

THE HONORABLE CONNIE MACK IV

October 22, 2020

Senador Ivan Cepeda Castro
Edificio Nuevo del Congreso
Cra. 7 #8-62
Oficina 636B
Bogota, Colombia

Dear Senator Cepeda:

On April 10, 2018, the United States Attorney for the Southern District of New York [announced](#) that a federal grand jury had reviewed material evidence and returned a criminal indictment against Seuxis Paucis Hernandez-Solarte, a/k/a and heretofore **Jesus Santrich**, a senior commander of the Revolutionary Armed Forces of Colombia (FARC). The FARC was designated as a terrorist organization by the U.S. Department of State in 1997 and remains so today. In the [indictment](#), Santrich was charged with conspiracy to produce and export thousands of tons of cocaine to the United States from at least June 2017 until the date of the indictment.

The unsealed documents indicated that Santrich was intercepted discussing his intention to traffic cocaine to the United States, and discussed access to laboratories to supply large quantities of the drug and a U.S.-registered aircraft to transport it through and from Colombia. I need not remind you that such activities are in flagrant violation of U.S. and Colombian laws and are core contributing factors to the misery, criminality and death suffered by millions of citizens of both countries to this day.

Among all your peers in Colombian politics, you have stood out as the principal political ally of the FARC. Since Santrich was first indicted in 2018, you have publicly expressed your solidarity with him on numerous occasions. However, there is a troubling set of publicly verifiable facts that raise serious questions about your possible knowledge and/or possible assistance to Santrich in his evasion from justice over serious international criminal activities:

- When Colombian authorities complied with an [Interpol red notice](#) following the U.S. indictment and arrested Santrich in April 2018, you demanded his release, disparaged the integrity of the more than a dozen U.S. citizens empaneled in the federal grand jury, and publicly mobilized political efforts to prevent his extradition to face international justice.
- You championed the use of the Special Jurisdiction of Peace, the Supreme Court of Justice and Santrich's alleged privileges as a candidate for appointment to your country's House of Representatives to shield him from extradition. This effort led to his release on a technicality. However, Santrich was not exonerated in any way of the criminal charges against him in the United States.
- After Santrich's release on May 30, 2019, [you were photographed escorting him from detention](#). You had [announced your solidarity](#) with him over Twitter days before.
- Three months later, Santrich fled the reach of the Colombian justice system to a jungle guerrilla camp where he, along with other FARC leaders, [announced their resumption of the terrorist](#)

[armed struggle against the democratic government of Colombia](#) of which you swore an oath to defend as a senator.

- Santrich remains a fugitive of justice in both Colombia and the United States. A [\\$10 million reward has been offered by the U.S. Department of State](#) for information leading to his arrest and/or conviction.

Your close involvement with an indicted individual, as described above, is a matter of public record. But additional facts have emerged that raise deeper questions about the level and extent of your possible involvement with the FARC as an organization. These facts date back to periods where new U.S. criminal indictments allege there is material evidence that Santrich and the FARC were engaged in criminal activities dating back two decades:

- On March 26, 2020, the U.S. Attorney for the Southern District of New York [announced](#) that a new federal grand jury had been shown material evidence and returned a [superseding indictment](#) against Santrich. He was additionally charged with conspiring with leaders of the Venezuelan regime of Nicolas Maduro to produce cocaine in Colombia for export to the United States and to procure military grade weapons for Santrich's FARC guerrillas currently under the protection of the Maduro regime.
- The indictment indicated specific material evidence of criminal conspiracies between the Venezuelan regime and the FARC dating back to at least 1999. It also cites material evidence that Santrich has conspired in drug production and trafficking activities with the Venezuelan regime since 2003, playing a role in securing Venezuelan aid and support for the FARC to carry out terrorist activity in Colombia from that date.
- The documents also point to publicly available evidence that the Maduro regime is actively harboring Santrich and other FARC guerrillas until the present date.
- Colombian independent news organizations have [published documents](#) purported to be emails in 2008 between leaders of the FARC – among them Luciano Marín Arango, a/k/a **Iván Márquez**, whom you subsequently embraced publicly along with Santrich, and who is also under criminal indictment in the U.S. and is a fugitive from justice. The emails were reportedly part of the “FARC Files” seized in the March 2008 Colombian military raid named “Operation Fenix” on a FARC camp in Ecuador, on computer hard drives that were later [validated by Interpol](#). The emails appear to detail discussions of alleged clandestine collaboration with you in planning a demonstration in Colombia to counter and distract public opinion from [the massive anti-FARC demonstration on February 4, 2008](#), in which as many as one million Colombians marched in opposition to the terrorist organization and its objectives. You have denied that these emails exist, but you were not copied on them according to the documents that have been published in Colombia, so it raises the question of how you would know with such certainty if FARC leaders had discussions about you in 2008 or not.
- In addition to the solidarity you have publicly expressed with Santrich and the FARC leadership, you have expressed ideological solidarity with the Chavista regime in Venezuela. According to video footage widely available on the internet of your statement at the funeral of former Venezuelan President Hugo Chavez in 2013, you are depicted saying that Chavez was “the architect of a new order on our continent, of a deep integration of our peoples, and that will be recorded forever and ever.”

This growing list of publicly verifiable facts raises serious questions about the role you may have played as an accessory or an accomplice of a number of individuals now under criminal indictment in the United States, some of whom were your acknowledged close associates at the time of their criminal activities.

You have repeatedly made accusations of criminal wrongdoing against political adversaries, such as former president Alvaro Uribe Velez, for whom I have proudly advocated in the United States as a former Member of the U.S. House of Representatives and longtime friend. In justifying your politically motivated allegations against Uribe and others, you have always cited your desire to get to the truth.

I believe the American people deserve to know the truth about your possible involvement in over a decade of criminal activity among your associates and political allies. In order to get to the truth, I urge you to publicly answer the following important questions:

- 1. Why did you actively obstruct the extradition of Jesus Santrich to the United States after a federal grand jury, made up of ordinary U.S. citizens operating under judicial independence, returned an indictment of Santrich for serious criminal activities?**
- 2. What contacts and communications have you had with Jesus Santrich since you publicly escorted him from Colombian custody on May 30, 2019? Are you still in contact with him, directly or through intermediaries?**
- 3. Have you deleted any emails or chats with Jesus Santrich on any of your personal or official devices as a Senator of the Republic of Colombia, including the cell phone you say allegedly was broken?**
- 4. Was your refusal to submit your cell phone for forensic analysis, as petitioned by attorney Victor Mosquera in relation to your testimony before the Supreme Court of Justice in your case against Álvaro Uribe Vélez, in any way related to communications with Jesus Santrich, Iván Márquez or other fugitives from justice?**
- 5. On what date were you aware that Santrich was planning to flee justice and resume an armed terrorist war against the democratic government of Colombia?**
- 6. When did you first come into contact with Jesus Santrich? Was it before, during or after 2003, when he was implicated through material evidence before a U.S. court in an international conspiracy to traffic drugs and finance terrorist activities against the citizens of Colombia?**
- 7. Did you ever communicate, directly or indirectly, with any representatives, members or leaders of the Revolutionary Armed Forces of Colombia (FARC) over the period of 1999 to 2008 for any purposes, when according to material evidence before a U.S. court leaders of the FARC that included your close associates Jesus Santrich and Iván Márquez were engaged in international criminal conspiracies against the democratic government of Colombia?**
- 8. Had you any communication with any representatives, members or leaders of the FARC before you visited the United States in 2009 in order to induce testimony against former**

president Alvaro Uribe from prisoners in U.S. federal correctional facilities? Did you make or sanction sworn affirmations to the U.S. government in order to obtain permission to enter the United States asserting that you had not participated in criminal acts or aided terrorist organizations?

- 9. Did you have any contact or communication with any other individuals under indictment as co-conspirators or named in superseding indictments related to those issued in March 2020 against Jesus Santrich and Ivan Marquez, during the period of 1999 to the present day where the criminal activities mentioned in the indictments were alleged to have been taking place?**

Senator Cepeda, these are serious questions that deserve public answers from you as an elected defender of the public trust and the rule of law in Colombia. All persons are innocent until proven guilty, but they must be forthcoming if they have sworn an oath of service to the public. Furthermore, it is important that these matters be duly investigated by the authorities of the United States, given the clear indications of multiple associations that may link you to criminal activity.

You say you want to get to the truth. So start providing answers.

Yours sincerely,



The Honorable Connie Mack IV

CC: The Honorable William J. Barr, Attorney General of the United States

The Honorable Christopher A. Wray, Director of the Federal Bureau of Investigation