is another statement by defendant that was produced

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1 by defendant's counsel. And here -- and you can look
2 at it -- in -- in this document, he describes a
3 manual. And I'll read the translation. He's welcome
4 to read along as well.

5 Senor Jimenez testified, therefore, on
6 repeated occasions and since before April 2001, the
7 date on which the manual was definitively drawn up, I
8 ordered strict observance of the provisions contained
9 in the manual with the aim of not only specifying the
10 scopes and responsibilities of each member of the
11 bloc but also the interconnections of the use of
12 power, collision of functions, and mixed conceptions
13 among the members of the organization.

14 THE INTERPRETER: I pointed to the document
15 so he knows where you're reading from.

16 MR. LISS: Okay.

17 A Can you say the first sentence of the
18 sentence, the paragraph you're reading?

19 Q (By Mr. Liss) Yes. Therefore, on repeated
20 occasions, and since before April 2001.

21 Okay. And then does he agree with this
22 statement?

23 A I would like to clarify what we call the
24 disciplinary regime, which effectively did exist.
25 But that doesn't mean that it's rigorously applied,

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1 and strictly, in every one of these functions.

2 Q Okay.

3 A It's necessary to understand the
4 characteristics of the conflict of the irregular war
5 in which we were immersed in and, if necessary, to
6 understand that the orders given by each commander
7 were not always strictly followed. And the dynamics
8 of war don't allow a strict control over every
9 structure that's present in the territory.

10 Q Right. Okay. Gracias.

11 Does he agree, though, that with this
12 statement by Senor Jimenez that he ordered observance
13 with the manual?

14 A One thing is what's said or published
15 through means of communication but another thing is
16 what really happens. And even more, this functions
17 manual was not even drafted by Senor Carlos Jimenez.
18 This was edited by Ivan Roberto Duque Gaviria alias
19 Ernesto Baez, who is a political leader.

20 Q Okay. So does he agree that this is a
21 statement by Senor Jimenez?

22 A That's what the facts say.

23 Q Okay. And could he look at page 51? And
24 what I'm looking at there is the bolded language,
25 Funciones y Competencias que Tenia Asignadas en mi

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1 Condicion de Commandante General del Bloque Central
2 Bolivar.

3 THE INTERPRETER: The functions and
4 competencies that are assigned in my capacity as
5 commander general, the Central Bolivar Bloc.

6 Q (By Mr. Liss) Can he confirm that Senor
7 Jimenez was the commandante general?

8 A That's how we made it public, but it was
9 also important, because it was important to show and
10 hear our close structures. But in practice, it never
11 works that way.

12 The central -- there was a character of
13 special command within the structure, not only as the
14 Bloque Central Bolivar but also as the United Self
15 Defense Forces, where it was more horizontal.

16 And so the command of the Bloque Central
17 Bolivar was shared between Carlos Mario Jimenez,
18 Pablo Sevillana, and the person that's giving this
19 declaration, known as Julian Bolivar.

20 Q Okay. And below that, you could see where
21 Senor Jimenez made a list of his responsibilities?

22 A Yeah. That's it.

23 Q Okay. And I just want to ask if just --
24 and could he just take a minute to review that?

25 A There's no need to have time to review

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1 them, because I drafted these, and I know them
2 perfectly.

3 Q Okay. Does he agree that they are Senor
4 Jimenez's duties within the BCB?

5 A They're not just his responsibilities but
6 also mine.

7 Q Okay. But they are also Senor Jimenez'.

8 A Yes, but what I'm saying is that these are
9 just words on paper, and within the dynamics of an
10 armed conflict, they were not always faithfully
11 fulfilled.

12 Q Understood. If I could just ask about a
13 couple of them. The first one is, could he read
14 number 2 and explain what that responsibility means?

15 A You're on number 2, right?

16 So to prepare and implement the revenue and
17 expenditures budget of the Central Bolivar Bloc -- in
18 other words, I was responsible for supervising the
19 collection of funds in the organization and
20 organizing -- I'm sorry -- ordering the higher
21 quantity investments required to cover operating and
22 running costs.

23 Q Okay. And does he agree with that
24 description?

25 A If I could read, that's it, but every

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1 commander, according to his responsibility within
2 every structure, was responsible for this, for
3 preparing and implementing the revenue and
4 expenditures budget, and looking out for those
5 interests so that all funds -- fronts of the
6 structure would have the necessary resources to be
7 able to continue our organizational mission, which
8 was to confront our enemies, the insurgent guerrilla
9 forces like the ELN.

10 Q Okay. And so --

11 A I have to finish my sentence, because if I
12 am cut off, it's very difficult to keep responding.

13 Q Fair enough.

14 A In this case, the subversive groups
15 included the ELN, which had carried out kidnappings
16 through terrorist organizations, the FARC, which is
17 also an organization even responsible for kidnaping
18 North American pilots, and the EEL, which was a
19 special organization within Southern Bolivar which
20 disappeared in other regions of the country but still
21 operated in Middle Magdalena as a terrorist
22 organization.

23 Q Okay. Gracias. And could he also read
24 number 9.

25 A Carry out dealings of war materiel and

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1 weaponry.

2 Q And could he describe what that means,
3 please?

4 A So it provided, as I was saying before, not
5 only the economic resources but also materials that
6 are necessary for committing a war.

7 Q Okay. And could he describe Senor
8 Jimenez's role in disciplining BCB members who
9 violated rules.

10 A Not just Mr. Jimenez but also the others of
11 us that had responsibility for the structures under
12 our command, like myself. When we found out that the
13 parameters of these roles were not being fulfilled or
14 that someone had gone beyond the parameters, there
15 were different actions.

16 The minimum was maybe making someone work
17 for two shifts of vigilance in a row. Or the maximum
18 punishment, after going to the war council, could be
19 execution for violation of the rules.

20 Q Okay. Gracias. So I wanted to -- we
21 talked a little bit about San Pablo before, and I
22 wanted to just revisit that.

23 Does he recall after February of 2001
24 handing command of South Bolivar over to Senor
25 Jimenez?

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1 A Commander, as it's stipulated, but he came
2 to the region starting more in 2002. When I left
3 Southern Bolivar, it was in charge of Gustavo
4 Alarcon, who was carrying out the functions of the
5 second commander.

6 Q And did Gustavo Alarcon report to Senor
7 Jimenez in 2001?

8 A No, he exclusively reported to me, because
9 I was his direct commander.

10 Q Okay. We'll go back to that.

11 And so he has talked some about guerrilla
12 groups. And could he describe the purpose and
13 objectives of the BCB concerning the guerrilla
14 groups?

15 A The strategic objective of the BCB was to
16 combat the insurgent groups in the areas where we
17 were present. In Southern Bolivar, the ELN, National
18 Liberation Army, was present and has been present for
19 many years. There were fronts operating in that area
20 which were the Jose Solano Sepulveda Front, the
21 Heroes y Martires de Santa Rosa Front, the Manuel
22 Gustavo Chacon Front, and the Grimaldo Rincon front.

23 Q Okay. And how did the BCB fight the
24 guerrillas in the region that they were active in?

25 A Just like. . . just like any irregular war

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1 is carried out, with confrontations in the
2 countryside with whatever weaponry was available. We
3 would identify the people that belonged to the
4 guerrilla organizations, including those who
5 infiltrated civil society and social organizations,
6 and in this way, we would identify them, corroborate
7 their identities, and kill them.

8 Q Okay. And does that include people that
9 were not guerrillas themselves but were seen as
10 supporting or sympathizing with them?

11 A Those people were likewise included.

12 Q Okay. And what sources of information did
13 the BCB rely on to identify these people?

14 A Like the. . .

15 Like the guerrillas, we did the same thing.
16 We had presence within civil society, and this
17 intelligence allowed us to detect the presence of our
18 enemies in the community and identify those who
19 represented a high risk for our men as well as our
20 strategic objectives as an organization. This
21 doesn't mean that there weren't any errors and that
22 innocent people didn't die.

23 Q Understood. Thank you. And did these
24 sources ever include the police or people in the
25 military?

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1 A Just as I have confessed in various justice
2 and peace procedures, some members of state security
3 forces did give us information. This has been duly
4 clarified within the framework of Law 975, and these
5 declarations have allowed these people to be legally
6 prosecuted.

7 MR. LISS: Okay. So we'll mark this as
8 Exhibit 7.

9 And is he doing okay as far as water. . .
10 (Comments off the record.)

11 Or no, this is Exhibit 3. I'm sorry.
12 (Exhibit 3 marked.)

13 Q (By Mr. Liss) And so I'm looking at
14 page 125. And for the record, I'll -- this is also a
15 statement of Senor Jimenez on the 12th of June, 2007,
16 produced by defendants.

17 And what I'm looking at specifically is the
18 answer at the bottom of page 25. In the last
19 paragraph. On 125.

20 THE INTERPRETER: 125. Do you have a copy
21 of that?

22 MR. McLAUGHLIN: English or Spanish?

23 THE INTERPRETER: Both.

24 Q (By Mr. Liss) And what I'm looking at is
25 Senor Jimenez described three forms of killing when

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1 that was necessary in the war.

2 One form is to go and carry out an act.

3 And another act is to collect a person who questioned
4 them, speak with them, or hold them and later realize
5 that they were linked to a front or they were not
6 linked to a front.

7 Since we have seen that, according to
8 yesterday's data, some people were handed over to the
9 Red Cross, supposedly they were detained and returned
10 because they had nothing to do with the subversion.

11 And does he generally agree that there were
12 three forms of killings that might occur in this war?

13 A This to me shows the good faith and good
14 willingness of Carlos Mario in clarifying all the
15 victimizing events that corresponded to us.

16 So what -- these narratives here are some
17 events that happened in the department of Cartagena,
18 excuse me, the department of Cazita, which is the
19 region where some of the structures were directly
20 operating under his command.

21 Q Okay.

22 A But this doesn't mean that there was a way
23 of operating that should be followed by each of the
24 structures.

25 Q Okay.

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1 A The strategies for confronting enemies were
2 defined by each of the commanders responsible.

3 Q Understood. And does he know if any
4 guerrilla sympathizers were identified in the
5 San Pablo area?

6 A Not just some. Many.

7 Q Many? Okay. And were civilians ever
8 impacted during those actions?

9 A Logically, yes.

10 MR. LISS: Okay. We're going to go through
11 Exhibit 4. And this will be a fast one.

12 (Exhibit 4 marked.)

13 Q (By Mr. Liss) So this is an article on the
14 Internet by verdadabierta.com.

15 And does he remember the title Nos
16 Convertimos?

17 A We became a killing machine.

18 Q And then, was that his quote?

19 A I've said that same thing on many
20 occasions, not just here.

21 Q Okay. And could he explain what he means
22 by that?

23 A What any structure that is a mercenary war
24 becomes.

25 Q Okay. And if we could just go back to

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23

1 Exhibit 3 for one second. And on page 126. And what
2 I'm looking at is Senor Jimenez's answer, That is
3 what I explained to you. You see it when it is an
4 urban group. The urban group that goes out, is given
5 an order, kill this person because there is
6 information that they are guerrilla financier or spy.
7 He goes and kills him, carries out the act, and he is
8 left at the scene.

9 And does he agree that sometimes guerrilla
10 sympathizers were left at the scene of their
11 killings?

12 A That's how it is.

13 MR. LISS: Okay. And then another exhibit.
14 Are we on 5?

15 THE REPORTER: Yes.

16 (Exhibit 5 marked.)

17 Q (By Mr. Liss) And this is an article by
18 El Tiempo. And I'm interested in page 2 of 2. And
19 there, it describes that Senor Jimenez has admitted
20 to being responsible for hundreds of murders,
21 including in the sur de Bolivar region.

22 A What I figure is Macaco has confessed to
23 about 500 crimes.

24 Q Okay.

25 THE INTERPRETER: That's the title of the

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24

1 section there.

2 Q (By Mr. Liss) And if you read down a
3 little bit. En las -- the paragraph reading, En las
4 primeras.

5 A In the first seven testimonies, Macaco had
6 confessed to at least 269 deaths in Caqueta,
7 Southern Bolivar, Antioquia, Risaralda y Caldas. I'm
8 reading the part that says, Has in fact.

9 Q Okay. And does he have any reason to doubt
10 that's true?

11 A So one thing is the reason that you're
12 referring to which is different than voluntarily
13 confessing his part of being responsible in these
14 structures. What this shows to me is his good
15 willingness to be part of the law in 19 -- 975 to
16 confess to the country to work for peace building and
17 truth.

18 Q Understood. Gotcha.

19 So Exhibit 6 is a decision from justice and
20 peace tribunal.

21 (Exhibit 6 marked.)

22 Q (By Mr. Liss) And specifically, what I'm
23 interested in is on page 70, paragraph 2. And if
24 you -- if he's on the second point there?

25 And is he familiar at all with the January

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1 1999 massacre in San Pablo?

2 A I was sentenced for that massacre.

3 Q Okay. And it says here that the attackers
4 were wearing prendas privativas, de las fuerzas
5 armadas?

6 THE INTERPRETER: It says here that the
7 group of men were wearing military clothing.

8 Q (By Mr. Liss) And does he agree with that?

9 A That's how it is.

10 Q And -- and does he know where they would
11 have gotten that?

12 A We have already confessed to this. They
13 were -- we bought them from different state security
14 forces that sold the clothing to us. We bought it
15 from Central America, from Venezuela, from different
16 sources.

17 Q Were any of the sources Colombian?

18 A Logically.

19 Q Okay. Is he familiar with the "no al
20 despeje" movement in 2000, 2001?

21 A I was present during that movement.

22 Q Okay. And what was the BCA -- BCB's stance
23 on that side?

24 A We opposed this in our territory of our
25 country. We didn't want it to be cleared for this

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1 area to be given over to the ELN, supposedly for
2 national convention, for exploratory peace talks, and
3 under the presidency of Andre Pastrana.

4 THE WITNESS: (Speaking Spanish.)

5 (Phone noise.)

6 MR. LISS: Could we go off the record for a
7 minute?

8 (Off the record.)

9 A Our perspective was that it was necessary
10 not just to have peace talks about the ELN but also
11 to include the United Self Defense Forces of Colombia
12 in the exploratory peace talks. And our purpose was
13 to be able to begin talks about demobilization.

14 Q (By Mr. Liss) Okay. And were any of the
15 confrontations or issues with the despeje movement in
16 Middle Magdalena and San Pablo?

17 A An arms confrontation?

18 Q Si.

19 A With respect to the "no al despeje"
20 movement?

21 Q Uh-huh.

22 A Not that I know of.

23 Q Okay. If someone was in favor of the
24 despeje, would they be seen as supporting guerrillas?

25 THE WITNESS: (Speaking Spanish.)

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1 MS. VARGAS: Let me enter a correction of
2 the translation. I think he said, would someone who
3 favored the despeje be seen as favoring the
4 guerrillas, not who favored despeje. Do you get it?

5 THE INTERPRETER: (Speaking Spanish.)

6 A So someone that's in favor of the clearance
7 movement is in favor of peace and the peace process,
8 which is something that we were even looking to
9 report. It wasn't just the guerrilla forces.

10 Another thing is that being in favor of the
11 clearance movement also had to be in favor of
12 activities to help act against our enemy, which was
13 the ELN.

14 Q (By Mr. Liss) Okay. And then is he
15 familiar with the Program for Peace and Development,
16 or PDP, in San Pablo?

17 A Yes. I know about it.

18 Q And what was the BCB's view of the PDP?

19 A It was an important organization that was
20 carrying out work for social and community work in
21 the region of Southern Bolivar.

22 Q Okay. Was it -- was the BCB ever opposed
23 to the PDP?

24 A Never. And what corresponded to my work,
25 we never observed the Peace and Development -- the

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1 Program for Peace and Development of Middle Magdalena
2 led by the priest, Francisco de Roux, as an opponent.

3 Q Okay. And so I want to look more at
4 Exhibit 6. Pages 1877 and 1878. In particular, I'm
5 looking at a paragraph on 1878, starting with,
6 Conforme lo anterior.

7 And the justice and peace court concluded,
8 in part, that local authorities and institutions were
9 complicit in the operations of the BCB. And does he
10 agree with that?

11 A First of all, it's not the justice and
12 peace court that said that. What appears from the
13 inspector general's office, what the court did here
14 was copy and paste in what the representative of the
15 inspector general's office said in this sentence.

16 But if you ask me, if the military had
17 participation with the BCB, I've already considered
18 that, and I've already said that.

19 Q Okay. Gracias. And thank you for the
20 clarification.

21 And in the paragraph starting, Conforme a
22 esto. Could he please read that paragraph.

23 A In --

24 THE INTERPRETER: Do you want me to?

25 MR. LISS: Yes.

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1 A In accordance with this, it was proposed to
2 state that the systematic methods that the BCB
3 paramilitaries used to be present in the region have
4 left a great impact upon the community through terror
5 tactics that the BCB used with the purpose of
6 intimidating and creating fear for the population
7 through graffitis to identify who was in the
8 territory, massacres, illegal appropriation of
9 properties to be used as refuge, storage sites, or
10 even as jails to be able to commit sexual abuse,
11 tortures, and assassination. The appearance of
12 mutilated cadavers in the rivers, destruction of
13 housing, meetings under coercion where they
14 intimidated people, threatening the residents, and
15 maintaining social control as if they acted as state
16 security forces, checkpoints along the principal
17 access roads to the municipalities with the goal of
18 controlling the access and exit of people, among
19 others.

20 Q Okay. And I understand that this was all
21 part of the war, and them fighting the guerrillas at
22 the time.

23 My question is: Does he agree that they
24 exercised social control through checkpoints and
25 similar measures?

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1 MR. MICHEO: I will object to the form of
2 that question as compound.

3 Q (By Mr. Liss) Okay. If he understands, he
4 can answer that question.

5 A I don't see anything here different than
6 what's been said before, what was said in the BCB's
7 past testimonies. And this is also an impression
8 from a member of the inspector general's office, not
9 really what the court itself was saying.

10 But we did exercise social control
11 effectively. We had power in Southern Bolivar, in
12 our -- in the regions that had a lot of guerrilla
13 presence, and we were militarily confronting them.

14 Q Okay. Gracias.

15 So go to Exhibits 7 and maybe 8. And we're
16 making a lot of progress. So I don't think it'll be
17 too much more time.

18 (Exhibit 7 marked.)

19 Q (By Mr. Liss) So this is an excerpt of
20 Senor Jimenez' Version Libre, dated June 12th, 2007,
21 and what I'm looking at here is on page 146,
22 paragraph 33.

23 And in particular, it says, In mid-1999, in
24 the City of Bogota, contact was made with the second
25 sergeant from Brigade 13 who, along with a

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1 lieutenant, sold weapons and ammunition to the
2 self-defense group.

3 Does he have any reason to doubt that's
4 true?

5 A This is a declaration that Carlos Mario
6 gave on June 12th, 2007, and at the beginning of when
7 we were reconstructing historical memory about the
8 events that had happened. The reconstruction of
9 memory requires many people to contribute, and these
10 events specifically, I don't know what the source of
11 information that Carlos Mario was using to make this
12 statement.

13 Q Fair. Does he have any reason to doubt
14 that it's true?

15 A I can't affirm or deny it, because I don't
16 know about it.

17 Q Okay. Is he aware of any other instances
18 where military members may have sold weapons to the
19 BCB?

20 A In many cases, as I've said before, these
21 are concrete events. I don't remember exactly when,
22 but they've been confessed within the context of
23 framework of Law 975. And in some cases, when one
24 source of information of weaponry is sold from the
25 military where members of the military personally

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1 decided to sell weaponry, machinery, to members of
2 the organization.

3 Q Okay.

4 (Exhibit 8 marked.)

5 Q (By Mr. Liss) Exhibit 8 is a news article
6 called Los otros Ralitos. And in particular, I want
7 to focus on the page that says EEG000775, the third
8 page of the article. And if he could just look at --
9 he doesn't need to read it out loud, but if he could
10 just review this page.

11 A (Examines an exhibit.)

12 Q And in particular -- if I'm going too fast,
13 that's fine. I can slow down.

14 There were reports of a three-day meeting
15 in November of 2001 which involved paramilitary
16 leaders and a number of politicians.

17 And did he have any knowledge of this
18 meeting?

19 A No. I didn't attend this meeting. But
20 Ivan Roberto Duque Gaviria, Ernesto Baez, as referred
21 to widely to these events and then held with
22 political leaders, because at that time, he was
23 serving as the political leader of our organization
24 and carried out these activities.

25 Q Okay. And why did the group want to meet

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1 with the political leaders, if he knows?

2 A In the same way that the guerrilla forces
3 also met with political leaders. We were a political
4 military organization, and we were trying to ensure
5 that the Marxist guerrillas didn't obtain power, so
6 that was part of our strategic agenda.

7 Q Okay.

8 A And so for that reason, we would carry out
9 meetings with different political leaders in the
10 regions.

11 Q Okay. Did the BCB -- does he know if the
12 BCB kept lists of government officials to whom it
13 paid bribes?

14 A No, I didn't know about that.

15 Q Was there an alternative payroll that
16 involved payments to government officials?

17 A With the military and the police, yes. We
18 said that before. Mainly, in the city of
19 Veracruz, we were asking to be able to capture
20 resources from smuggling of gasoline.

21 Q How about in San Pablo? Does he know?

22 A No, I don't remember at that time.

23 Q Is it possible that killing the -- or
24 targeting of guerrillas would occur near a police
25 station?

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1 A If I remember correctly, in the massacre of
2 1999, some people died near a police station.

3 Q And is it possible that that occurred other
4 times?

5 A It's possible.

6 Q And is he aware of cases where the police
7 didn't investigate targeted killings?

8 A It's possible that that happened, but I
9 don't remember any concrete cases at this time.

10 Q All right. And is it possible that that
11 would be because the police had been bribed?

12 A Very possible.

13 Q But he can't remember any specific
14 instance.

15 A I don't remember at this time any incident.

16 Q And does he know the name Alma Rosa
17 Jaramillo?

18 A Yes.

19 Q Could he describe his understanding of how
20 she was killed?

21 A I don't exactly remember the incident, but
22 it was ordered by Gustavo Alarcon, who was a military
23 commander in the region at the time.

24 Q Thank you. And did Mr. Alarcon report to
25 Senor Jimenez?

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1 A At that time, he reported to directly to
2 me.

3 Q Okay. And when does he recall that this
4 was?

5 A The exact date, I don't remember, but I
6 think it was around 2001. 2001, 2002.

7 Q Okay. So we're going into kind of the last
8 section, so we're getting close -- closer to the end.

9 And I wanted to talk to him about the death
10 of Eduardo Estrada. And it's not a memory test.
11 Because I know it was a long time ago. We'll show
12 him his Version Libre as well.

13 And can he -- can he tell us, was he, in
14 his Versiones Libre, was he generally truthful?

15 A That's the point of a testimony.

16 Q So yes.

17 Okay. And can he tell us what he recalls
18 of the circumstances of Eduardo's death?

19 A I don't know anything about the specific
20 circumstances of the death of Eduardo Estrada. I
21 never knew who he was. However, I do accept my
22 responsibility for the incident that happened,
23 because of the chain of command.

24 At that time, it was -- it had been told
25 about in the Version Libre of Jairo Ignacio Orozco,

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1 alias Jairo Taraza.

2 I repeat, I don't know the circumstances of
3 the time, the modality, the place, that led to the
4 death of Eduardo Estrada, but I do accept the
5 responsibility because of chain of command, and I
6 don't have anything else to add.

7 Q So this -- and this will be the last
8 exhibit.

9 (Exhibit 9 marked.)

10 Q (By Mr. Liss) And is -- is Taraza a member
11 of the BCB?

12 A Yes. That's how it is.

13 Q So this is a Version Libre, 13 de
14 Noviembre, of Rodrigo Perez Alzate, and it was
15 produced by defense counsel.

16 And so I just want -- if he can just review
17 the language on the first page there. And then I
18 just have a couple of questions.

19 A (Examines an exhibit.) All right.

20 Q Okay. Is this generally accurate?

21 A About this -- this testimony, I'd like to
22 make a clarification. What year is this from?

23 Q That wasn't disclosed to us, so we don't
24 know.

25 A It's important to know that after this

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1 declaration around 2007 or 2008, there were other
2 procedures.

3 And as I said, this exercise of
4 constructing memory is a collective exercise. And
5 it's necessary to know the different sources of
6 information of each person that was a part of these
7 structures in order to more precisely clarify the
8 event.

9 As I had mentioned before, at this time,
10 Gustavo Alarcon directly depended upon me. He was
11 under my command, and he was responsible for
12 reporting all news to me as a direct commander.

13 Q Okay. And it says here, and I could be
14 reading it wrong, that Gustavo Alarcon y JJ 22,
15 quienes dependan directamente de Carlos Mario
16 Jimenez.

17 A That's what I'm saying, that there must be
18 another procedure that clarified this around 2007 or
19 2008. Because before that, it wasn't possible for us
20 all to sit down together and reconstruct memory.

21 Regarding J22, I don't know the date, the
22 exact date of the death of Eduardo Estrada, if J22
23 was present in Southern Bolivar. I'm sorry, but I
24 don't have that precise information. But as I said
25 before, Gustavo Alarcon, also known as Jhon Francis

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1 Arriete, was directly under my command.

2 MR. LISS: And so I think for now, we'll
3 pass the witness. If Javier has any questions.

4 MR. MICHEO: I -- I have no questions.
5 Thank you.

6 MR. LISS: Yeah, can we take a two-minute
7 break? And then, just, we'll finish up then.

8 (Recess.)

9 MR. LISS: Okay. So again, I'm ready to go
10 on the record, as soon as you are.

11 Javier, are you still there?

12 MR. MICHEO: Yes.

13 Q (By Mr. Liss) Okay. So Senor Perez, I
14 just want to thank you for your time today. As you
15 said, there's nothing new here. You've just
16 confirmed things that have already been testified to.

17 And we appreciate your time and your
18 clarification. And we understand that statements are
19 often dependent on different input and things like
20 that.

21 So we will not be bothering you again and
22 hope you have a good rest of your day.

23 A You're very welcome. I'm happy to come
24 back to any call that you might have. Excuse me, but
25 my time today was very limited because I have to go

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1 back to court at 2:00 p.m. for something related to
2 Law 975.

3 Q Okay. We understand. Gracias.

4 MS. VARGAS: Gracias.

5 MR. LISS: Go off the record.

6 THE WITNESS (interpreted): We don't have
7 to affirm anything else?

8 MR. LISS: No.

9 (Off the record.)

10 THE REPORTER: Javier, this is the court
11 reporter. Did you want copies of the transcripts of
12 today and what will happen tomorrow?

13 MR. MICHEO: Yes, please.

14 THE REPORTER: Okay. Is electronic format
15 all right?

16 MR. MICHEO: Yes. Perfect.

17 THE REPORTER: Thank you.

18 (Deposition adjourned at 11:25 p.m.)

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REPORTER CERTIFICATE

I, JASON T. MEADORS, Registered Professional Reporter, Certified Realtime Reporter, Certified Realtime Captioner, and Notary Public, appointed to take the video deposition of

RODRIGO PEREZ ALZATE,

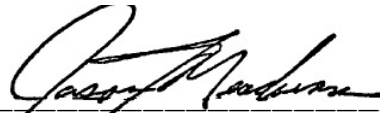
certify that prior to the deposition the witness was sworn by me to tell the truth; that the deposition was taken by me at HOTEL PARK 10, Cra. 36B #11, 12, El Poblado, Medellin, Colombia, on October 22, 2019.

I certify that the proceedings were reduced to typewritten form by computer-aided transcription consisting of 40 pages herein; that the foregoing is an accurate transcript of the proceedings.

I certify that I am not related to, employed by, of counsel to any party or attorney herein, nor interested in the outcome of this litigation.

I further certify review of the transcript was not requested.

Attested to by me this October 25, 2019.



Jason T. Meadors, RPR, CRR, CRC
for Planet Depos International

My commission expires
January 26, 2021

Re: Jaramillo, et al., vs. Naranjo
Reporter: JM
Proofer: SLM

Transcript of Rodrigo Perez Alzate
Conducted on October 22, 2019

1 I, RODRIGO PEREZ ALZATE, do hereby certify
2 that I have read the foregoing transcript and that
3 the same and accompanying amendment sheets, if any,
4 constitute a true and complete record of my
5 testimony.

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Signature of Deponent

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() No amendments

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() Amendments attached

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