



Oral testimony of

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Chairmen McGovern and Smith, thank you for calling this hearing. It’s an honor to be with you today.

I’m going to talk about Colombia, which today has a confusing array of armed and criminal groups: the Gulf Clan, the ELN, ex-FARC dissident networks, and many smaller ones.

They run the drug trade. They degrade the environment. They facilitate migration, including through the treacherous Darién Gap. They kill thousands each year, including the world’s highest numbers of murdered human rights and environmental defenders. They displace or confine hundreds of thousands more.

In 2016 Colombia’s largest leftist guerrilla group, the FARC, signed a peace accord and demobilized. Guerrillas have disappeared from many areas—from the roads around Bogotá to the slums around Medellín. But it’s hard to find a place in Colombia that was under *organized crime’s* influence 30 years ago that isn’t under that same influence today.

Top leaders may have been jailed and extradited. The groups' names change. But organized crime is still active. Often, groups can trace their DNA back to the cartels and paramilitaries of a generation ago.

Why is that? Why is organized crime so much harder to fight than the FARC was?

My written testimony lists a few reasons*. But most importantly: *the FARC actually wanted to fight the government*. Organized crime prefers not to do that. Fighting the government is bad for business.

Instead, organized crime thrives on its relationship with government. Corruption is the oxygen it breathes. My written testimony includes 10 alleged examples since 2022 of Colombian military and police who've colluded with organized crime.* Criminals need police who will look the other way when a cocaine shipment is going downriver. They need mayors who go along when they traffic people or dig illegal gold mines out in the open. They need prosecutors who let cases die.

This is a hard problem, but it's solvable. It's possible to protect people and institutions, and to cut organized crime out of the picture, permanently.

The answer isn't "send the military" or "declare a 'state of emergency' then renew it." In a phrase, the winning long-term strategy is "government presence with low impunity."

What does that mean?

- It means *bringing the government* into areas where there is none. Colombia has many of those areas: rural towns and urban neighborhoods where people almost never see their government—sometimes they can't even obtain the local currency—but they see lots of armed actors.

But that's not enough, because government personnel can be corrupted. Just adding more of them could make things worse.

* I am a recent addition to the witness list and will submit my written testimony as soon as possible. The relevant language from that unfinished written testimony is at the end of this document.

- State presence has to come with a *justice system* that can guarantee consequences for collusion. Prosecutors, judges, and investigators need personnel, protection, and technology. It's important, too, to have strong, watchful social organizations and media.

Colombia has many brave officials and social leaders trying to build this low-impunity state presence. We need always to be asking: is the United States government firmly on these reformers' side? Or does that support get squishy when corrupt, anti-reform leaders cooperate with us on things like trade, drugs, migration, or China?

So, I've pointed to a long term solution. But it takes years to build state presence and a justice system. How can governments make people feel safer *in the short term*?

In Latin America, we've seen two kinds of short term responses to organized crime: "*mano dura*" or "iron fist" approaches, or negotiations. In El Salvador, Nayib Bukele is using the *mano dura* with gangs now, but first he negotiated.

In Colombia, Gustavo Petro is negotiating. He calls the strategy "Total Peace." Basically: offering talks, and for criminal groups, offering lighter punishments if they surrender and make amends to victims.

Just like "*mano dura*," this raises human rights flags. Negotiations could end up giving light sentences to people who committed serious human rights abuses. Some of these people already demobilized after earlier negotiations, then reneged.

To justify taking a step like that, President Petro would need a dramatic improvement in security. So far, we're not seeing that. Kidnappings are up. Homicides are at last year's levels, despite two ceasefires. Killings of human rights defenders and social leaders are down only slightly.

If Total Peace can "work," though, it would make Colombians feel safer in the short term, without *mano dura*'s militarization and human rights abuse. It could *buy time* for a long-term "government presence without impunity" strategy to take root. If people feel safer, they'll be patient.

But *is there* a long-term strategy?

I'm not seeing it yet. That's not for lack of good will and intentions. This year the Petro government published new, rights-based security and drug policies. But those are documents. In

its first 16 months, the Petro government has lacked the managerial capacity to make them reality.

Budgets are too low. Agency heads are inexperienced. Coordination is poor. Lines of command are unclear. Too often, officials learn about policies, hirings, and firings from the President's Twitter account. Polls show frustration with improvisation and stagnation.

It's not too late to fix this. If it can get its managerial house in order, the Petro government could complement its short-term plan, Total Peace, with the longer-term "low-impunity governance" plan promised by its new security and drug policy strategies—promised, in fact, by Colombia's 2016 peace accord.

Then, Colombia could see historic progress, because organized crime would have fewer vacuums to fill and fewer allies embedded in government.

The Petro government isn't organized yet, though, and the trajectory is uncertain. Colombia's armed and criminal groups aren't on the defensive yet. Civil society still is.

Excerpts from draft written testimony:

Why is organized crime so much harder to fight than the FARC was?

- The FARC had a hierarchy and generally stayed separate from the population, while organized crime is looser and networked. Removing leaders did more harm to the FARC's command and control.
- Because of its loose structure, organized crime often fragments when confronted (and sometimes fragments anyway because of internal divisions). The result is dozens of groups instead of just a few.
- Members and leaders of organized crime groups are more often mixed in with the population, more likely to be in towns and less likely to be in distant areas like jungle encampments.
- Most importantly, *the FARC actually wanted to fight the government*. Organized crime prefers not to: it is bad for business.

Some recent examples of security-force collusion with organized crime in Colombia include:

- December 2023: five marines are [arrested](#) for allegedly colluding with criminals to help move migrants through the Darién Gap.
- November 2023: five marines are [arrested](#) for allegedly colluding with narcotraffickers. The U.S. Drug Enforcement Administration (DEA) assisted the investigation.
- September 2023: Colombia's National Police [launches](#) an investigation into three majors accused by the DEA of collusion with cocaine traffickers.
- September 2023: Prosecutors [investigate](#) Gen. John Jairo Rojas, commander of the 2nd Joint Command in Colombia's southwest, for allegedly cooperating with the Segunda Marquetalia network of former FARC guerrilla fighters.
- October 2022: a sergeant in eastern Colombia is [charged](#) with being an informant for the Gulf Clan, Colombia's largest organized crime syndicate.
- September 2022: Prosecutors [allege](#) that Medellín-area organized crime figure Juan Camilo Goetz Ruiz, alias Dimas, is a key link between the Gulf Clan and elements of the Army, Navy, and National Police in Antioquia.

- August 2022: After taking office, President Gustavo Petro [forces](#) the retirement of more than 70 military and police generals and colonels. A few areas of the country [see disruptions](#) to coca and cocaine markets as traffickers adjust to the loss of “allied” officers.
- April 2022: An Army major [testifies](#) that many of the Gulf Clan’s fighters and leaders in the northwestern department of Chocó, a major drug trafficking route, are former military personnel.
- February 2022: A 663-page investigation by Colombia’s Attorney General’s Office [alleges](#) that General Leonardo Alfonso Barrero, who commanded Colombia’s armed forces from August 2013 to February 2014, conspired to help top Gulf Clan figure Juan Larinson Castro, alias “Matamba,” to move cocaine. Two former colonels also face allegations.
- February 2022: Recordings [reveal](#) that the commander of the Colombian Army’s Sixth Division, General Hernando Herrera Díaz, conspired with narcotraffickers to confront ex-FARC dissident groups in southwestern Colombia.