

May 10, 2024

María Susana Muhamad González, MPHIL Minister of Environment and Sustainable Development

Guillermo Alfonso Jaramillo
Minister of Health and Social Protection

Luis Fernando Velasco Chaves Minister of the Interior

Luz Adriana Camargo Garzón Attorney General of Colombia

Re: It's time to protect vulnerable and endangered primate species from exploitation in dubious biomedical experimentation

Dear Ministers and Ms. Attorney General:

Thank you in advance for your time. I'm writing on behalf of People for the Ethical Treatment of Animals—PETA entities have more than 9 million members and supporters globally. PETA has received public records that document the following.

- 1. Neglect of primates from the species *Aotus nancymaae* and *Aotus vociferans*, who were confined at Fundación Instituto de Inmunología de Colombia's (FIDIC) monkey facility, in Leticia, Colombia: Between March 2021 and May 2022, 47 monkeys died under FIDIC's care and 19 more escaped from its facilities. Some of the monkeys who died had been denied veterinary care or were found dead in cages. Pictures of the substandard FIDIC facilities and management of the monkey colony are available here.
- 2. FIDIC's blatant disregard for animal welfare, environmental, and public health regulations: FIDIC failed to comply with the requirements of Ruling 0366 of April 2020 issued by the regional environmental agency Corporación para el Desarrollo Sostenible del Sur de la Amazonia (CORPOAMAZONIA); failed to comply with Law 84 of 1989 (National Animal Protection Statute), Law 1774 of 2016, which recognized animal sentience and established minimum animal welfare standards, and Ministry of Health and Social Protection Ruling 8430, which established regulations for biomedical research; and used monkeys in COVID-19 experiments without the required

PEOPLE FOR THE ETHICAL TREATMENT OF ANIMALS

Washington

1536 16th St. N.W. Washington, DC 20036 202-483-PETA

Los Angeles

2154 W. Sunset Blvd. Los Angeles, CA 90026 323-644-PETA

Norfolk

501 Front St. Norfolk, VA 23510 757-622-PETA

Info@peta.org PETA.org

Entities

- PETA Asia
- PETA India
- PETA France
- PETA Australia
- PETA GermanyPETA Switzerland
- PETA Netherlands
- PETA Foundation (U.K.)

- permit to do so.
- 3. **Problematic response from CORPOAMAZONIA:** This regional authority allowed FIDIC to continue confining monkeys regardless of the poor health conditions that the animals exhibited while under its care and its failure to comply with basic requirements.
- 4. **Egregious manipulation of indigenous communities:** FIDIC has taken advantage of the needs of indigenous communities to engage them for decades in the capture and sale of a now-endangered monkey species.

Based on these findings, PETA respectfully requests the following:

- 1. An investigation into the apparent violations of animal welfare, environmental, and public health regulations by FIDIC
- 2. The implementation of effective mechanisms to prevent the capture of primate species to be used in biomedical experiments
- 3. The strengthening of the oversight mechanisms by regional environmental authorities
- 4. An investigation into the apparent manipulation of indigenous communities by FIDIC

As you know, FIDIC's founder and director, Manuel Elkin Patarroyo Murillo (Patarroyo), has been experimenting on animals for decades, first at the Instituto de Inmunología, which he founded in 1976 at the Hospital San Juan de Dios in Bogotá,¹ and then at FIDIC, which was officially incorporated in 2001² but has operated since 1984.³ The purpose of Patarroyo's experiments is to produce a successful malaria vaccine, but four decades and countless animal deaths later, such a vaccine doesn't exist.

The attached appendix is a detailed account of PETA's findings and includes supporting documentation.

In December 2022, PETA contacted Colombian authorities⁴ and American officials⁵ regarding another shameful case of dubious experimentation on vulnerable monkey species—performed in Cali, the city that will host the upcoming United Nations Convention on Biological Diversity, COP16—to produce a malaria vaccine. Despite the compelling evidence of animal abuse, admitted by the Corporación Autónoma del Valle del Cauca,⁶ and apparent environmental crimes, as well as the closure of the facility, no criminal charges have been brought.

PETA is aware of the June 2023 complaint submitted by the Hon. Sen. Andrea Padilla Villarraga regarding FIDIC⁷ but not of any results of the authorities' investigation.

¹Patarroyo ME. *Curriculum vitae*, p. 1. June 28, 2019

²Bogotá Chamber of Commerce. Certificate of incorporation. March 21, 2019

³FIDIC. Capture permit request. June 28, 2019.

⁴PETA. Request to Colombian authorities. December 21, 2022.

⁵PETA. Request to the National Institutes of Health. December 21, 2022.

⁶Corporación Autónoma Regional del Valle del Cauca. Ruling 0710. January 19, 2024.

⁷Padilla Villarraga A. Complaint submitted to the Office of the Attorney General. June 7, 2023.

This apparent inaction of the Office of the Attorney General in cases involving the abuse and neglect of primates in questionable biomedical experimentation is deeply concerning, especially in a country that praises itself for its commitment to the protection of biodiversity. Also, it is profoundly problematic that the Ministry of Environment and Sustainable Development (MADS) has continued to enable FIDIC's questionable practices⁸ despite the abundant evidence of its decades-long exploitation of wildlife.

Furthermore, Colombia's goal of becoming a global powerhouse for life, the apparent commitment of the MADS to develop and implement an effective animal welfare and protection policy, and the leadership shown by the country as host of the upcoming COP16 make it imperative to end the capture of primates for biomedical experimentation. As the acting executive secretary of the Secretariat of the Convention on Biological Diversity, David Cooper, pointed out in a recent interview, "It's important that Colombia leads by example at the COP16." The MADS cannot continue to hide behind the autonomy of regional environmental authorities in order to avoid its responsibility to protect wild animals.

In addition to its environmental and population impact, the use of captured wild monkeys—or any animals captured from the wild—for biomedical experimentation goes against basic scientific standards that call for the control of variables that can affect the integrity of the results and cannot be controlled when animals captured from the wild are used in biomedical experiments. Beyond this serious limitation, an increasing number of scientists around the world acknowledge that the use of animals in biomedical experimentation has hindered the development of treatments and cures for human diseases, so they are now focusing on research methods based on human biology.¹⁰

I respectfully urge you to act now to protect vulnerable primate species and indigenous communities from exploitation and to honor your promise to safeguard life and restore its dignity.

You can contact me at MagnoliaM@peta.org. I look forward to your reply regarding this important matter.

Sincerely yours,

Jull Magnolia

Magnolia Martínez, Ph.D.

Lead Projects Manager and Congressional Liaison

Laboratory Investigations Department

PETA

⁸Ministerio de Ambiente y Desarrollo Sostenible. Ruling 1311. November 29, 2023.

⁹Caicedo E. "It's important that Colombia leads by example at the COP16." *El Tiempo*. April 11, 2024.

¹⁰PETA. Research Modernization Deal. January 2023.

cc: Juan Miguel Torres Salazar, Coordinator, Special Group to Fight Animal Abuse, Attorney General's Office (juanm.torres@fiscalia.gov.co)

Deicy Jaramillo, Delegate for Territorial Security, Attorney General's Office (deicy.jaramillo@fiscalia.gov.co)

Diana Osiris Palacios Mosquera, Amazonas Section Director, Attorney General's Office (direc.amazonas@fiscalia.gov.co; diana.palacios@fiscalia.gov.co)

Mauricio Cabrera Leal, Vice Minister of Environmental Policies and Standardization, Ministry of Environment and Sustainable Development (vicepoliticas@minambiente.gov.co)

Ramón Eduardo Villamizar Maldonado, General Secretary, Ministry of Environment and Sustainable Development (revillamizarm@minambiente.gov.co)

Adriana Rivera Brusatin, Director of Forests, Biodiversity and Ecosystem Services, Ministry of Environment and Sustainable Development (ariverab@minambiente.gov.co)

Claudia Luz Rodríguez, Directorate of Forests, Biodiversity and Ecosystem Services, Ministry of Environment and Sustainable Development (crodriguez@minambiente.gov.co)

Lilia Clemencia Solano Ramírez, Vice Minister for Social Dialogue, Equality and Human Rights, Ministry of the Interior (lilia.solano@mininterior.gov.co)

Germán Bernardo Carlosama López, Director of Indigenous Affairs, Rom and Minorities, Ministry of the Interior (german.carlosama@mininterior.gov.co)

Yesenia Olaya Requene, Minister of Science, Technology and Innovation (ayolaya@minciencias.gov.co)

María Camila Díaz Casas, Vice Minister of Talent and Social Appropriation of Knowledge, Ministry of Science, Technology and Innovation (mcdiazc@minciencias.gov.co)

Deyanira Duque Ortiz, Advisor to the Science Directorate, Ministry of Science, Technology and Innovation (<u>dduque@minciencias.gov.co</u>)

Francisco Augusto Giussepe Rossi Buenaventura, Director, National Institute for Food and Drug Surveillance (INVIMA) (frossib@invima.gov.co)

Cnel. Sergio Armando Guzmán Jaimes, Commander, Twenty-Sixth Jungle Brigade, National Army (br26@buzonejercito.mil.co; sac@buzonejercito.mil.co)

Cnel. William Javier Lara Avendaño, Commander, Amazonas Police Department (deama.coman@policia.gov.co; deama.subco@policia.gov.co; deama.cosec@policia.gov.co; sipol.deama@dipol.gov.co)

CC. Diego Armando González Gutiérrez, Captain of the Port of Leticia (dimar@dimar.mil.co; jefcp16@dimar.mil.co)

Óscar Enrique Sánchez Guerrero, Governor, Department of Amazonas (despacho@amazonas.gov.co)

Claudia Juliana Dulcey Cala, Secretary of Agriculture, Environment and Productivity, Government of the Department of Amazonas (agricultura@amazonas.gov.co)

Leidy Johanna Peña Roa, Secretary of Health, Government of the Department of Amazonas (ssda@amazonas.gov.co)

Directorate of Ethnic Affairs, Government of the Department of Amazonas (resguardosindigenas@amazonas.gov.co)

Elquin Uní Heredia, Mayor of Leticia (<u>alcaldia@leticia-amazonas.gov.co</u>; contactenos@leticia-amazonas.gov.co)

Jaime Alberto Rivas Arrieta, Secretary of Competitiveness, Environment and Tourism, City of Leticia (medioambiente@leticia-amazonas.gov.co)

Katia Tatiana Aparicio Diaz, Secretary of Social Development and Health Directorate, City of Leticia (desarrollosocial@leticia-amazonas.gov.co)

Jennyffer Díaz Fajardo, Director of Municipal Health, City of Leticia (<u>salud@leticia-amazonas.gov.co</u>)

Argenis Obdulia Lasso Otaya, General Director, CORPOAMAZONIA (alasso@corpoamazonia.gov.co)

Yenny Soledad Infante Rivera, Amazonas Sectional Manager, Colombian Agricultural Institute (yenny.infante@ica.gov.co)

Luz Marina Mantilla Cárdenas, General Director, Amazon Institute of Scientific Research SINCHI (luzmarmantilla@sinchi.org.co)

Higher University Council, National University of Colombia (secgener@unal.edu.co; notificaciones_juridica_bog@unal.edu.co; notificaciones_juridica_bog@unal.edu.co)

José Fernando Galván Villamarín, Dean, Faculty of Medicine, National University of Colombia (jfgalvany@unal.edu.co; decfacm_bog@unal.edu.co)

Germán Anzola Montero, President, University of Applied and Environmental Sciences (ganzola@udca.edu.co)

Ana Delia Pinzón García, Director, Directorate of Research, Innovation and Entrepreneurship, University of Applied and Environmental Sciences (direccion.investigacion@udca.edu.co)

Álvaro José Arango Restrepo, President, Santo Tomás University (rector@usantotomas.edu.co)

Patrick Cramer, President, Max Planck Society (praesident@gv.mpg.de)

Holger Stark, Director, Max Planck Institute for Multidisciplinary Sciences (holger.stark@mpinat.mpg.de)

Dilian Francisca Toro, Governor, Departament of Valle del Cauca (contactenos@valledelcauca.gov.co)

Alejandro Eder Garcés, Mayor, Santiago de Cali (<u>contactenos@cali.gov.co</u>; <u>wilmer.tabares@cali.gov.co</u>)

Hernando García Martínez, General Director, Alexander von Humboldt Biological Resources Research Institute (hgarcía@humboldt.org.co)

Constanza Bejarano Ramos, Director, Economic, Social and Environmental Affairs, Ministry of Foreign Affairs (constanza.bejarano@cancilleria.gov.co)

H. David Cooper, Acting Executive Secretary of the Secretariat of the Convention on Biological Diversity (secretariat@cbd.int)

Astrid Schomaker, Executive Secretary of the Convention on Biological Diversity (imane.sednaoui@un.org)

APPENDIX: Detailed Findings by PETA

On April 2, 2020, the regional environmental authority Corporación para el Desarrollo Sostenible del Sur de la Amazonia (CORPOAMAZONIA) issued Ruling 0366, through which it authorized Fundación Instituto de Inmunología de Colombia (FIDIC) to capture 1,200 monkeys from the species Aotus nancymaae and Aotus vociferans within three years, without exceeding 400 captured animals per year. 11 The findings, described below, stemmed from records kept by CORPOAMAZONIA regarding its 2020 ruling, spanning May 2017 to September 2023, and obtained by PETA through a public records request.

Animal Neglect

According to FIDIC's records, at least 47 monkeys—or 12% of the colony—died between March 2021 and May 2022,¹² and only 11 necropsies were performed. Organ or tissue samples were never taken for further analysis. The most common causes of death reported by FIDIC were broncho-aspiration (19 monkeys) and cardiac arrest (nine monkeys). A monkey identified as 20-061 was denied veterinary care and bled to death. The fracture of one of his limbs was identified during CORPOAMAZONIA's inspection of FIDIC on February 18, 2022.13 The monkey was moved to the hospital area five days later, on February 23, and died from a "severe hemorrhage" caused by the fracture" [translated from Spanish]. 14 Other monkeys were left to die from tetanus^{15,16} or sepsis stemming from an abscess¹⁷ or were found dead in the cages, ^{18–22} in some cases with signs of violence. 23,24 Table 1 summarizes the death reports submitted by FIDIC to CORPOAMAZONIA. The limited range of the times of death reported by FIDIC seems to indicate that staff members weren't present in most cases when the animals died but rather reported the time when the animals were found dead.

Although FIDIC provided CORPOAMAZONIA with its standard operating procedure for performing euthanasia on monkeys to "alleviate their pain and stress" [translated from Spanish, 25 none of the records shows that a euthanasia procedure was ever performed.

¹¹CORPOAMAZONIA. Ruling 0366. April 2, 2020.

¹²FIDIC. Reports of deaths. April 7, 2021–May 9, 2022.

¹³CORPOAMAZONIA. Inspection report. February 18, 2022.

¹⁴FIDIC. Monkey 20-061 clinical records. February 25, 2022.

¹⁵FIDIC. Monkey 20-084 clinical records. January 22, 2022.

¹⁶FIDIC. Monkey 20-170 clinical records. January 28, 2022.

¹⁷FIDIC. Monkey 20-220 clinical records. February 20, 2022.

¹⁸FIDIC. Monkey 20-340 clinical records. February 16, 2022.

¹⁹FIDIC. Monkey 20-338 clinical records. February 21, 2022.

²⁰FIDIC. Monkey 20-023 clinical records. November 25, 2021.

²¹FIDIC. Monkey 20-024 clinical records. October 28, 2021.

²²FIDIC. Monkey 20-242 clinical records. November 29, 2021.

²³FIDIC. Monkey 20-219 clinical records. January 2, 2022. ²⁴FIDIC. Monkey 20-027 clinical records. February 21, 2022.

²⁵FIDIC. Euthanasia SOP. April 1, 2020.

Table 1. Summary of monkey death reports submitted by FIDIC to CORPOAMAZONIA.

DATE OF DEATH	DATE OF REPORT	MONKEY ID	SEX	REPORTED CAUSE OF DEATH	REPORTED TIME OF DEATH
2021-03-18	2021-04-07	20-161*	Male	Apparent broncho-aspiration	7 a.m.
2021-04-01	2021-04-07	20-158*	Male	Apparent hypothermia	7 a.m.
2021-04-05	2021-04-07	20-015*	Male	Apparent broncho-aspiration	9:30 a.m.
2021-04-11	2021-05-20	20-344*	Male	Apparent cardiac arrest	10 a.m.
2021-05-24	2021-05-28	20-110*	Female	Apparent cardiac arrest	9 p.m.
2021-08-14	2021-09-17	20-124 ^a	Male	Apparent cardiac arrest	7 a.m.
2021-08-14	2021-09-17	20-111 ^b	Male	Apparent hypothermia	6:20 a.m.
2021-08-15	2021-09-17	20-068 ^c	Male	Apparent broncho-aspiration	5:10 p.m.
2021-08-16	2021-09-17	20-189 ^c	Male	Apparent cardiac arrest	10:15 a.m.
2021-08-22	2021-09-17	20-079 ^a	Female	Apparent broncho-aspiration	7:12 a.m.
2021-08-24	2021-09-17	20-009 ^b	Female	Apparent cardiac arrest	11:20 a.m.
2021-09-29	2021-11-12	20-195*	Male	Broncho-aspiration	ND
2021-10-05	2022-04-06	20-229 ^a	Male	Apparent broncho-aspiration	7 a.m.
2021-10-05	2021-12-13	20-115*	Male	Tympany	4 p.m.
2021-10-10	2021-11-12	20-295 ^d	Female	Broncho-aspiration	ND
2021-10-11	2021-11-12	20-121*	Female	Heat stress	5 p.m.
2021-10-16	2022-04-06	20-230*	Female	Apparent broncho-aspiration	5 p.m.
2021-10-28	2021-11-12	20-024 ^e	Female	Heat stress	2 p.m.
2021-11-02	2021-11-12	20-081*	Female	Broncho-aspiration	ND
2021-11-02	2021-11-12	20-167*	Male	Broncho-aspiration	ND
2021-11-15	2021-12-28	20-117*	Female	Apparent broncho-aspiration	7 a.m.
2021-11-21	2021-12-28	20-013*	Male	Apparent broncho-aspiration	7 a.m.
2021-11-21	2021-12-28	20-064*	Female	Apparent broncho-aspiration	10:30 a.m.
2021-11-25	2022-01-11	20-023 ^e	Female	Tympany	10 a.m.
2021-11-29	2022-01-11	20-242 ^e	Male	Apparent broncho-aspiration	6 a.m.
2021-12-07	2021-12-28	20-376*	Male	Sudden death	6 p.m.
2021-12-10	2021-12-28	20-173*	Male	Natural death (geriatric)	10:30 a.m.
2021-12-29	2022-01-11	20-199*	Male	Apparent broncho-aspiration	6 p.m.
2022-01-02	2022-01-11	20-219 ^e	Female	Assault	5 p.m.
2022-01-02	2022-01-11	20-027 ^e	Female	Assault	6 p.m.
2022-01-03	2022-01-11	20-109*	Female	Cannibalism	2 a.m.
2022-01-22	2022-02-02	20-084 ^e	Female	Tetanus	5 a.m.
2022-01-23	2022-02-02	20-280 ^e	Female	Escape	8 a.m.
2022-01-28	2022-02-02	20-170 ^e	Male	Tetanus	11 a.m.
2022-02-16	2022-02-18	20-340 ^e	Female	Fulminant cardiac arrest	5 p.m.
2022-02-20	2022-02-21	20-220 ^e	Male	Severe internal auditory abscess	9 a.m.
2022-02-21	2022-02-21	20-338 ^e	Male	Sudden death	11 a.m.
2022-02-25	2022-02-28	20-061 ^e	Male	Severe bleed	11 a.m.
2022-04-10	2022-04-18	20-318*	Male	Apparent broncho-aspiration	5:15 p.m.
2022-04-12	2022-04-18	20-126*	Male	Apparent cardiac arrest	7:05 a.m.
2022-04-12	2022-04-18	20-146*	Male	Septicemia	7:05 a.m.
2022-04-13	2022-04-18	20-373 ^d	Male	Septicemia	9:40 a.m.

DATE OF DEATH	DATE OF REPORT	MONKEY ID	SEX	REPORTED CAUSE OF DEATH	REPORTED TIME OF DEATH
2022-04-16	2022-04-18	20-261*	Female	Tetanus	3:30 p.m.
2022-04-17	2022-04-18	20-371 ^d	Female	Apparent cardiac arrest	2 p.m.
2022-04-25	2022-04-25	20-254*	Male	Apparent cardiac arrest	7 a.m.
2022-05-01	2022-05-09	20-257*	Male	Apparent broncho-aspiration	7 a.m.
2022-05-04	2022-05-09	20-047*	Male	Apparent broncho-aspiration	7 a.m.

^aDeath occurred in the experimental area.

In addition to the 47 monkeys who died while being confined by FIDIC, 19 monkeys were able to escape from the facilities through openings in the walls or ceiling of the confinement areas.²⁶ At least two of these monkeys were recaptured by using a trap. According to FIDIC, "[W]e know based on experience [that when monkeys escape] they remain in the surrounding areas looking for food and the company of the animals who are still captive" [translated from Spanish].²⁷ The first monkey escape occurred as early as March 2021.²⁸

From February 1, 2021,²⁹ to September 14, 2021,³⁰ no veterinarian was at FIDIC. On September 24, 2021, a new veterinarian attended the CORPOAMAZONIA inspection.³¹ According to records PETA obtained, this veterinarian apparently worked at FIDIC until the third week of April 2022 and wasn't immediately replaced.

Since April 2021, CORPOAMAZONIA's officials noticed that some monkeys' condition wasn't optimal and recommended increasing their food portions and protein intake as well as administering vitamin supplements.³² According to the CORPOAMAZONIA's assessment, 66 monkeys had patches of hairless skin, 48 were underweight, four had eye issues, and one was withdrawn.33

By September 2021, 212 out of 375 monkeys (or 56%) who were still confined at FIDIC showed signs of malnutrition; were underweight; had patches of hairless skin, granulomas, wounds, or fractures; or had eye issues such as infections and secretions.³⁴ Two months later, despite the poor health conditions of most of the monkeys, FIDIC requested CORPOAMAZONIA authorization to release into the wild 166 monkeys—who remained confined to the experimental

²⁸CORPOAMAZONIA. <u>Inspection report</u>. April 9, 2021.

^bDeath occurred in the rehabilitation area.

^cDeath occurred in the hospital area.

^dAotus vociferans. The remaining dead monkeys were Aotus nancymaae.

^eDeath occurred even though the monkey was listed as apt to be released into the wild.

^{*}No additional information available

²⁶CORPOAMAZONIA. Records review. April 20, 2022.

²⁷FIDIC. Recapture report. April 6, 2022.

²⁹Veterinarian. <u>Letter to CORPOAMAZONIA</u>. February 8, 2021.

³⁰FIDIC. Monkey colony manager's letter to CORPOAMAZONIA. September 24, 2021.

³¹CORPOAMAZONIA. <u>Inspection report</u>. September 24, 2021.

³²CORPOAMAZONIA. Inspection report. April 9, 2021.

³³CORPOAMAZONIA. Inspection report. April 16, 2021.

³⁴CORPOAMAZONIA. <u>Technical report</u>. September 17, 2021.

area as opposed to the rehabilitation area³⁵—"who are in optimal behavioral and physical conditions, [and whose] optimal laboratory test results prove their general good health" [*translated from Spanish*].³⁶ FIDIC attached to this request hemograms for only 17 monkeys,³⁷ because, according to FIDIC, "[I]t doesn't make sense to perform [blood tests] on 100% of the individuals [monkeys] since there isn't a baseline of the characteristics of laboratory tests for this Aotus population, and there aren't results of tests [performed] pre-immunization to be able to identify any differences" [*translated from Spanish*].³⁸ In addition to showing profound negligence in the management of the monkey colony, this last assertion calls into question the integrity of the data obtained in experiments carried out on these monkeys, whose hemograms, according to FIDIC, were not obtained at the beginning of their confinement.

A review of the 17 monkeys' hemograms by a PETA veterinarian with expertise in managing captive monkey colonies revealed that only two showed no abnormalities. Moreover, according to this expert, the results of the monkeys' blood counts provided by FIDIC should not be considered good evidence of their "optimal conditions," as at a minimum, blood smears and chemistry panels would be necessary to assess their health.

On December 2 and 14, 2021, and again on January 13, 2022, CORPOAMAZONIA requested that FIDIC provide it with the complete clinical records of the 166 monkeys who would be released, including their ethological/behavioral assessment, blood panel, liver and kidney profiles, stool tests, and malaria, TB, and COVID-19 tests.^{39,40,41} Once again, FIDIC refused to provide the information requested by CORPOAMAZONIA in preparation for the impending release into the wild of half of the monkey colony.⁴² Instead, on February 15, 2022, FIDIC provided the agency with negative COVID-19 test results for 20 monkeys;⁴³ readings of the 17 hemograms previously performed, according to which only three monkeys presented normal values and the rest presented with lymphocytosis, monocytosis, anemia, neutrophilia, neutropenia, lymphopenia, and thrombocytosis;⁴⁴ and virtually identical clinical records for 139 monkeys, 52 of which listed skin and muscle issues but did not provide any explanation.⁴⁵ The exceptions to what looks like a sloppy copy and paste job are the clinical records of monkeys

³⁵CORPOAMAZONIA. <u>Inspection report</u>. October 28, 2021.

³⁶FIDIC. Request to CORPOAMAZONIA. November 12, 2021.

³⁷Clínica Leticia. <u>Hemograms</u>. November 11, 2021.

³⁸FIDIC. Response to CORPOAMAZONIA. November 19, 2021.

³⁹CORPOAMAZONIA. Request to FIDIC. December 2, 2021.

⁴⁰CORPOAMAZONIA. Request to FIDIC. December 14, 2021.

⁴¹CORPOAMAZONIA. Request to FIDIC. January 13, 2022.

⁴²FIDIC. Response to CORPOAMAZONIA. February 7, 2022.

⁴³Clínica Leticia. COVID-19 test results. February 14, 2022.

⁴⁴FIDIC. Hemogram readings. November 11, 2021.

⁴⁵FIDIC. Monkeys' clinical records. February 14, 2022.

who were attacked and/or wounded,^{46–56} had fractures,⁵⁷ necrotic tails,^{58,59} or "awful-looking wounds with a foul odor" [*translated from Spanish*].^{60,61}

Despite lacking a complete assessment of the monkeys' health and a behavioral assessment, on February 25, 2022, CORPOAMAZONIA authorized FIDIC to release into the wild 151 monkeys out of the 166 monkeys that FIDIC had stated were in optimal condition to be released. By that time, eight of those monkeys had died, two had escaped, and five were found unfit by CORPOAMAZONIA's official for release due to their poor health conditions, which included being underweight and having fractures, patches of hairless skin, granulomas, and an "abscess in the head, with pus-like content" [translated from Spanish]. Finally, 150 monkeys were released into the wild on March 4 and 5, 2022. By then, one more monkey had died under FIDIC's care. FIDIC ensured that the surviving monkeys were released at the same spots where they were initially captured. However, it was only in November 2022—eight months after the first 150 monkeys had been released back into the wild—that FIDIC provided CORPOAMAZONIA with the geolocation data for the monkey nests destroyed in the process of capturing the animals.

A few weeks later, on April 19, 2022, FIDIC requested that CORPOAMAZONIA assess 192 monkeys who were still confined to its facilities since they had "finished the required experimental process and the corresponding rehabilitation period" [translated from Spanish].⁶³ The agency's assessment, performed on April 21, 2022, found that two monkeys had escaped and that four had skin issues requiring treatment.⁶⁴

On April 25, 2022, FIDIC requested CORPOAMAZONIA's authorization to release into the wild 189 monkeys who remained confined at FIDIC.⁶⁵ They attached to the request the results of COVID-19 tests for eight monkeys;⁶⁶ the readings of hemograms for 10 monkeys, from which only one blood count had normal values;⁶⁷ practically identical clinical records for 107 monkeys,

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⁴⁶FIDIC. Monkey 20-398 clinical records. January 10, 2022.

⁴⁷FIDIC. Monkey 20-364 clinical records. January 12, 2022.

⁴⁸FIDIC. Monkey 20-341 clinical records. January 4, 2022.

⁴⁹FIDIC. Monkey 20-305 clinical records. January 12, 2022.

⁵⁰FIDIC. Monkey 20-302 clinical records. January 6, 2022.

⁵¹FIDIC. Monkey 20-262 clinical records. January 5, 2022.

⁵²FIDIC. Monkey 20-224 clinical records. January 4, 2022.

⁵³FIDIC. Monkey 20-208 clinical records. January 28, 2022.

⁵⁴FIDIC. Monkey 20-205 clinical records. January 20, 2022.

⁵⁵FIDIC. Monkey 20-039 clinical records. January 10, 2022.

⁵⁶FIDIC. Monkey 20-020 clinical records. January 10, 2022.

⁵⁷FIDIC. Monkey 20-154 clinical records. January 25, 2022.

⁵⁸FIDIC. Monkey 20-311 clinical records. January 15, 2022.

⁵⁹FIDIC. Monkey 20-132 clinical records. January 4, 2022.

⁶⁰FIDIC. Monkey 20-390 clinical records. January 5, 2022.

⁶¹FIDIC. Monkey 20-366 clinical records. January 5, 2022.

⁶²CORPOAMAZONIA. <u>Technical report</u>. February 25, 2022.

⁶³FIDIC. Request to CORPOAMAZONIA. April 19, 2022.

⁶⁴CORPOAMAZONIA. Inspection report. April 21, 2022.

⁶⁵FIDIC. Request to CORPOAMAZONIA. April 25, 2022.

⁶⁶Clínica Leticia. COVID-19 test results. April 22, 2022.

⁶⁷FIDIC. Hemogram readings. April 22, 2022.

16 of which marked skin and muscle abnormalities, without including information on diagnoses or treatment provided;⁶⁸ and the records of three monkeys who were attacked or wounded,^{69,70} one of them with a wound with a "foul odor" [*translated from Spanish*].⁷¹ According to records PETA obtained, the hemogram readings are the last documents that show a veterinarian affiliated with FIDIC. The report of the inspection performed by CORPOAMAZONIA at FIDIC on April 21, 2022, doesn't indicate the presence of a veterinarian.⁷²

Two more monkeys died in the first days of May 2022, and finally, 187 monkeys were released back into the wild on May 9 and 10, 2022. Again, it's not clear how these monkeys could have been released in the same areas where they were initially captured since capture geolocation information had not been provided by FIDIC at this point. The shockingly limited testing performed for only a few monkey samples makes it impossible to know the extent of the risk these captured, experimented on, and then released animals pose for humans who handle them and monkey populations.

Only after no animals were confined at FIDIC, on May 27, 2022, CORPOAMAZONIA's official reported that the facilities required maintenance since the cages in the experimental areas were "rusty," the walls were "cracked and lacking painting," "screens need to be changed," and "the floor requires maintenance" [translated from Spanish]. The official also reported that the prehabilitation and rehabilitation areas required maintenance of the "floor, walls, doors, screens, perches, and cages"; the hospital area required maintenance of "walls and floor" and cages; and other areas required "general maintenance" [translated from Spanish].

Disregard for Animal Welfare, Environmental, and Public Health RegulationsAccording to CORPOAMAZONIA's Ruling 0366, FIDIC had 34 obligations, 75 including the following:

- 1. Within a month of the permit's issuance, provide CORPOAMAZONIA with a timetable for the monkey capture expeditions.
- 2. Record the geolocation of the monkey nests that were disturbed and destroyed to capture the animals
- 3. Ensure the welfare of the animals from the moment of their capture to their release back into the wild.
- 4. Ensure that CORPOAMAZONIA's officials are always present during the reception at FIDIC of the monkeys captured by members of the indigenous communities.
- 5. "Maintain captive monkeys in appropriate conditions, in terms of mobility, luminosity, ventilation, cleanliness, and hygiene, supply of drink and food in sufficient quantities and quality to guarantee adequate nutrition, as well as medications and care necessary to ensure

⁶⁸FIDIC. Monkeys' clinical records. April 25, 2022.

⁶⁹FIDIC. Monkey 20-002 clinical records. January 8, 2022.

⁷⁰FIDIC. Monkey 20-227 clinical records. January 17, 2022.

⁷¹FIDIC. Monkey 20-073 clinical records. January 12, 2022.

⁷²CORPOAMAZONIA. <u>Inspection report</u>. April 21, 2022.

⁷³CORPOAMAZONIA. Monkey release report. May 12, 2022.

⁷⁴CORPOAMAZONIA. Inspection report. May 27, 2022.

⁷⁵CORPOAMAZONIA. Ruling 0366. April 2, 2020.

- their health and well-being and to avoid damage, illness, or death of the specimens" [translated from Spanish].
- 6. Obtain the ethics committee's approval to release the monkeys into the wild after they've been subjected to experiments.
- 7. Meet biosafety standards to avoid risks to public health, animals, and plants.
- 8. Provide CORPOAMAZONIA with quarterly reports of the monkey colony that include census, ID numbers, deaths, inoculation status, number of animals in rehabilitation, nest geolocation, and genetic testing to determine the species of each monkey captured.
- 9. Provide CORPOAMAZONIA with the clinical and behavioral records of each monkey in preparation for their release into the wild after being subjected to experimental procedures. These records must be reviewed and approved by the ethics committee.
- 10. Provide CORPOAMAZONIA with five partial reports (one per semester) and a final project report including a monkey census and death records.

Once the capture permit was issued by CORPOAMAZONIA, FIDIC requested the agency's authorization to start capturing, confining, and experimenting on monkeys, *without meeting all the permit requirements*. This authorization was issued by CORPOAMAZONIA on July 29, 2020, a few weeks after the agency asked FIDIC to update 29 out of 30 of its SOPs because they contained information that corresponded with expired rulings. By November 4, 2020, FIDIC hadn't provided CORPOAMAZONIA with the updated version of its SOPs. FIDIC finally sent CORPOAMAZONIA only four updated SOPs on November 23, 2020. 80

FIDIC not only didn't provide a calendar for the monkey capture expeditions—as required by CORPOAMAZONIA's permit ruling—but also began capturing animals in April 2020,81 months before obtaining CORPOAMAZONIA's special authorization (July 29, 202082) to initiate the capture and confinement of monkeys, and without allowing CORPOAMAZONIA's officials to supervise the reception of the monkeys at FIDIC's facilities. On August 14, 2020, when CORPOAMAZONIA's officials showed up at FIDIC to supervise the reception of the first monkeys captured, as required by the permit issued by the agency, they found that all 400 monkeys CORPOAMAZONIA had allowed FIDIC to capture in the first year of the permit were already confined at FIDIC's facilities. According to the inspection report, 99 monkeys were confined in the experimental area, eight were in the hospital area, one was in the prerehabilitation area, and the remaining 292 were confined to 16 additional, undesignated rooms.83

FIDIC's first quarterly report to CORPOAMAZONIA, dated August 18, 2020, stated that "Professor Patarroyo wants you to know that the genetic testing that you request is not an easy, fast, or cheap task" and that this testing is "an investment of efforts, time, and money that we

⁷⁶Patarroyo ME. Request to CORPOAMAZONIA. April 20, 2020.

⁷⁷CORPOAMAZONIA. <u>Authorization letter</u>. July 29, 2020.

⁷⁸CORPOAMAZONIA. Technical report. June 20, 2020.

⁷⁹CORPOAMAZONIA. Request to FIDIC. November 4, 2020.

⁸⁰FIDIC. Response to CORPOAMAZONIA. November 23, 2020.

⁸¹FIDIC. Quarterly report. August 18, 2020.

⁸²CORPOAMAZONIA. Authorization letter. July 29, 2020.

⁸³CORPOAMAZONIA. Inspection report. August 14, 2020.

consider somehow unnecessary" [emphasis in the original].84 It was only in February 2021 that FIDIC sent CORPOAMAZONIA the results of the genetic testing of 99 of the 400 monkeys it had captured and confined.⁸⁵ According to the subsequent genetic testing reports, sent by FIDIC to CORPOAMAZONIA in March,86 May,87,88 and June 2021,89,90 387 monkeys were Aotus nancymaae and 13 monkeys were Aotus vociferans. The former species was listed as endangered by the Colombian Ministry of Environment and Sustainable Development (MADS) in February 2024.91

FIDIC's first quarterly report to CORPOAMAZONIA also pointed out that the geolocation of the monkey nests that were disturbed to capture the animals was "ongoing" and being performed by FIDIC's monkey facility's staff "since the indigenous collectors lack the necessary equipment and the knowledge to use it and gather the information" [translated from Spanish].92 It's not clear how FIDIC staff could have gathered the disturbed nest geolocation data since they weren't present during the capture of the 400 monkeys. The geolocation information was finally provided to CORPOAMAZONIA two years later, on November 11, 2022, 93 and six months after the last 187 monkeys had been released into the wild. However, as CORPOAMAZONIA indicated, 108 of the 144 coordinates that FIDIC had provided included numbers above 60 for minutes and seconds, making them invalid and impossible to corroborate.94

According to FIDIC, its monkey facility has an ethics committee made up of staff affiliated with FIDIC, whose purpose is to ensure animal welfare. However, other than FIDIC's SOP on the committee's operation, 95 there is no evidence in the records that PETA obtained of the existence of such a committee.

CORPOAMAZONIA's December 23, 2020, report on FIDIC's permit status states that the people directly involved in capturing the monkeys exceeded the number initially authorized to do so. The report also acknowledged the need for CORPOAMAZONIA's legal department "to start a preliminary investigation" of FIDIC's failure to comply with permit requirements "to implement preventative and corrective actions to minimize the risks of negative environmental impacts stemming from the investigators' actions and inactions, which are abundantly proved in the file" [translated from Spanish].96

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84FIDIC. Quarterly Report. August 18, 2020.
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⁸⁵FIDIC. Genetic testing report 1. February 24, 2021.

⁸⁶FIDIC. Genetic testing report 2. March 24, 2021.

⁸⁷FIDIC. Genetic testing report 3. May 20, 2021.

⁸⁸FIDIC. Genetic testing report 4. May 27, 2021.

⁸⁹FIDIC. Genetic testing report 5. June 4, 2021.

⁹⁰FIDIC. Consolidated genetic testing report. June 8, 2021.

⁹¹Ministerio de Ambiente y Desarrollo Sostenible. Ruling 0126. February 6, 2024.

⁹²FIDIC. Quarterly report. August 18, 2020.

⁹³FIDIC. Nest geolocation report. November 11, 2022.

⁹⁴CORPOAMAZONIA. Technical report. November 24, 2022.

⁹⁵FIDIC. Ethics Committee SOP. April 2020.

⁹⁶CORPOAMAZONIA. Executive report. December 23, 2020.

In response to CORPOAMAZONIA's request, in September 2021, the Colombian National Institute of Drug and Food Surveillance confirmed that Patarroyo and/or FIDIC were not certified by the agency in good clinical practices, a requirement to experiment on humans. ⁹⁷ This is deeply concerning since, according to Patarroyo, he started to plan clinical trials in 2018 in "some countries where this disease [malaria] has a higher incidence" and the governments of these nations are "determined allies for this important phase of the experimental process" [translated from Spanish]. ⁹⁸ One of these countries, according to Patarroyo, is Ghana. In February 2024, PETA contacted Ghana's health authorities and requested confirmation of this supposed alliance. This request hasn't been answered.

In addition to malaria experiments, FIDIC used monkeys in COVID-19 experiments for which it had never obtained the required permits, 99 and only on July 29, 2022—two years after performing the experiments on monkeys—provided CORPOAMAZONIA with a convenient 2020 "approval by an approved ethics committee" [translated from Spanish]. 100 Two papers published by Patarroyo in 2021 and 2022 describe these unauthorized experiments on monkeys. One of them cites the approval by FIDIC's monkey facility's ethics committee "which is conformed by members of Instituto Colombiano Agropecuario (ICA), Corpoamazonia, and Municipal Board of Animal Defenders." 101 The other paper states that "[t]he animal study was reviewed and approved by the Colombian Environmental Agency (CORPOAMAZONIA) and Fundación Instituto de Immunologia's animal ethics committee." 102 The documents obtained by PETA from CORPOAMAZONIA do not support these statements.

According to documents PETA obtained, FIDIC never provided CORPOAMAZONIA with a behavioral assessment of the monkeys before their release back into the wild, or with biannual reports.

Besides failing to comply with the requirements of CORPOAMAZONIA's Ruling 0366, FIDIC failed to meet basic standards of animal welfare, in violation of the Colombian National Animal Protection Statute (Law 84 of 1989) and Law 1774 of 2016, and standards for the use of animals in biomedical research (Ministry of Health Ruling 8430). This failure, which included not having a veterinarian or competent staff to take care of the monkeys, resulted in 47 of them enduring painful deaths, 19 monkeys escaping from facilities, and many more having poor health.

Finally, in apparent violation of the Ministry of Health and Social Protection's Decree 351 of February 19, 2014, at least between March and May 2021, hazardous waste—which might have included the bodies of monkeys who died during that period—was left to accumulate at FIDIC's

⁹⁷INVIMA. Response to CORPOAMAZONIA. September 1, 2021.

⁹⁸ Patarroyo ME. Response to CORPOAMAZONIA's Writ 093. July 31, 2019.

⁹⁹Patarroyo ME. Letter to CORPOAMAZONIA. August 5, 2021.

¹⁰⁰Patarroyo ME. Response to CORPOAMAZONIA. July 29, 2022.

¹⁰¹Patarroyo ME, Patarroyo MA, Alba MP, *et al*. The first chemically-synthesised, highly immunogenic anti-SARS-COV-2 peptides in DNA genotyped *Aotus* monkeys for human use. *Front Immunol*. 2021;12:724060.

¹⁰²Patarroyo MA, Patarroyo ME, Pabón L, *et al.* <u>SM-COLSARSPROT: Highly immunogenic supramutational synthetic peptides covering the world's population</u>. *Front Immunol.* 2022;13:859905.

facilities because the waste management company stopped collecting it.¹⁰³ It's not clear how long FIDIC accumulated hazardous waste beyond May 2021.

Problematic Performance of CORPOAMAZONIA

Despite the requirement established by Article 26 of Law 84 of 1989 (National Animal Protection Statute) to have an ethics committee when live animals are used in experiments, CORPOAMAZONIA authorized FIDIC to capture and experiment on monkeys without an ethics committee. Both the 2019 technical report and the 2020 permit issued by CORPOAMAZONIA list as a "recommendation" for the agency "to reactivate the ethics committee" [*translated from Spanish*]. ^{104,105} It was only in May 2022, when there were no monkeys at FIDIC, that CORPOAMAZONIA formed the ethics committee, along with a representative from the regional office of a government agency (Instituto Colombiano Agropecuario) and a representative from an NGO (Fundación Bioethos). ¹⁰⁶

The report issued by CORPOAMAZONIA in preparation for the permit issuing acknowledges that *Aotus nancymaae* is listed as a vulnerable species by the International Union for Conservation of Nature and establishes that "to prevent the illegal trafficking of wild species and an excessive capture of *A. vociferans* and *A. nancymaae* individuals ... competent agency's officials" [*translated from Spanish*] must always be present at FIDIC when monkeys are brought to the facilities by indigenous collectors.¹⁰⁷ Although FIDIC didn't allow CORPOAMAZONIA's oversight of the monkey reception,¹⁰⁸ the agency continued to interact with FIDIC staff as if the failure to comply with this crucial permit requirement weren't serious.

By November 20, 2020, CORPOAMAZONIA was still requesting that FIDIC comply with the ruling requirements, including the provision of the geolocation data for the monkey nests from which the animals were captured and the report corresponding to the first semester after the permit issuance.¹⁰⁹

Between August 21 and December 18, 2020, CORPOAMAZONIA performed 18 inspections at FIDIC, the reports of which failed to include any remarks about the monkeys' condition. Table 2 shows the number of monkeys confined to each area of FIDIC's monkey facility, according to the inspection reports that include this information.

¹⁰³CORPOAMAZONIA. <u>Inspection report</u>. May 14, 2021.

¹⁰⁴CORPOAMAZONIA. <u>Technical report</u>. October 21, 2019.

¹⁰⁵CORPOAMAZONIA. Ruling 0366. April 2, 2020.

¹⁰⁶CORPOAMAZONIA, ICA, Bioethos. Ethics Committee meeting minutes. May 31, 2022.

¹⁰⁷CORPOAMAZONIA. Technical report. October 21, 2019.

¹⁰⁸CORPOAMAZONIA. Inspection report. August 14, 2020.

¹⁰⁹CORPOAMAZONIA. Request to FIDIC. November 20, 2020.

¹¹⁰CORPOAMAZONIA. <u>Inspection reports</u>. August 21–December 18, 2020.

Table 2. Number of animals confined to each area of FIDIC's monkey facility.

Inspection Date	Experimental Area 1	Experimental Area 2	Pre- Rehabilitation	Rehabilitation	Hospital	Total Monkeys
2020-09-11	294	97	1	-	8	400
2020-09-25	216	171	1	-	12	400
2020-10-02	216	171	1	-	12	400
2020-10-09	222	81	3	82	12	400
2020-10-16	222	81	3	82	12	400
2020-10-23	222	81	3	87	7	400
2020-10-30	222	81	3	87	7	400
2020-11-06	222	81	3	87	7	400
2020-11-13	222	81	3	87	7	400
2020-11-20	202	81	3	107	7	400
2020-11-27	202	81	3	107	7	400
2020-12-04	202	81	3	107	7	400
2020-12-11	202	81	3	107	7	400

On December 25, 2020, only a week after CORPOAMAZONIA's official reported unremarkable conditions at FIDIC's monkey colony, the same official reported that 87 monkeys confined to the rehabilitation area had dermatological issues and behavioral issues such as stress.¹¹¹ This inspection occurred two days after CORPOAMAZONIA issued its executive report pointing out FIDIC's failure to comply with the permit requirements.¹¹²

According to records PETA obtained from CORPOAMAZONIA, no inspections were performed by the agency on FIDIC's facilities in January and February 2021. The subsequent inspection, scheduled for March 26, 2021, couldn't "be performed because nobody from management is [at FIDIC] to attend it" [translated from Spanish].¹¹³

In August 2021, CORPOAMAZONIA issued a ruling against FIDIC in which the agency temporarily suspended FIDIC's activities due to potential risks to wildlife since the requirements of the permit hadn't been met. Although the ruling included the "apprehension" of the monkeys confined at FIDIC, the animals were left at the same facility, under the substandard care of FIDIC's staff. Per CORPOAMAZONIA's decision, the measures established by this ruling were lifted on June 3, 2022. A month later, on July 6, 2022, FIDIC provided CORPOAMAZONIA with an "updated list of collectors of Aotus monkeys" [translated from Spanish]. On November 2, 2022, FIDIC paid CORPOAMAZONIA COP\$1,948,957 as a "compensatory fee" for the 400

¹¹¹CORPOAMAZONIA. <u>Inspection report</u>. December 25, 2020.

¹¹²CORPOAMAZONIA. Executive report. December 23, 2020.

¹¹³CORPOAMAZONIA. <u>Inspection report</u>. March 26, 2021.

¹¹⁴CORPOAMAZONIA. Ruling 0820. August 5, 2021.

¹¹⁵CORPOAMAZONIA. Notification on technical report. June 6, 2022.

¹¹⁶FIDIC. Updated list of monkey captors. July 6, 2022.

monkeys captured in 2020 (around U.S.\$505 according to the exchange rate for that date, or \$1.26 per monkey).¹¹⁷

CORPOAMAZONIA continued to visit FIDIC's facilities from June to December 2022,¹¹⁸ seemingly with the expectation of finding monkeys who might have been captured before FIDIC had met the capture permit requirements, as happened when the first 400 monkeys were captured.

In March 2023, CORPOAMAZONIA confirmed to PETA that the agency had suspended the activities at FIDIC and that the monkey capture permit issued through Ruling 0366 would expire the following month, in April 2023.¹¹⁹

In September 2023, CORPOAMAZONIA made a ruling through which another permit issued to FIDIC, in May 2010, was closed and archived. ¹²⁰ It's not clear how this ruling can effectively protect monkey populations from further exploitation.

Multiple requests submitted by PETA to CORPOAMAZONIA to obtain additional documents accounting for the most recent status of FIDIC's wildlife exploitation activities haven't been fulfilled.

As stated previously, MADS issued Ruling 0126 in February 2024, which updated the list of threatened wildlife species and included *Aotus nancymaae* as an endangered species. ¹²¹ The uplisting of this species should translate into a prohibition on capturing *Aotus nancymaae* monkeys. However, a previous ruling on threatened wildlife species, issued by MADS in September 2017 and listing *Aotus griseimembra* as a vulnerable species, didn't prevent another regional environmental agency, Corporación para el Desarrollo Sostenible de la Mojana y el San Jorge (CORPOMOJANA), from issuing a permit to Centro de Investigación Científica Caucaseco's primate facility Fundación Centro de Primates to capture these monkeys. ¹²² This legal precedent is deeply concerning, especially because the decades-long capture of *Aotus nancymaae* monkeys, ordered and sponsored by FIDIC, sanctioned by CORPOAMAZONIA, and carried out with the complicit silence from MADS, might explain their current endangered status.

Manipulation of Indigenous Communities

For decades, FIDIC has used local, impoverished, and underserved indigenous communities to maintain its monkey colonies. For each monkey captured, the "collector" receives COP\$150,000 (around U.S.\$40). This payment isn't portrayed as a monkey sale but as an "acknowledgment for

¹¹⁷FIDIC. Fee payment receipt. November 2, 2022.

¹¹⁸CORPOAMAZONIA. <u>Inspection reports</u>. June 6–December 30, 2022.

¹¹⁹CORPOAMAZONIA. Response to PETA. March 21, 2023.

¹²⁰CORPOAMAZONIA. Notification to FIDIC. September 26, 2023.

¹²¹Ministerio de Ambiente y Desarrollo Sostenible. Ruling 0126. February 6, 2024.

¹²²CORPOMOJANA. Ruling 452. December 28, 2017.

¹²³Ministerio del Interior. Meeting minutes. June 6, 2017.

the work done to capture the monkeys" [translated from Spanish]. ¹²⁴ Some collectors have been capturing monkeys and selling them to FIDIC for as long as 19 years. ¹²⁵

In July 2019, CORPOAMAZONIA issued a writ in which it acknowledged FIDIC's failure to meet the requirements to obtain the capture permit and the use of false information in its communication with the leaders of indigenous communities. CORPOAMAZONIA pointed out the following:¹²⁶

- Failure to document the impact of the monkey capture and the measures to prevent, correct, mitigate, or compensate for the potential impact of the project
- False information regarding proceeds that indigenous communities would receive from the sale of the malaria vaccine
- Failure to inform indigenous communities of their rights and duties according to the legal framework requiring that communities be consulted
- Failure to present the project and its impact to the leaders of indigenous communities
- Failure to provide detailed information on the reasons why these Aotus species are necessary for developing a malaria vaccine
- Failure to provide enough information to explain the number of monkeys who are supposedly required to obtain a 100% effective malaria vaccine

Patarroyo responded to CORPOAMAZONIA by saying that there was a misunderstanding stemming from the use of the word "sale" and that the proceeds that indigenous communities would receive would come from the vaccine "production costs" [translated from Spanish].¹²⁷

According to the minutes of the meetings held with leaders of indigenous communities—who inhabit areas where the monkeys are captured and participate in the capture themselves—at least since June 2017, Patarroyo has promised these communities "0.5% of the net profit from the sale of the vaccine," resources that would "come to the Amazonas to build schools, clinics for the communities' benefit" [*translated from Spanish*]. ¹²⁸ Similar promises were made by FIDIC staff to indigenous communities' leaders as recently as February 2023. ¹²⁹ However, according to 2019 CORPOAMAZONIA's writ 093, the monkey capture permit that Patarroyo requested forbade him from selling any products obtained through the use of these animals. ¹³⁰

Over the years, Patarroyo has told indigenous communities that the malaria vaccine is almost ready. In mid-2017, he stated that by the end of 2018, "[T]here will be a vaccine with 100% effectivity" [translated from Spanish]. According to an indigenous leader, Patarroyo made similar promises in

¹²⁴Ministerio del Interior. Meeting minutes. July 1–2, 2017.

¹²⁵Ministerio del Interior. Meeting minutes. June 8, 2017.

¹²⁶CORPOAMAZONIA. Writ 093. July 15, 2019.

¹²⁷Patarroyo ME. Response to CORPOAMAZONIA's Writ 093. July 31, 2019.

¹²⁸Ministerio del Interior. Meeting minutes. June 6, 2017.

¹²⁹Patarroyo ME. Meeting minutes. February 8, 2023.

¹³⁰CORPOAMAZONIA. Writ 093. July 15, 2019.

¹³¹Ministerio del Interior. Meeting minutes. June 6, 2017.

2014, when he stated that the malaria vaccine would be available the following year. ¹³² In February 2023, Patarroyo said that the vaccine was "in the final phase of creation." ¹³³

According to FIDIC's primate facility's manager, the Aotus species captured per FIDIC's request don't have "cultural or nutritional interests for the communities, since these animals are too skinny to eat, and are regarded as the devil's messenger" [translated from Spanish].¹³⁴ Regardless of the cultural value of the monkeys for these communities, there is a clear incentive to capture as many of them as possible, not only because of the payment that each "collector" receives for each monkey but also because there is a promise that the sooner the malaria vaccine is created by Patarroyo, the sooner the communities the collectors belong to will have a significant influx of money that could make a difference to their well-being. The Ministry of the Interior must know by now how empty this promise is but has nonetheless failed to stop its propagation.

¹³²Ministerio del Interior. Meeting minutes. June 7, 2017.

¹³³Patarroyo ME. Minutes meeting. February 8, 2023.

¹³⁴Ministerio del Interior. Meeting minutes. June 8, 2017.