

1 And you hopefully have a very small number of
 2 people involved, but some, more than one, so there's a
 3 little bit of checks and balances and you get some comfort
 4 that way.
 5 So initially, I would have sat down -- when this
 6 started, I would have sat down with (b)(7)(C)
 7 would have gone through each and every payment and I would
 8 have probably had -- I can't recall the substance of the
 9 particular discussions, but I can recall having the
 10 discussions, you know, who were the groups, why this amount,
 11 what is the process that we go through to -- because, not to
 12 get into too many of the details, but, you know, you don't
 13 just pay what you're told to pay or you'll end up paying a
 14 filthy fortune. I mean, you've got to negotiate, you've got
 15 to say I can't pay, I'm not going to pay, you've got to kind
 16 of be dragged to the wedding kicking and shouting or it
 17 really gets out of hand. But you have to kind of know when
 18 to eventually show up or it also gets out of hand. So it's a
 19 tricky kind of thing.

20 I would have had very, very extensive conversations
 21 with them, with some of our security people about this kind
 22 of thing.

23 Q How did you know what payments were being made?
 24 Were you provided with a list, did you go over that?

25 A Yes, I would have been provided -- initially, the

1 Q The groups involved meaning the extorting groups.

2 A Yes. The various factions. I knew them to be
 3 taken seriously. So at that point, I basically said to
 4 (b)(7)(C) I'm comfortable, you know, I trust you
 5 guys to handle this, you don't have to call me ahead of time
 6 and get my approval. I want to know if this starts to, you
 7 know, grow or get out of hand or take a sharp turn to the
 8 left or a sharp turn to the right, but if the behavior is
 9 going to continue in this general manner, I'm comfortable
 10 with you guys handling it and (b)(7) you must approve it.

11 BY (b)(7)(C)

12 Q Can you give me a time period around when this
 13 transition occurred? In a general sense.

14 A I mean, late '80s, early '90s. That's about as
 15 specific as I can get for you. Then there was a period of
 16 time in which I would have sat down with them probably on a
 17 quarterly basis, maybe not, maybe semiannually or what have
 18 you, but I would have sat down with them and I would have
 19 said, okay, let's see it.

20 And they would have actually -- (b)(7)(C) for a
 21 while was actually preparing, believe it or not, charts, I
 22 mean, that would show -- coded, but they would show X amount
 23 over a multi-time period or what have you of how much we were
 24 giving to the FARC, how much we were giving to the ELM, that
 25 kind of stuff. I would sit down and review that. It was a

1 very first couple of payments, I was consulted on a
 2 before-the-fact basis and that's when we went through the
 3 whole business of investigating with Colombian counsel as to
 4 whether or not this was -- and, incidentally, in that case, not
 5 only inside counsel, but we also investigated with outside
 6 counsel to make sure that we were okay there and, of course,
 7 Chiquita's corporate law department was involved and
 8 Chiquita's top management was involved in that initial
 9 business.

10 Then unfortunately it becomes impractical: You
 11 can't -- you know, you can't involve everybody and their
 12 brother every time you get extorted in Colombia where you get
 13 extorted rather frequently. So we got the right blessings
 14 and we then -- then it was a question of (b)(7)(C) calling me
 15 and saying, well, we're having this negotiation or that
 16 negotiation and so forth and so on and then it became -- I
 17 became comfortable -- I mean, as comfortable as you can, under
 18 the circumstances.

19 I became comfortable that this was being handled in
 20 a responsible way. I became comfortable that it was not
 21 being handled willy-nilly or out of control. I think even
 22 comfortable that we were dragging our feet enough, but not
 23 too much. And I became comfortable with the groups that
 24 were -- that the groups involved were -- I knew them to be
 25 taken seriously.

1 review in the sense of is this reasonable.

2 And I would have -- and then, I would say that it
 3 evolved into -- we still do that occasionally, more often
 4 than not the conversation is has anything changed, they might
 5 tell me that the levels of payments to the guerrillas in
 6 Turbo have gone down because the guerrillas were run out of
 7 Turbo. They've gone up a little bit in Santa Marta. They
 8 told me about Convivir, which is a new legal government
 9 blessed and initiated group that is sort of an anti-guerrilla
 10 group.

11 So they would have told me -- like Convivir, we're
 12 being asked to make a contribution to the Convivir. I would
 13 have then asked questions like, well, tell me about the
 14 Convivir and who are they.

15 Well, I mean, are these horrible paramilitary? No,
 16 they're not. Convivir, this was founded and pushed by the
 17 governor of Antiochia and it was blessed by legislation in
 18 Colombia. This is an organization that was given -- I don't
 19 know what the term is in English, personeria juridica, which
 20 means legal status, I guess, and so forth and so on.

21 So I would ask those kinds of questions and we'd
 22 have that kind of a discussion. I would ask at the end of
 23 the year, well, what's the security budget look like for next
 24 year, how does it compare to this year and so forth and so
 25 on.



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