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21 May 2020

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Colombia: Gulf Clan (Clan del Golfo) [Autodefensas Gaitanistas de Colombia (AGC), Los Urabeños, Clan Úsuga], including its leaders, structure, areas of operation, activities and the profile of its targets; ability to track its targets; state response and protection offered to victims (2017-May 2020)

Research Directorate, Immigration and Refugee Board of Canada

1. The Gulf Clan

Sources report that the Gulf Clan is also called "Los Urabeños," the Gaitanista Self-Defence Forces (Autodefensas Gaitanistas de Colombia, AGC) or "Clan Úsuga" (HRW 2018, 20; Geneva Academy Dec. 2017, 3; Belgium 3 July 2017, 13). Sources report that Colombian authorities generally refer to the group as the "Gulf Clan" (Colombia Reports 20 July 2019a; InSight Crime 14 Mar. 2018; International Crisis Group 19 Oct. 2017, 3). Some sources report that the group calls itself the "AGC" (The Observatory May 2018, 25; InSight Crime 14 Mar. 2018). However, other sources assert that the AGC is the "armed forces branch"

of the Gulf Clan (AFP 30 Nov. 2019; GlobalSecurity.org 4 Mar. 2018). Further information on this subject could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

Sources describe the Gulf Clan as a “paramilitary” (GlobalSecurity.org 4 Mar. 2018) or “neo-paramilitary” group (International Crisis Group 19 Oct. 2017, i; Tracking Terrorism n.d.). Some sources report that the group can be recognized by the uniform worn by some of its members (International Crisis Group 19 Oct. 2017 9; FIDH, et al. 8 Sept. 2017); according to the signatories of an open letter to the members of the UN Security Council, this uniform is similar to that of the Colombian army (FIDH, et al. 8 Sept. 2017). According to some sources, the group is the “largest” (The Observatory May 2018, 25; FIDH et al. 8 Sept. 2017) or “most powerful” paramilitary group in Colombia (Colombia Reports 22 Oct. 2019). Several sources describe the Gulf Clan as a major drug trafficking group (AFP 30 Nov. 2019; International Crisis Group 8 Aug. 2019, 4). Sources state that it is the largest criminal organization in Colombia (International Crisis Group 8 Aug. 2019, 7; GlobalSecurity.org 4 Mar. 2018). On 15 October 2018, the US Department of Justice ranked this group as being among the “top transnational organized crime threats” (US 15 Oct. 2018). According to InSight Crime, a foundation dedicated to the study of organized crime in Latin America and the Caribbean (InSight Crime n.d.), the Gulf Clan was the eighth largest criminal organization in Latin America in 2019 (InSight Crime 22 Jan. 2020).

Sources report that the Gulf Clan was formed following the demobilization of far-right paramilitary groups, and its origins can be traced to the United Self-Defence Forces of Colombia (Autodefensas Unidas de Colombia, AUC) around 2005 and 2006 (AFP 30 Nov. 2019; GlobalSecurity.org 4 Mar. 2018). According to InSight Crime, the AUC are the “predecessors” of the Urabeños (InSight Crime, 22 Jan. 2020). For further information on the origins of the Gulf Clan, see Response to Information Request COL105773 of April 2017.

2. Members

According to sources, the members of the Gulf Clan are:

- former paramilitaries demobilized during the 2006 peace process (Affaires internationales 14 Apr. 2018; AFP 5 Sept. 2017);
- former AUC combatants (Colombia Reports 20 July 2019a; InSight Crime 30 May 2017);
- former members of the Revolutionary Armed Forces of Colombia (Fuerzas Armadas Revolucionarias de Colombia, FARC) (Affaires internationales 14 Apr. 2018; InSight Crime 30 May 2017).

According to sources, estimates of the number of group members range from 1,500 to 15,000 (Colombia Reports 20 July 2019a; RFI 26 May 2018; France 14 Aug. 2017, 5; Belgium 3 July 2017, 13). Some sources state that the number is between 3,000 and 3,500 if both permanent members and part-time members or “subcontractors” are included (GlobalSecurity.org 4 Mar. 2018; International Crisis Group 19 Oct. 2017, 9). Some sources specify that the Colombian government estimates that there are between 1,800 and 2,000 members of the Gulf Clan (Affaires internationales 14 Apr. 2018; International Crisis Group 19 Oct. 2017, 9; AFP 5 Sept. 2017).

3. Organization

3.1 Structure

Sources describe the Gulf Clan as an organization made up of both full-time combatants and part-time mercenaries (GlobalSecurity.org 4 Mar. 2018; HRW 2018, 20; International Crisis Group 19 Oct. 2017, 9). According to International Crisis Group, this organization “combines a vertical military hierarchy centred in the country’s north west with a web of subcontracted local gangs” (International Crisis Group 19 Oct. 2017, i). The national command node is headquartered “in their stronghold of Urabá” and is led by “Otoniel” (InSight Crime 14 Mar. 2018). International Crisis Group describes the group’s structure as follows:

The armed, uniformed combatants operate in rural areas, such as Urabá, southern Córdoba, Bajo Cauca Antioqueño, Chocó and southern Bolívar, where they seek territorial control, and are organised in blocs and fronts led by regional and front commanders. ... They operate in Nariño and Antioquia and along the Atlantic coast and the Venezuelan border. The organization has a central high command, made up of regional commanders, and a political wing. Beneath the leadership stands a vertical hierarchy with various levels of control, including squadrons, sections, groups, companies, fronts and blocs. (International Crisis Group 19 Oct. 2017, 9)

The French Office for the Protection of Refugees and Stateless Persons (Office français de protection des réfugiés et apatrides, OFPRA) reports a description of the Gulf Clan’s organizational chart borrowed from the independent Colombian think tank Ideas for Peace Foundation (Fundación Ideas para la Paz, FIP):

[translation]

It is made up of a main formal structure and independent regional blocs under the command of regional leaders who serve as an interface between the *Gulf Clan* and the complex criminal network, thereby allowing them to interfere indirectly within the territory by controlling the population and regulating both legal and illegal activity. (France 14 Aug. 2017, 5, italics in original)

According to sources, the mercenaries are members of local Colombian gangs who are hired by the Gulf Clan to oversee their local operations (HRW 2018, 20; France 14 Aug. 2017, 5). According to the OFPRA, they take care of [translation] “assassinations, collecting extortion payments, micro-trafficking and collecting money from drug trafficking” (France 14 Aug. 2017, 5). Some sources describe the links between the local gangs to the central command as “weaker” (InSight Crime 14 Mar. 2018) or “loosely affiliated” (GlobalSecurity.org 4 Mar. 2018). For further information on the group’s structure and classification by the government in relation to other Organized Armed Groups (Grupos Armados Organizados, GAO), see Response to Information Request COL105773 of April 2017.

3.2 Leader

Sources report that Dairo [Dayro] Antonio Úsuga [Suga] [David], alias “Otoniel” [or “Mauricio” or “Mao” (NF News 22 Feb. 2020; GlobalSecurity.org 4 Mar. 2018)], is the current leader of the Gulf Clan (InSight Crime 22 Jan. 2020; Colombia Reports 22 Oct. 2019). According to media sources, he is the “most wanted” man in the country (Colombia Reports 23 Aug. 2019; RFI 26 May 2018; AFP 20 Feb. 2018). Sources point out that the US offered five million dollars for his capture (RFI 26 May 2018; GlobalSecurity.org 4 Mar. 2018; AFP 20 Feb. 2018) and the Colombian government offered one million dollars (GlobalSecurity.org 4 Mar. 2018).

4. Areas of Operation

4.1 In Colombia

GlobalSecurity.org, an American online source on the defence, space, intelligence and domestic security sectors (GlobalSecurity.org n.d.), reports that, based on an unidentified Colombian intelligence document, the Gulf Clan has control over the entire territory of Colombia and most of its ports (GlobalSecurity.org 4 Mar. 2018). InSight Crime also states that the group’s control extends across the country (InSight Crime 14 Mar. 2018). Sources

indicate that the group is primarily present on the Caribbean and Pacific coasts (InSight Crime 14 Mar. 2018; Tracking Terrorism n.d.). GlobalSecurity.org states that the group is present in 17 of Colombia's 32 departments, primarily in the northwest of the country, and that it is active in 13 of these:

The clan has a particularly dense concentration in Colombia's northern region, especially in the Pacific departments of Antioquia, Choco and Cordoba. ... The illegal organization is also present in the central region of Meta as well as on the borders with Venezuela and Panama, including the group's birthplace, Urabá. (GlobalSecurity.org 4 Mar. 2018)

According to InSight Crime, the Gulf Clan is present in 17 departments:

The group's base and territorial stronghold is centered around the Gulf of Urabá in the departments of Antioquia and Chocó, and stretching into Córdoba. They have an extensive presence throughout the rest of these departments, as well as along the Caribbean coast, in the city of Medellín and in departments such as La Guajira, Santander, Valle del Cauca and Norte de Santander. (InSight Crime 14 Mar. 2018)

In a mission report dated May 2018, the Observatory for the Protection of Human Rights Defenders, a collaboration between the International Federation for Human Rights (Fédération internationale des ligues des droits de l'homme, FIDH) and the World Organization Against Torture (Organisation mondiale contre la torture, OMCT) (The Observatory n.d.), published a list, borrowed from the Colombian Human Rights Ombudsman's Office (Defensoría del Pueblo) and dated March 2017, of departments where the Gulf Clan is present: Antioquia, Chocó, Casanare, Valle del Cauca, Nariño, Córdoba, Sucre, Bolívar, Magdalena, Atlántico, La Guajira, urban regions of Cesar and some parts of Magdalena Medio (The Observatory May 2018, 25). A map published in July 2019 by Colombia Reports, an independent English-language news website based in Colombia (Colombia Reports n.d.) also shows that, in 2018, a large portion of the Gulf Clan's activities took place in the northwest of the country and in the central region (Colombia Reports 20 July 2019b).

4.2 International

According to GlobalSecurity.org, "the Gulf Clan ... is in good business relations with drug cartels in Costa Rica, Honduras, Panama, Guatemala and Mexico, including the infamous Sinaloa Cartel" (GlobalSecurity.org 4 Mar. 2018).

Sources report that the Gulf Clan's boats transport drugs from ports on Colombia's Pacific or Caribbean coast to Central America and Mexico (GlobalSecurity.org 4 Mar. 2018; AFP 5 Sept. 2017).

5. Relationships

5.1 Rivals

Sources report that the Gulf Clan clashes with the guerrilla National Liberation Army (Ejército de Liberación Nacional, ELN) (Colombia Reports 22 Oct. 2019; InSight Crime 14 Mar. 2018; Tracking Terrorism n.d.). Sources report armed confrontations between the two groups for territorial control, especially in the Chocó region (International Crisis Group 8 Aug. 2019, 7; *Libération* 2 Apr. 2020; InSight Crime 14 Mar. 2018). For further information on the relationship between the Gulf Clan and the ELN, see Response to Information Request COL106086 of April 2018.

Sources report that there is a rivalry between the Gulf Clan and the Caparros [Los Caparros, formerly Los Caparrapos] (UN 26 Feb. 2020, para. 10; Colombia Reports 22 Oct. 2019; OAS 2019, para. 23). According to Colombia Reports, the two groups clash for territorial control in the department of Antioquia and, more specifically, in the Bajo Cauca region (Colombia Reports 6 July 2019).

Sources describe the Gulf Clan as a "long-time rival" (Tracking Terrorism n.d.) or an "arch enemy" of the FARC (Colombia Reports 22 Oct. 2019). However, InSight Crime reports the following:

The new mafia forming from FARC remnants, meanwhile, has the potential to create both new allies and enemies, depending on whether the two sides perceive it to be in their interests to cooperate or compete for the territory left behind by the guerrillas. In some areas, notably Córdoba in the north, the Urabeños are reportedly working with ex-FARC mafia, while in others, such as parts of Antioquia, they are violently clashing with them. (InSight Crime 14 Mar. 2018)

5.2 Allies

Sources report, without naming them, that the Gulf Clan has joined forces with criminal organizations, gangs and independent drug traffickers in Colombia (InSight Crime 14 Mar. 2018; GlobalSecurity.org 4 Mar. 2018). Without naming specific groups, Colombia Reports states that the AGC maintains ties with other

AUC dissidents (Colombia Reports 22 Oct. 2019). Sources report that the group has a good relationship with the Sinaloa cartel in Mexico (InSight Crime 14 Mar. 2018; GlobalSecurity.org 4 Mar. 2018). According to Colombia Reports, the Colombian authorities state that the group is “the main ally of the powerful Sinaloa Cartel” (Colombia Reports 22 Oct. 2019). Moreover, GlobalSecurity.org points out that the group maintains “good business relations with drug cartels in Costa Rica, Honduras, Panama, Guatemala and Mexico” (GlobalSecurity.org 4 Mar. 2018).

6. Activities

6.1 Drug trafficking

Sources report that the Gulf Clan’s primary activity is drug trafficking (InSight Crime 14 Mar. 2018; International Crisis Group 19 Oct. 2017, 10). According to sources, the group controls a majority of drug trafficking activities in Colombia (Colombia Reports 22 Oct. 2019; France 14 Aug. 2017, 5). It is particularly involved in the production and trafficking of cocaine (AFP 5 Sept. 2019; RFI 26 May 2018; GlobalSecurity.org 4 Mar. 2018). InSight Crime describes the group’s activities as follows:

[The group is] primarily dedicated to transnational drug trafficking. Members of the leadership group are themselves international traffickers that manage their own routes. However, the network as a whole is less a drug cartel and more a service provider to independent drug traffickers. The group controls territories and regulates or runs the coca base market, escorting shipments along international trafficking corridors, ensuring access to or protection for processing laboratories, and providing storage and dispatch services in coastal and border regions. (InSight Crime 14 Mar. 2018)

6.2 Extortion

According to sources, the group engages in extortion to finance its activities (International Crisis Group 8 Aug. 2019, 11; InSight Crime 14 Mar. 2018; France 14 Aug. 2017, 5). According to International Crisis Group, the group demands money from traffickers who wish to cross zones under its control, miners seeking to mine on their territory, and local businesses and farms (International Crisis Group 19 Oct. 2017, 10).

6.3 Illegal mining

Sources indicate that the Gulf Clan is also involved in illegal mining, especially gold mining (Affaires internationales 14 Apr. 2018; InSight Crime 14 Mar. 2018; GlobalSecurity.org 4 Mar. 2018). According to International Crisis Group, they “profit from criminal and informal mining in areas such as Bajo Cauca Antioqueño, Córdoba and Chocó, where they manage mines directly” (International Crisis Group 19 Oct. 2017, 10).

6.4 Other Activities

Weapons trafficking is another Gulf Clan activity mentioned by sources (International Crisis Group 8 Aug. 2019, 7; GlobalSecurity.org 4 Mar. 2018), as is money laundering (GlobalSecurity.org 4 Mar. 2018).

6.5 Violence and Intimidation (for Territorial Control)

International Crisis Group explains the relationships between armed groups and the people living in the territories they control as follows:

Each of these groups has different goals, but they share common methods for imposing territorial control, offering protection, resolving disputes among residents and preserving local illegal economies. They compete with a state perceived as distant and indifferent for the control of physically isolated regions, border areas and key rivers, which are seen as the highways of Colombia’s periphery. (International Crisis Group 19 Oct. 2017, 3)

The same source adds the following:

Since the FARC peace accord, myriad other groups ... have exploited local people’s grievances toward political elites, provided opportunities in the drug trade or other illegal businesses, and deployed raw firepower to co-opt and coerce communities. (International Crisis Group 8 Aug. 2019, i)

A report published by the Geneva Academy of International Humanitarian Law and Human Rights, a Swiss research and teaching centre in the field of international law relating to armed conflict (Geneva Academy Dec. 2017, 17), further explains the following:

These groups have nonhomogeneous structures and are able to take differentiated, flexible action in response to specific local and regional circumstances and contexts. They seek to replay coercive control scenarios in rural and urban communities, impeding the consolidation of community organizational bases and social mobilization to assert rights. (Geneva Academy Dec. 2017, 4)

6.5.1 Violence

Sources report that the Gulf Clan employs violence and intimidation against civilians, among other methods of coercion (GlobalSecurity.org 4 Mar. 2018; International Crisis Group 19 Oct. 2017, 10). According to InSight Crime, “they have merchants, farmers, officials, and communities living in a state of terror” (InSight Crime 30 May 2017). Some sources mention the numerous murders committed by the group (International Crisis Group 8 Aug. 2019, 7; Affaires internationales 14 Apr. 2018). Sources also report sexual violence against women and young girls (International Crisis Group 8 Aug. 2019, i, 14; UN 23 Mar. 2018, para. 34).

Other sources report that the Gulf Clan’s activities and the violence caused by its clashes with rival groups have led to the forced displacement of civilians (*Libération* 2 Apr. 2020; Affaires internationales 14 Apr. 2018), particularly in the Chocó region (*Libération* 2 Apr. 2020; International Crisis Group 8 Aug. 2019, 7).

7. Targets and Victims

7.1 Police

Sources report that the Gulf Clan attacks members of law enforcement agencies (Geneva Academy Dec. 2017, 4; InSight Crime 30 May 2017). According to some sources, the group launched the *Plan Pistola* in May 2017 to systematically attack members of the security forces (Geneva Academy Dec. 2017, 4; France 14 Aug. 2017, 6; Belgium 3 July 2017, 11). According to the signatories of the open letter to the members of the UN Security Council, this plan included rewards for killing police officers in certain regions of the country (FIDH, et al. 8 Sept. 2017). Sources refer to attacks by the Gulf Clan on police officers leading to deaths (Geneva Academy Dec. 2017, 4; Belgium 3 July 2017; France 14 Aug. 2017, 5, 6; InSight Crime 30 May 2017) and injuries (France 14 Aug. 2017, 5, 6; InSight Crime 30 May 2017).

7.2 Social Leaders

Sources report that social and community leaders are targeted by the Gulf Clan (International Crisis Group 8 Aug. 2019, i; *El Espectador* 12 July 2018; GlobalSecurity.org 4 Mar. 2018). The Geneva Academy report explains that this is a means of controlling the people by discouraging them from mobilizing to assert their rights (Geneva Academy Dec. 2017, 4).

7.3 Human Rights Defenders

According to the Observatory, human rights defenders have been targeted by the Gulf Clan (The Observatory May 2018, 16, 19, 27, 36). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

7.4 Afro-Colombians and Indigenous Communities

According to sources, between 2017 and 2019, indigenous communities in the Chocó department were subjected to direct and indirect violence by the Gulf Clan when the group clashed with ELN members in the region (ACAPS 5 Nov. 2019; GlobalSecurity.org 4 Mar. 2018; Geneva Academy Dec. 2017, 4). Sources note that Afro-Colombian communities have also been affected (Geneva Academy Dec. 2017, 4; ACAPS 5 Nov. 2019; GlobalSecurity.org 4 Mar. 2018), in both the Antioquia and Córdoba departments (GlobalSecurity.org 4 Mar. 2018). International Crisis Group notes that indigenous and Afro-Colombian communities are victims of “high murder rates, mass displacement or forced confinement of populations, sexual violence and the murder of community leaders” (International Crisis Group 8 Aug. 2019, i). For further information on the situation of Afro-Colombians, including forced displacement within the country and the effects of clashes between armed groups on their communities, see Response to Information Request COL200219 of May 2020.

7.5 Ability to Track Targets

Information on the Gulf Clan’s ability to track its targets could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

8. State Response

8.1 Operation Agamemnon II

International Crisis Group describes the operation as follows:

The Colombian government has identified three “organised armed groups,” which it argues qualify as parties to an internal armed conflict under international standards: the Gaitanistas, EPL and Puntilleros. On this basis, the government has assumed the legal right to target these groups with lethal force under the laws governing the conduct of war. (International Crisis Group 19 Oct. 2017, 8, 9)

Sources report that the Colombian government led a military operation in 2017 called Operation Agamemnon II to capture or neutralize Gulf Clan leaders (InSight Crime 14 Mar. 2018; France 14 Aug. 2017, 6). The OFPRA reports that, between January and August 2017, this operation led to the arrest of 153 Gulf Clan members and the death of 21 other members (France 14 Aug. 2017, 6). According to InSight Crime, the operation led to the arrest or death of at least three commanders (InSight Crime 14 Mar. 2018). GlobalSecurity.org reports that Agamemnon I, launched in 2015, and Agamemnon II led to the arrest of 1,500 members and the death of 12 of its highest-ranking leaders (GlobalSecurity.org 4 Mar. 2018).

8.2 Failed Surrender

According to sources, following this operation, Otoniel offered to negotiate the surrender of the Gulf Clan with the Colombian justice system in September 2017 (Colombia Reports 22 Oct. 2019; InSight Crime 14 Mar. 2018; Tracking Terrorism n.d.). Sources report that this offer had conditions (International Crisis Group 19 Oct. 2017, 21; Tracking Terrorism n.d.). According to Colombia Reports, the group demanded protection against extradition and guarantees that no new groups would be formed in the regions controlled by the Gulf Clan (Colombia Reports 22 Oct. 2019). The same source reports that negotiations took place until the new government was elected in August 2018, at which point the new president, Ivan Duque, broke off the talks (Colombia Reports 22 Oct. 2019). The Washington Office on Latin America’s (WOLA) blog on the peace process in Colombia reports that Colombia’s National Police reported the following in January 2020:

Colombia's National Police reported carrying out 1,163 operations against the Gulf Clan neo-paramilitary group since the February 2015 launch of "Operation Agamemnon," capturing 3,344 people, killing 127—including 30 high-level leaders, and seizing over 1,000 firearms. 80 members of the security forces died in these operations. (WOLA 10 Mar. 2020)

8.3 Protection Offered to Victims

Information on protection offered to victims of the Gulf Clan was scarce among the sources consulted by the Research Directorate within the time constraints of this Response. In a November 2017 report, Amnesty International expressed the opinion that the government cannot ensure the safety of civilians while ongoing threats from the guerrillas and paramilitary groups go unchallenged by the authorities (Amnesty International 22 Nov. 2017). A November 2019 report by ACAPS, an independent and bias-free information provider specializing in humanitarian needs analysis and assessment in crisis situations (ACAPS n.d.), on the displacements caused by the clashes between the AGC and the ELN in the Chocó region, stated that, according to a report by the UN Office for the Coordination of Humanitarian Affairs (OCHA) dated 22 October 2019, "state presence is low and the state cannot guarantee protection to individuals or specific groups from violence" (ACAPS 5 Nov. 2019, 2). The Observatory also reported several times that the authorities are not in a position to protect human rights defenders or communities that are threatened by members of the Gulf Clan (The Observatory May 2018, 5, 46). For further information on protection measures offered by the state, see the Fact-Finding Mission Report on Colombia, published in May 2020.

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of sources consulted in researching this Information Request.

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