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Listen to the Human Rights Defenders: Lessons from Colombian Paramilitary Warlord Salvatore Mancuso's Testimony

Lisa Haugaard, LAWG Consultant



Photo taken by author

that long to force myself to listen to Mancuso explain how his paramilitary forces worked closely with Colombian government agencies and security forces to kill so many innocent people in so many evil ways.

Colombia's transitional court wasn't set up to hear from paramilitary leaders—the right-wing illegal armed actors closely connected with Colombian official secu-

Last December, I finally finished listening to the May 2023 recording of four days of testimony from paramilitary warlord Salvatore Mancuso before the Special Jurisdiction for Peace (JEP), Colombia's transitional justice court set up as part of the 2016 peace accords. After having worked on human rights and peace issues in Colombia for twenty-five years, and listened to so many victims tell their stories of suffering and sorrow, it took

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The **Latin America Working Group** (LAWG) and its sister organization, the **Latin America Working Group Education Fund** (LAWGEF), mobilize concerned citizens, organizations, and networks to call for just U.S. policies towards Latin America and the Caribbean. We educate the public about the impact of U.S. foreign and immigration policy and advocate before the U.S. Congress and the executive branch. We coordinate a coalition of over 50 U.S. organizations and work closely with civil society partners in Latin America to support their human rights campaigns and make sure their voices are heard in the policy debates that take place in Washington, D.C.

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city forces. They had been offered their own transitional justice process through the Justice and Peace law that governed their 2005 demobilization. The JEP primarily covers demobilized FARC guerrillas and Colombian army members. But paramilitary leaders like Mancuso can apply to testify before the JEP and potentially receive legal benefits if they offer new and significant revelations about the connections between their crimes and state actors. According to the JEP magistrates who questioned him in the hearing, Mancuso, a top leader in the unified paramilitary forces known as the United Self-Defense Forces of Colombia (Autodefensas Unidas de Colombia, AUC) appeared before the JEP because of his role as “*bisagra*” – an intermediary between the paramilitaries and the state.

Mancuso is still in a U.S. jail cell, having served out a 12-year sentence for drug trafficking after President Alvaro Uribe approved his extradition in 2008 with 13 other paramilitary leaders to the United States, in what was seen by human rights groups as an attempt to silence the paramilitary leaders from revealing truths about their connection with the state. On November 17, 2023, the JEP announced that it would accept Mancuso under its jurisdiction. The JEP had compared what he shared in public and private with its many other sources and determined that he had provided important, new information about the connections between the paramilitaries and state agents that fueled Colombia’s cycles of violence. This decision commits Mancuso to further collaboration with the JEP’s investigations.

We can’t assume, of course, that everything Mancuso said in the hearings is the truth. It is certainly far from the complete truth, including in the way it downplays the paramilitaries’ major role in drug trafficking. But what he said about the relationship between the paramilitaries and state actors squares with what Colombian and international human rights groups have previously reported. Except – that the alliance between the paramilitaries and the state detailed in Mancuso’s words was even closer, deeper, and more systemic than Colombia’s valiant human rights groups dared report.

What have we learned through Mancuso’s four days of testimony? Most of this is not new but taken together it paints a vivid picture.

The collusion between state actors and the paramilitary forces wasn’t just with lower-level actors. It was high level and pervasive. Mancuso repeatedly retreats into asking for private sessions with the magistrates when it comes to naming many of the highest-level officials, whether security forces or politicians, but he insists that “everyone knew” and frequently seems incredulous when the magistrates question how high up it goes. “You can’t explain how one can bring troops from one end of Colombia to the other without such coordination.” “I was recruited, trained, and armed by the armed forces. I was their son.”

The collusion wasn't just with the military and the notorious DAS intelligence agency. It was with Colombia's National Police, police intelligence, national and regional politicians, and at Ames reaches top levels of the justice system. Mancuso seems to take pride in recounting how the paramilitaries started to elect local council members, regional governments, and have an impact on presidential elections. "In the end, we controlled a large part of the [national] Congress." He asserts that Francisco Santos, Alvaro Uribe's Vice President (2002-2010), in the late 1990s asked the paramilitaries to create a paramilitary group to defend Bogotá, an allegation that Santos adamantly denies. The degree of paramilitary collusion with police, including at top levels, described by Mancuso contradicts the positive image of Colombia's National Police generally held by U.S. policymakers, even while problems with the army were more broadly acknowledged. **One of the few institutions Mancuso singles out as not involved in collusion was the Colombian government's Human Rights Ombudsman's office, the Defensoría del Pueblo, often a resource to communities at risk.**

The collusion included working relationships with members of the Attorney General's office and Military Justice system (*Justicia Penal Militar*, JPM). According to Mancuso, the paramilitaries coordinated with some members of the Attorney General's office, including members of the Technical Investigation Team (*Cuerpo Técnico de Investigaciones*, CTI), erasing or not reporting evidence of paramilitary crimes and connections with the state. Mancuso claims there was no arrest warrant issued against him even though his leadership within the AUC was common knowledge. The Military Justice system, for its part, colluded in covering up joint operations between the paramilitaries and the military. "Of course, JPM played a role," says Mancuso, nothing that members of JPM did "everything in their power" to divert attention and revealed only what was impossible to cover up.

The collusion wasn't occasional, it was routine. Mancuso speaks of weekly meetings with the army, police, and intelligence services. And he details carefully dividing up territory between the security forces and the paramilitaries.

The collusion was operational. Paramilitaries sometimes acted jointly with members of the military and police, used uniforms and weapons provided by the official security forces, and received training from the DAS, military, police, and air force. Official security forces helped paramilitaries escape from guerrilla attacks and from being discovered and arrested by other state agents, including by hiding them in government offices and security force facilities. The paramilitaries owned nine helicopters and were able to travel by air throughout Colombia without being stopped. Mancuso lists a number of massacres that were planned and executed jointly with military and/or police, including El Aro, La Granja,

Pichilín, Mapiripán, Tulapa, La Gabarra, and in response to a question from a magistrate, he asserts there was military collaboration in "almost all" of the more than 14 massacres in Montes de María. Paramilitaries recommended state agents to appoint or dismiss, so that key posts would be held by officials who supported state-paramilitary collusion – including regional officials and local prosecutors.

Members of the military, DAS intelligence service, and police provided lists to the paramilitaries of people to kill. These lists, Mancuso says, "became a death sentence when handed over" to the paramilitaries. The lists included union leaders, environmental activists, human rights defenders, journalists, student leaders and professors in the University of Córdoba, University of Antioquia, and other universities, Indigenous leaders including the Embera and the Sinú, and campesino leaders. The former head of the Colombian Commission of Jurists and current Colombian ambassador to the United Nations in Geneva, Gustavo Gallón, is named as a target, as well as now-Senator Alirio Uribe and other members of the *Colectivo José Alvear Restrepo* (CAJAR) and the *Comité en Solidaridad con los Presos Políticos* (CSPP). According to Mancuso, Gallón was spared because the assassination of humorist Jaime Garzón drew too much national and international attention. Current Colombian President Gustavo Petro was another DAS target. The DAS sent threats and funeral wreaths to the targeted human rights activists, journalists, and others. The paramilitaries carried out the assassinations, sometimes aided by real-time surveillance information from the DAS.

When the number of killings became too high and began to attract attention from international human rights groups, the military asked paramilitary leaders to order their troops to hide the bodies, to disappear victims, and to kill less than three people at a time so the crimes would not be categorized as massacres. Mancuso notes, "We were told that if we left too many bodies this would hurt the ability of the local military leaders to get promotions." He explains that the paramilitaries were told to continue the war "but disappear the bodies." According to Mancuso, the paramilitaries then started to leave bodies in Venezuela—"dozens, hundreds"—and to burn bodies in *crematoria* and to dump them in rivers.

The paramilitaries provided bodies of those they killed to the army and the army rewarded them with weapons. The army would then "legalize" the bodies by labeling them as guerrillas and sometimes as AUC killed in battle with official security forces—although, according to Mancuso, they were almost never AUC. And many, of course, were civilians.

The paramilitaries and state agents colluded with private companies to intimidate and kill union leaders and those opposing the environmental and community impact of their

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operations. Mancuso mentions the paramilitaries receiving a list of union leaders working at Drummond coal who were then killed by the AUC, a charge that Drummond has denied. Private companies paid “taxes” to the legal *Convivir* self-defense groups and then to the illegal paramilitaries, which helped them buy arms. Among the companies and industries that Mancuso said the paramilitaries coordinated with state forces to protect are banana, coal, oil, palm, and nickel mining companies, cattle ranching, beer and soft-drink factories, and the Urrá dam. Mancuso describes the way in which the paramilitaries with support from government security forces backed the expansion of specific economic projects—a connection long denounced by human rights groups, which documented the ways this alliance generated massive violence and internal displacement. Paramilitary offensives in rural areas were “operations of punishment that destabilized whole areas.” “We caused populations to displace due to terror.” Mancuso gives few details about human rights abuses committed during paramilitary operations. He mentions his regret about “gender-based crimes, not just sexual abuses but forced servitude” and admits that “we killed *campesinos* for having marks on their skin that showed they had used a backpack.” “So many *campesinos* who had nothing to do with it, *Dios santo*, this happened in almost all our operations, these people were assassinated, and we never thought about this person leaving behind children, mothers.” Ethnic groups were targeted, both Indigenous and Afro-Colombian communities and leadership.

In an interesting admission worth further investigation, Mancuso says he traveled to Miami to buy arms in January 1997, was stopped by U.S. agents in the airport but then allowed to travel back to Colombia with his arms purchases after he said his goal was to fight insurgents.

During these years of close collaboration between the paramilitaries, Colombian security forces and officials of Colombian government agencies, the United States was supplying, training, and supporting the Colombian armed forces and government to the tune of hundreds of millions of taxpayer dollars a year. The State Department was required to report twice yearly to the U.S. Congress on some variation of human rights conditions such as in this FY2003 State, Foreign Operations appropriations law that “(A) The Commander General of the Colombian Armed Forces is suspending from the Armed Forces those members, of whatever rank, who have been credibly alleged to have committed gross violations of human rights, including extra-judicial killings, or to have aided and abetted paramilitary organizations; (B) the Colombian Government is prosecuting those members of the Colombian Armed Forces, of whatever rank, who have been credibly alleged to have committed gross

violations of human rights, including extra-judicial killings, or to have aided or abetted paramilitary organizations, and is punishing those members of the Colombian Armed Forces found to have committed such violations of human rights or to have aided or abetted paramilitary organizations; (C) The Colombian Armed Forces are cooperating with civilian prosecutors and judicial authorities in such cases, including providing requested information... (D) The Colombian Armed Forces are severing links (including denying access to military intelligence, vehicles, and other equipment or supplies, and ceasing other forms of active or tacit cooperation), at the command, battalion, and brigade levels, with paramilitary organizations; (E) the Colombia Armed Forces are executing orders for capture of leaders of paramilitary organizations that continue armed conflict.”² These conditions were one of the few, imperfect tools human rights groups and members of Congress concerned with human rights in that country had to influence the U.S. government to focus on human rights abuses by the Colombian military and the ties between paramilitaries and state actors.

And in every instance from FY2000 through the 2005 demobilization of the AUC, the State Department certified that the Colombian government met these conditions. For example, in FY2003, the State Department certified that “The Colombian Armed Forces are taking effective action to sever links between military personnel and paramilitary units at the command, battalion and brigade levels. In addition, President Álvaro Uribe and Defense Minister Marta Lucia Ramírez have state repeatedly, both publicly and in discussions with USG officials, that they will not tolerate collaboration between military personnel and paramilitary groups.” **The State Department certified despite detailed information on links between the paramilitaries and state agents, particularly members of the armed forces, submitted directly to the State Department by Colombian, U.S, and international human rights groups. I know. I was there.**

An overarching lesson from Salvatore Mancuso's four days of testimony. Listen to the human rights groups. They are on the ground. They are listening to the victims. They know. They even, in their need to establish credibility, understand the unbelievably chilling truth. Listen.

Two Elections, Two Different Outcomes: What's Next for Human Rights in Guatemala and El Salvador?

Vicki Gass, Executive Director

On January 15, 2024,¹ president-elect Bernardo Arévalo of the Semilla Party was inaugurated after five tense months since he was elected on August 20, 2023. Guatemalans from all sectors (led by the Indigenous communities), international non-governmental organizations like LAWG, and foreign governments mobilized to prevent corrupt public and private actors from overturning the peoples' vote.

Nearly a month after Arévalo's inauguration, President Nayib Bukele was unconstitutionally re-elected to a second term in El Salvador after passing far-reaching electoral reforms and employing his well-heeled propaganda machine to influence the vote. While civil society organizations inside and outside El Salvador repeatedly raised the alarm about his re-election and the human rights implications of second term, the international community was largely silent.

What will the future of these two presidencies look like for human rights defenders? Will the U.S. government continue with a divided strategy towards the two countries? For Guatemalan and Salvadoran human rights defenders, the next 4 to 5 years under these two presidencies will be very different. And whether the U.S. will continue to back Arévalo or change its approach to Bukele on human rights is uncertain.

Before and during the elections, the LAWG team actively monitored the elections processes in both countries. We organized two delegations from El Salvador prior to the elections, held webinars with exiled Guatemalan judicial champions and human rights leaders, and participated in an observation mission in the second round of elections in Guatemala. What was clear is that there is cautious optimism for a human rights agenda under Arévalo but under a second Bukele term, a deep foreboding that human rights violations will rise to levels not seen since the civil war.

1. Inauguration day in Guatemala is usually held on January 14 but constitutional challenges to president-elect Arévalo delayed the ceremony nine hours until shortly after midnight.

The hope stems from [President Arévalo's commitment](#) to strengthening Guatemala's political institutions and aggressively eradicating corruption in order to reverse the democratic backsliding and restore peoples' faith in government. In his first 100 days, he has formed a National Anti-Corruption Commission tasked with creating systems to end corrupt practices in public institutions, made some progress on efforts to make public works contracting more transparent, pushed meritocracy in his Cabinet, established a regular schedule for meeting with Indigenous leaders, and restored Guatemala's image on the world stage with visits to the U.S. and European countries who have pledged their support to his government. These are important steps towards fulfilling a human rights agenda.

But the corrupt structures that nearly succeeded in keeping him in office still exist and will stop at nothing to destabilize his government. Attorney General Consuelo Porras, sanctioned by the U.S., has twice refused to meet with Arévalo and despite her resignation being a key demand of most Guatemalans due to her persecution of anti-corruption champions and failure to prosecute corrupt actors. Her refusal to resign forced President Bernardo Arévalo to present an initiative to Congress that could reform the law governing the Public Prosecutor's Office allowing for her removal. The "dark cycle of Consuelo Porras must end now", [he stated](#). Two weeks earlier, the Constitutional Court ruled the Semilla Party unconstitutional. By stripping them of a party affiliation, Semilla legislators are unable to chair or participate in congressional committees. Already in the minority, this will make it even harder for them to form alliances or advance their political agenda.

The risk is that the Guatemalan people, eager for social and economic change will grow impatient with the popular president - playing into the hands of corrupt public and private actors who want to see his government fail. For the moment, however, President Arévalo has the backing of Guatemalan citizens and the international community.

In neighboring El Salvador, Nayib Bukele was unconstitutionally reelected with 82.7% of the vote and his New Ideas Party consolidated its one party rule in the legislature on February 4, 2024, eliminating all checks and balances. Yet, the context of his popularity is entirely different from that enjoyed by President Arévalo. His popularity stems both from his crack-down on gangs and his massive propaganda machinery that enlarges his tepid accomplishments.

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Ending the gang violence that has long tormented Salvadorans since the U.S. deported gang members from California in the 1990s cannot be underestimated. However, the two-year state of emergency has come at a steep price to constitutional protections and the right to due process. Under this draconian policy, people can be arbitrarily arrested and detained without charge, denied a prompt hearing or a lawyer, spend years in pre-trial imprisonment and charged in mass trials with faceless judges. Over 70,000 people (2% of the population) have been detained, at least 241 people have died in prison and 327 people have been disappeared. Non-governmental organizations such as Cristosal, Amnesty International, DPLF among others have [exposed](#) that the “permanent measure of repression and human rights violations” that have occurred since the state of emergency began is state policy and has become normalized. These harsh conditions are also fueling out-migration.

On April 29, the Salvadoran legislature approved a change to Article 248 of the Constitution which will allow constitutional reforms without having to wait for the approval of a succeeding legislature – a measure established to prevent dictatorial governments from making reforms that diminish human rights or erode democracy. Critics of Bukele are concerned that this move further consolidates power in the hands of the presidency, and opens the possibility of him to stay in power indefinitely while limiting public participation in government.

The U.S. State Department’s [recently released](#) 2023 Human Rights Report on El Salvador acknowledges that:

Significant human rights issues included credible reports of: unlawful or arbitrary killings; enforced disappearance; torture or cruel, inhuman, or degrading treatment or punishment by security forces; harsh and life-threatening prison conditions; arbitrary arrest or detention; serious problems with the independence of the judiciary; arbitrary or unlawful interference with privacy.

Notwithstanding, the Biden administration has been silent on Bukele’s unconstitutional reelection, the recent constitutional reform to Article 248, the lack of transparency or accountability, the erosion of judicial independence, and the democratic deterioration in the country. This is in sharp contrast to its role in support of the electoral process in Guatemala of then candidate Arévalo and free and fair elections. On the silence, Representative McGovern (D-MA) said that the “international community and the Biden administration should continue to raise issues about constitutional integrity, election integrity, democracy and a slide toward authoritarianism, and human rights at every chance they get.”

And with your help, this is exactly what LAWG will continue to do. We will push the Biden administration to do the right thing and urge policymakers to protect human rights, promote good governance, back anti-corruption measures, and advance economic and environmental rights.

Que vivan los 43: Looking Towards the Tenth Anniversary of Ayotzinapa

Tania Del Moral, LAWG Program Assistant for Mexico and Central America

Ayotzinapa Vive, reads a wall painted bright-red on the corner of one of Mexico City’s most transited avenues. The spirit of Ayotzinapa does live on ten years later; but only because of the victims’ families efforts to organize, march, and even [knock down the door](#) of the National Palace to demand justice for their loved ones. I took this picture in February when I traveled to Mexico City to meet with partners on the ground and to attend the People’s Movement for Peace and Justice (PMPJ) [conference](#) on a human rights approach to policy-making in Mexico and the United States.

September 26, 2024 will mark the 10th anniversary of Ayotzinapa – an emblematic case in a plague of forced disappearances that has claimed more than 116,000 lives. Ten years ago, 43 students from Ayotzinapa Rural Teachers College were [attacked and forcibly disappeared](#) by colluding Mexican police and cartel members.

Photo taken by author



The [complexity of the case](#) and outright impunity have attracted wide national and international attention.

In 2018, then-candidate of the *Juntos Haremos Historia* coalition Andrés Manuel López Obrador (hereafter AMLO) vowed to find out what happened to the students, and even [chanted](#) at a rally in Iguala, Guerrero: “**¡Que viva los 43 jóvenes desaparecidos de la normal de Ayotzinapa! ¡Que viva la justicia!**”. His campaign promise to find justice for the disappeared students, [number 89](#) of his 100 campaign promises, materialized into the [semi-independent Commission](#) for Truth and Access to Justice in the Ayotzinapa Case (*Comisión para la Verdad y Acceso a la Justicia del caso Ayotzinapa, COVAJ*).

Initially, the COVAJ made considerable progress in the case. [In 2022](#) it was officially acknowledged that the Ayotzinapa case was state-sponsored and that the military was involved in the students' brutal disappearance. Additionally, the U.S. Drug Enforcement Agency (DEA) revealed that there were [significant links](#) between the criminal group "Guerreros Unidos" and the state police at the time of the disappearances. [Investigations revealed](#) that the Mexican military played a role in the surveillance before the 43 students were captured, tortured, and executed. It is also known that members of the armed forces later [attempted to influence](#) the investigations. Over 130 people linked to the case have been arrested including former Attorney General of the Prosecutor General's Office, Jesús Murillo Karam, who was arrested for fabricating the "[historical truth](#)" of the case and the **torture and hand-off for execution** of six students.

Nonetheless, this progress is not enough. Of the 43 students, only the remains of three have been found. The lawyers representing the 43 families are demanding that the military release documents revealed to be associated with the case, to which the military has [consistently denied](#) existed. AMLO's original promise to bring justice to the students and their families has stalled beyond the Commission. Instead, the Mexican leader has [attacked efforts](#) by civil society organizations, his own former head of investigations for the case, and the victims' families.

Together with Mexican civil society organizations, such as Centro Prodh, Tlachinollan, and SERAPAZ, the families have demanded a thorough and unbiased investigation for almost ten years. In response, they have been met with increasing resistance from the government and attacks from AMLO in his daily *mañaneras*. For Ayotzinapa and for similar cases, Mexican civil society has stepped in as the insurer of human rights, even as the government has villainized them.

After meeting with our partner organizations and other activists, it became clear that ignoring Ayotzinapa or trying to move past it also means burying the victims' stories. **Our struggles are interlinked, whether that be U.S. arms trafficking, increasing militarization, corruption and impunity – which ultimately result in the rampaging violence that has taken Mexico hostage.** These problems are inextricably linked and pervade most cases of disappearances in Mexico today and exposes the unchecked corruption and impunity occurring in Mexico.

As an emblematic case in Mexico's crisis of disappearances, Ayotzinapa is not only about the 43 but also the rest of human rights cases in Mexico. Its non-resolution sets a terrifying precedent in finding justice for the disappeared. It also calls into question the tactics used to investigate and prosecute those who violate human rights. During his time in office, AMLO's administration militarized various sectors of Mexican society. The Mexican National Guard now has extraordinary

[military, investigatory, and migratory-control duties](#) under control of the presidency. This creates an **extrajudicial** way of addressing human rights cases and leaves civil society and the victims' families completely in the dark.

The U.S. can and should hold the Mexican government accountable. Why should they? The U.S. is vigorously trying to [deter mass migration](#) through investments and business partnerships, use of force at the border, and pressuring Latin American countries to [dissuade migrants](#) from reaching the U.S. Civil society organizations have long echoed their concerns with forced disappearances, collusion between the state and organized crime, and militarization – all of which uproot lives and force people to leave their communities. If one of the main concerns this electoral year is immigration, the U.S. should redirect funding to actually address the root causes of migration. The Ayotzinapa case, and the thousands of others, instill fear and create deep ruptures within communities that the U.S. has the power to help prevent.

LAWG's partners pointed to recommendations that the U.S. should implement, with assistance from civil society organizations on both sides of the border.

- Congress and the State Department must **meet more frequently with human rights organizations** in Mexico. Organizations should also be included in high-level dialogues between U.S-Mexico stakeholders – especially as they are the first to assist human rights violation cases.
- To hold the Mexican state accountable, agencies such as USAID should **reevaluate funding** towards addressing human rights violations. [USAID's five year plan](#) (2020-2025) will soon expire, which makes it an opportune moment for civil society organizations to join the conversation.
- With elections in Mexico approaching, the Biden administration and Congress should elevate the issue of forced disappearances and other human rights violations through **public statements**.

LAWG is actively advocating to stop the illegal flow of arms to Mexico and address the root causes of migration by educating policymakers and encouraging advocates to call and email their representatives. LAWG is also working in coalition with Global Exchange to promote a congressional briefing in Washington, DC about the root causes of violence in the U.S. and Mexico, and how Congress can address them. Along with these efforts, we need more eyes on human rights violations in Mexico to hold the state accountable. Most importantly, we must listen and center the victims, their families, and civil society organizations in our fight for justice.

"Ayotzinapa vive, que viva la justicia, que vivan los jóvenes 43."



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