

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

Holding a Criminal Term

Grand Jury Sworn in on June 11, 2001

UNITED STATES OF AMERICA	)	CRIMINAL NO.
	)	
v.	)	GRAND JURY ORIGINAL
	)	
FUERZAS ARMADAS	)	Violations:
REVOLUCIONARIAS DE COLOMBIA	)	18 U.S.C. § 2332(b)
also known as FARC	)	(Conspiracy to Commit Homicide)
also known as REVOLUTIONARY	)	
ARMED FORCES OF COLOMBIA	)	18 U.S.C. § 2332(a)(1) & 1111(a)
	)	(Homicide)
GERMAN BRICENO SUAREZ	)	
also known as GRANOBLES	)	18 U.S.C. § 924(c)(1)(A)(iii)
	)	(Using a Firearm During a Crime of
EL MARRANO	)	Violence)
also known as LA MARRANA	)	
also known as GILDARDO	)	18 U.S.C. §2
also known as FERNANDO	)	(Aiding and Abetting and
also known as "THE PIG"	)	Causing an Act to be Done)
	)	
JERONIMO	)	
also known as GERONIMO	)	
	)	
GUSTAVO BOCOTA AGUABLANCA	)	
also known as TRIBISU	)	
also known as ESTEVAN	)	
	)	
NELSON VARGAS RUEDA	)	
also known as ALFREDO	)	
also known as HUGO	)	
	)	
DUMAR	)	
	)	
Defendants	)	

INDICTMENT

The Grand Jury Charges that:

**COUNT ONE**

At all times material to this Indictment, except as otherwise indicated:

**A. Introduction**

**(1) Defendants**

1. Defendant **The Revolutionary Armed Forces of Colombia**, an English translation of the Spanish name of the group, **Fuerzas Armadas Revolucionarias de Colombia** (abbreviated hereafter as **FARC**), is the largest guerrilla organization in Colombia. Since its inception in 1966, **FARC** has been strongly anti-United States and has targeted United States citizens for acts of violence. **FARC** was designated as a foreign terrorist organization pursuant to 8 U.S.C. §1189 on October 8, 1997, was re-designated on October 8, 1999, and was re-designated most recently on October 5, 2001. Continuing to the date of this indictment, **FARC** remains engaged in terrorist activity including: hostage taking, murder and damage to property.

2. Defendant **GERMAN BRICENO SUAREZ**, also known as **GRANOBLES** (hereinafter sometimes referred to as "defendant **GRANOBLES**"), was the Commander of the Eastern Bloc of **FARC** and as such, was a senior commander. Among the units under his control were the 10<sup>th</sup> and 45<sup>th</sup> Fronts of **FARC**, based in the Department of Arauca, Colombia.

3. Defendant known as **EL MARRANO**, also known as **LA MARRANA**, also known as **GILDARDO**, also known as **FERNANDO**, also known as "**THE PIG**" (hereinafter sometimes referred to as "defendant **MARRANO**"), was a member of **FARC**, whose photograph appears on page 4 of this indictment

4. Defendant known as **JERONIMO**, also known as **GERONIMO** (hereinafter sometimes

referred to as “defendant **JERONIMO**”), was a Commander of the 10<sup>th</sup> Front of FARC whose photograph appears on page 4 of this indictment.

5. Defendant **GUSTAVO BOCOTA AGUABLANCA**, also known as **TRIBISU**, also known as **ESTEVAN** (hereinafter sometimes referred to as “defendant **AGUABLANCA**”), was a member of FARC.

6. Defendant **NELSON VARGAS RUEDA**, also known as **ALFREDO**, also known as **HUGO** (hereinafter sometimes referred to as “defendant **ALFREDO**”), was a member of FARC.

7. Defendant known as **DUMAR** (hereinafter sometimes referred to as “defendant **DUMAR**”), was a member of FARC, whose photograph appears on page 4 of this indictment.

**[Left blank intentionally]**



EL MARRANO



GERONIMO



DUMAR

## **(2) Victims of the March 1999 Murders**

8. Terence Unity Freitas was a United States national and citizen by birth, born in 1974. He was a biologist and environmentalist who formed the U'wa Defense Working Group.

9. Ingrid Washinawatok, a Menominee Indian, was a United States national and citizen by birth, born in 1947. She was working on improving the U'wa educational system.

10. Lahee'Enae Gay, a Native Hawaiian, was a United States national and citizen by birth, born in 1959. She was the Director of the Pacific Cultural Conservancy International and was working on improving the U'wa educational system.

## **(3) U'wa Indians**

11. The U'wa Indians are a tribe of indigenous native Colombians who live in northeastern Colombia.

## **B. The Conspiracy**

12. From on or about March 1998, and continuing thereafter through on or about June 30, 1999, outside of the jurisdiction of any particular state or district in the United States, that is, within the Republic of Colombia and the Republic of Venezuela, within the extraterritorial jurisdiction of the United States, and pursuant to Title 18, United States Code, Section 3238, within the venue of the United States District Court for the District of Columbia, the defendants: **FUERZAS ARMADAS REVOLUCIONARIAS DE COLOMBIA** also known as **FARC**; **GERMAN BRICENO SUAREZ**, also known as **GRANOBLES**; **EL MARRANO**, also known as **LA MARRANA**, also known as **GILDARDO**, also known as **FERNANDO**, also known as **"THE PIG"**; **JERONIMO**, also known as **GERONIMO**; **GUSTAVO BOCOTA AGUABLANCA**, also known as **TRIBISU**, also known as **ESTEVAN**; **NELSON VARGAS RUEDA**, also known

as **ALFREDO**, also known as **HUGO**; and **DUMAR**, did knowingly and intentionally combine, confederate, conspire, and agree with each other and with other co-conspirators, both known and unknown to the Grand Jury, to commit murder in the first degree, as defined by 18 U.S.C. §1111(a), by willfully, deliberately, maliciously, and with premeditation and malice aforethought, killing nationals of the United States, while such nationals were outside of the United States.

**C. Manner and Means of Effectuating the Conspiracy**

13. It was a part of the conspiracy that defendants **FARC, GRANOBLES, MARRANO, JERONIMO, AGUABLANCA, ALFREDO, DUMAR** and their unindicted co-conspirators, both known and unknown to the Grand Jury:

- a. declared that U.S. citizens, who they considered to be “military advisors”, are “legitimate military targets”;
- b. conducted physical surveillance of the activities engaged in by United States nationals Terence Freitas, Ingrid Washinawatok and Lahee’Enae Gay, and the location where these activities occurred, from prior to February 25, 1999, and continuing up to the morning of February 25, 1999;
- c. seized and detained Terence Freitas, Ingrid Washinawatok and Lahee’Enae Gay by armed force on or about the morning of February 25, 1999, while on the road between the cities of Cubara and Saravena, Department of Arauca, Colombia;
- d. continued to detain Terence Freitas, Ingrid Washinawatok and Lahee’Enae Gay as from on or about the morning of February 25, 1999, until March 4, 1999, utilizing firearms and physical restraints to prevent their escape, and transported the three detainees to various locations within the Department of Arauca, Colombia and the Republic of Venezuela during

the above period of time;

e. murdered Terence Freitas, Ingrid Washinawatok and Lahee'Enae Gay on or about the morning of March 4, 1999, by shooting each of them multiple times in the head and other parts of their bodies and depositing the corpses of the three victims in Apure State, Venezuela, just north of the Arauca River which forms the boundary with Colombia;

f. engaged in a series of two-way radio communications and face-to-face communications to inform other members about the progress of the conspiracy, to control damage to or detection of the conspiracy, to hide the criminal objectives of the conspiracy, and to instill confidence, cohesiveness and prevent the desertion of other **FARC** members related to: (i) detaining Terence Freitas, Ingrid Washinawatok and Lahee'Enae Gay on or about the morning of February 25, 1999; (ii) maintaining the above three individuals as detainees during the period February 25, 1999 to March 4, 1999; (iii) killing the above three individuals on or about the morning of March 4, 1999, (iv) ensuring that their bodies would be found in the Republic of Venezuela and not the Republic of Colombia, and (v) rewarding and recognizing the actions of members who supported the **FARC** anti-American policy; and

g. utilized firearms and other weapons, physical restraints, and head coverings during the period when the three victims were detained and subsequently murdered.

#### **D. Overt Acts**

14. In furtherance of the aforesaid conspiracy and to accomplish the object thereof, defendants **FARC, GRANOBLES, MARRANO, JERONIMO, AGUABLANCA, ALFREDO, DUMAR**, together with their unindicted co-conspirators, both known and unknown to the Grand Jury, committed the following overt acts, among others, in the Republic of Colombia (overt acts (a)

through (q), (y), (z),(aa) and (bb)) and the Republic of Venezuela (overt acts (q) through (x)):

(a) In and around March 1998, the **FARC** declared that U.S. citizens, who they considered to be "military advisors," are "legitimate military targets";

(b) Prior to the morning of Thursday, February 25, 1999, and continuing up to the morning of February 25, 1999, defendant **GRANOBLES** ordered **AGUABLANCA**, and other **FARC** members, to seize and detain United States nationals Terence Freitas, Ingrid Washinawatok, and Lahee'Enae Gay.

(c) Prior to the morning of February 25, 1999, and continuing up to the morning of February 25, 1999, defendant **AGUABLANCA** engaged in the physical surveillance of the activities and locations of Terence Freitas, Ingrid Washinawatok and Lahee'Enae Gay.

(d) In and around the morning of February 25, 1999, **AGUABLANCA** and two co-conspirators seized and detained Terence Freitas, Ingrid Washinawatok and Lahee'Enae Gay by the use of armed force, while the above three individuals were en route from Cubara, Arauca to the airport at Saravena, Arauca, Colombia.

(e) In and around the morning of February 25, 1999, defendant **AGUABLANCA** physically stopped and then commandeered a taxi by force.

(f) In and around the morning of February 25, 1999, defendant **AGUABLANCA**, by the use of armed force, ordered Terence Freitas, Ingrid Washinawatok and Lahee'Enae Gay, to enter the commandeered taxi and further ordered the taxi driver to drive away with the three detainees, along with defendant **AGUABLANCA** and unindicted co-conspirator C.

(g) In and around the morning of February 25, 1999, unindicted co-conspirator C



maintained physical custody of the shoulder bags which belonged to the detainees.

(h) In and around the morning of February 25, 1999, after traveling a few kilometers in the commandeered taxi, defendant **AGUABLANCA** ordered the taxi driver to stop, and further ordered Terence Freitas, Ingrid Washinawatok and Lahee'Enae Gay to exit the taxi and enter another vehicle.

(i) In and around the morning of February 25, 1999, defendant **AGUABLANCA** and unindicted co-conspirator D drove away with Terence Freitas, Ingrid Washinawatok and Lahee'Enae Gay.

(j) On or about February 25, 1999, and continuing thereafter to in and around the morning of March 4, 1999, defendant **MARRANO** took physical custody of Terence Freitas, Ingrid Washinawatok and Lahee'Enae Gay.

(k) On or about February 25, 1999, during a radio communication, unindicted co-conspirator E, in substance and in Spanish, advised defendant **GRANOBLES**, that the 45<sup>th</sup> Front of FARC had kidnaped three "gringos" and had handed them over to defendant **MARRANO**. In response, defendant **GRANOBLES**, in substance and in Spanish, told unindicted co-conspirator E to do what was pertinent.

(l) On or about February 25, 1999, defendant **GRANOBLES**, instructed unindicted co-conspirator E, in a radio communication, to keep the detainees there with defendant **MARRANO**, and in substance and in Spanish stated, "those that don't pay get their heads chopped off."

(m) On or about February 26, 1999, in a radio communication, defendant **MARRANO**, in substance and in Spanish, informed unindicted co-conspirator E that: he had the 3 gringos,

one of them was gringo; the other two were U'wa natives who work for human rights; one of them was a project coordinator for the Defense of the U'wa People; and the other one belonged to the Colombian natives international organization, President of the International Pacific Rim Cultural Conservancy. Unindicted co-conspirator E replied to defendant **MARRANO**, in substance and in Spanish, that those sons of bitches belonged to the CIA, and that **MARRANO** should find out where the project of this so called organization came from because he believed they were using the indigenous community as a front.

(n) On or about February 27, 1999, in a radio communication, unindicted co-conspirator E informed unindicted co-conspirator F, in substance and in Spanish, that: one of the gringos, a female that they captured, was ill and that she was dying. Unindicted co-conspirator F responded to unindicted co-conspirator E by stating, in substance and in Spanish, let the bitch die, and to go to the fertilizer factory where they sell poison, to buy a kilo, give it to all three gringos and leave them "scattered" around.

(o) Between February 25 1999, and March 4, 1999, defendants **MARRANO** and **DUMAR**, and unindicted co-conspirators F and G, transported Terence Freitas, Ingrid Washinawatok and Lahee'Enae Gay from a campsite in Pueblo Seco, near the village of Tame, Arauca, toward Venezuela.

(p) Between on or about February 25 1999, and March 4, 1999, defendants **MARRANO**, **AGUABLANCA** and **DUMAR**, along with other unindicted co-conspirators, transported Terence Freitas, Ingrid Washinawatok and Lahee'Enae Gay, from the Department of Arauca, Colombia, across the Arauca River which forms the boundary with the Republic of Venezuela, into Apure State, Venezuela.

- (q) On or about the morning of March 4, 1999, defendants **MARRANO** and **ALFREDO**, along with unindicted co-conspirators G, H and I, tied the hands of Terence Freitas, Ingrid Washinawatok and Lahee'Enae Gay with nylon cords and wrapped cloth around their heads.
- (r) On or about the morning of March 4, 1999, defendant **MARRANO**, shot Terence Freitas.
- (s) On or about the morning of March 4, 1999, unindicted co-conspirator G shot Terence Freitas.
- (t) On or about the morning of March 4, 1999, unindicted co-conspirator H shot one of the two female detainees.
- (u) On or about the morning of March 4, 1999, defendant **ALFREDO** shot one of the two female detainees.
- (v) On or about the morning of March 4, 1999, unindicted co-conspirator I shot Lahee'Enae Gay.
- (w) On or about the morning of March 4, 1999, defendant **DUMAR** shot one of the three detainees.
- (x) On or about the morning of March 4, 1999, co-conspirators deposited the bodies of Terence Freitas, Ingrid Washinawatok and Lahee'Enae Gay in Apure State, Venezuela, near the town of La Victoria, at kilometer number 56 marker, in Sector Los Pajaros, in a pasture located just north of the Arauca River which forms the boundary between the Republic of Colombia and the Republic of Venezuela.
- (y) Between February 25 1999, and March 4, 1999, defendants **DUMAR** and **MARRANO** ordered the property of the detainees burned while in the presence of **ALFREDO**,

unindicted co-conspirators H and I, and other co-conspirators at a **FARC** campsite in Pueblo Seco.

(z) Between March 4 1999 and June 30, 1999, defendant **GRANOBLES**, at a meeting of members of the **FARC**, praised and recognized those responsible for the murder of the Americans.

(aa) On or about March 11, 1999, a senior member of the **FARC** secretariat and official spokesman of the **FARC**, admitted responsibility on behalf of the **FARC** for the murder of the Americans.

(bb) Between March 4 1999, and June 30, 1999, a senior member of the **FARC** secretariat and official spokesman of the **FARC**, again admitted responsibility on behalf of the **FARC** for the murder of the Americans.

(**Conspiracy to Commit Homicide**, in violation of Title 18, United States Code, Sections 2332(b)(2), 1111).

### COUNT TWO

1. Paragraphs 1 through 11 of Count One of this Indictment are hereby incorporated by reference as if fully realleged and restated herein.

2. On or about March 4, 1999, in the Republic of Colombia and the Republic of Venezuela, defendants: **FARC, GRANOBLES, MARRANO, JERONIMO, AGUABLANCA, ALFREDO, DUMAR**, and others, known and unknown to the Grand Jury, did commit murder in the first degree, as defined by 18 U.S.C. §1111(a), by willfully, deliberately, maliciously, and with premeditation and malice aforethought, killing Terrence Freitas, a national of the United States, by shooting him

numerous times in his head and body with firearms.

**(Homicide and Aiding and Abetting and Causing an Act to be Done**, in violation of Title 18, United States Code, Sections 2332(a)(1), 1111 and 2)

### COUNT THREE

1. Paragraphs 1 through 11 of Count One of this Indictment are hereby incorporated by reference as if fully realleged and restated herein.

2. On or about March 4, 1999, in the Republic of Colombia and the Republic of Venezuela, defendants: **FARC, GRANOBLER, MARRANO, JERONIMO, AGUABLANCA, ALFREDO, DUMAR**, and others, known and unknown to the Grand Jury, did commit murder in the first degree, as defined by 18 U.S.C. §1111(a), by willfully, deliberately, maliciously, and with premeditation and malice aforethought, killing Ingrid Washinawatok, a national of the United States, by shooting her numerous times in her head and body with firearms.

**(Homicide and Aiding and Abetting and Causing an Act to be Done**, in violation of Title 18, United States Code, Sections 2332(a)(1), 1111 and 2)

### COUNT FOUR

1. Paragraphs 1 through 11 of Count One of this Indictment are hereby incorporated by reference as if fully realleged and restated herein.

2. On or about March 4, 1999, in the Republic of Colombia and the Republic of Venezuela, defendants: **FARC, GRANOBLER, MARRANO, JERONIMO, AGUABLANCA, ALFREDO, DUMAR**, and others, known and unknown to the Grand Jury, did commit murder in the first degree, as defined by 18 U.S.C. §1111(a), by willfully, deliberately, maliciously, and with premeditation

and malice aforethought, killing Lahee'Enae Gay, a national of the United States, by shooting her numerous times in her head and body with firearms.

**(Homicide and Aiding and Abetting and Causing an Act to be Done**, in violation of Title 18, United States Code, Sections 2332(a)(1), 1111 and 2)

**COUNT FIVE**

1. Paragraphs 1 through 11 of Count One of this Indictment are hereby incorporated by reference as if fully realleged and restated herein.

2. From on or about February 25, 1999, and continuing thereafter until on or about March 4, 1999, in the Republic of Colombia and the Republic of Venezuela, the defendants: **FARC, GRANOBLES, MARRANO, JERONIMO, AGUABLANCA, ALFREDO, DUMAR**, and others, known and unknown to the Grand Jury, did knowingly use and carry firearms, that is, a .9mm pistol; three AR-15 rifles, two Galil Rifles, two Taurus pistols, and one Browning pistol, during and in relation to crimes of violence for which each of them may be prosecuted in a court of the United States, to wit, murder in the first degree, as defined by 18 United States Code, Section 1111(a), in violation of Title 18, United States Code, Section 2332, as set forth in Counts Two through Four of this Indictment.

**(Using a Firearm During a Crime of Violence and Aiding and Abetting and Causing an Act to be Done**, in violation of Title 18, United States Code, Sections 924(c)(1)(A)(iii) and 2)

A TRUE BILL

FOREPERSON

*Rosevelt C. Howard, Jr. / JH*  
Attorney of the United States in  
and for the District of Columbia