

75

achievements of the SJP

*that have transformed
the country in 7 years*

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- » The SJP is a beacon of hope and truth for victims, a scenario for the accountability of those most responsible for international crimes, and an engine of change for Colombia. **The SJP plays a crucial role in building a more just and peaceful country, where victimized individuals, communities, territories and political groups are being recognized, restored and dignified.** This work is legitimate, morally and ethically transformative. It is not only legal, it is human; it is not only local, but also global. The Jurisdiction works to heal the broken fabric, strengthen democracy and for the rule of law. Its commitment to justice and reconciliation is unwavering. Together, we are writing a new chapter in history, where peace and justice are possible.
- » Unlike anything seen before with international crimes committed during the armed conflict, **SJP's decisions offer answers to go beyond the threshold of truth known to justice until now.** Proof of this, is that for the first time it is possible to reconstruct the magnitude of the crimes charged, the evolution of the practices, the dynamics that fueled the atrocities, the physical and psychological impacts suffered by the victims and their families, the damage to communities and territories, as well as the policies that led to these atrocities being committed.
- » The work carried out by the SJP has made it possible to expand the evidence of attribution against those identified as those most responsible for serious war crimes and crimes against humanity. **Through this process, the causes that turned their conduct into systematic and generalized attacks against the civilian population have been revealed.** This marks a milestone in the country's judicial history, by offering an unprecedented, comprehensive view of the responsibility and suffering caused. This understanding is essential to the processes of redress and reconciliation that will allow us to turn the page of violence.
- » **With its investigations and findings, the SJP has been clearing the way towards clarification of the truth and the end of impunity.** This is the guiding principle behind the actions of the Jurisdiction, which materialize the constitutional commitment to investigate, prosecute and punish those most responsible for the most atrocious crimes.
- » Through the full, detailed and exhaustive truth, the judicial process in the SJP advances towards the satisfaction of victims' rights. Throughout these seven years, **the Jurisdiction has overcome the limitations of justice to**

investigate massive crimes, clarify macro-criminal phenomena, and materialize a path to peacefully resolve the horrors of war and, with this, advance towards reconciliation.

- » The progress achieved by the SJP in these seven years, is the materialization of the fundamental rights to truth and justice. **The findings of the investigations are already benchmarks in the reconstruction of the darkest events of the armed conflict.** These reveal the pain caused to the victims, and also how they devastated citizens' trust in state institutions.
- » In the SJP, the process is as important as the outcome, namely the judicial verdict. In the world, there are various experiences and practices of restorative justice that, in most cases, have been applied to less serious crimes or crimes perpetrated by children and adolescents. On the contrary, **the SJP has taken on the enormous challenge of implementing a restorative model in scenarios of international crimes in a society that, culturally, had only known retributive justice,** that is, based on prison, and that did not consider the truth or the restoration of victims' rights. Therefore, in the Transitional Restorative Justice model, the judgment, unlike ordinary justice, is not the most important thing, but the path that victims and participants follow to reach the full truth and reconciliation. The process of the SJP seeks a change that deepens the culture of peace.
- » At the same time, and as a unique experience in the world, the SJP also has a retributive justice model for those who decided not to accept their responsibilities. At the end of a judicial proceeding, being ensured all guarantees, the accused may be acquitted or found guilty, in which case they will have to serve prison sentences of up to 20 years.
- » The disarmament by the former Farc-EP members has been maintained thanks to the implementation of the Final Peace Agreement and the structural measures adopted by the SJP to address the victimization suffered by many of its members.

SJP's Achievements

in 7 years of judicial actions

MOST RESPONSIBLE PERPETRATORS



*Number of
indictments against
the most responsible
perpetrators*

01

To date, the JEP has charged 263 individuals with war crimes and crimes against humanity. These individuals are considered to be the most responsible for the most serious crimes committed during the armed conflict.. This includes 80 indictments against defendants of the now defunct Farc-EP, among them the last secretariat of said guerrillas, as well as several mid-level commanders of the organization. Likewise, 173 charges were brought against defendants of the armed forces, among them 17 retired generals, two of whom have acknowledged their responsibility for murders and forced disappearances presented as combat casualties. In addition, five indictments against civilians and one against a former agent of the now defunct Administrative Department of Security (DAS).

02

*Referrals
to the UIA*



Today, 15 of the most responsible perpetrators who have not accepted their responsibilities, are being investigated by the prosecutor's office of the SJP (Investigation and Prosecution Unit, UIA in Spanish). Currently, the first transitional adversarial trial against retired Colonel Publio Hernán Mejía is taking place.



High number of acknowledgments of responsibility

03

To date, 100% of the defendants of the now defunct Farc-EP, charged by the SJP as the most responsible perpetrators, have publicly acknowledged their responsibility for war crimes and crimes against humanity. In addition, 87% of the defendants of the armed forces (from soldiers, non-commissioned officers, platoon and company commanders, to senior and battalion commanders) publicly admitted to charges of committing war crimes and crimes against humanity.

04

From individual convictions against material perpetrators, to acceptance of charges by the most responsible perpetrators



The SJP model allows the Colombian justice system to move from individual convictions against the material perpetrators, to the acceptance of charges against the most responsible perpetrators, thanks to the contributions to the truth and the investigation in context. This happened with the last Secretariat of the defunct Farc-EP or, for example, in the Huila sub-case of Case 03, which went from 15 convictions against those who directly participated in 'false positives', to the acceptance, by the most responsible perpetrators, of 200 extrajudicial killings and 32 forced disappearances presented as casualties in combat, and 8 attempted homicides.



***A truth contrasted
with numerous
judicial sources***

05●

The truth obtained by the SJP is not based solely on the accounts of the perpetrators. On the contrary, it is based on the analysis of numerous case files of the ordinary justice system, judicial inspections of hundreds of military documents are carried out (operation orders, patrol reports, commander's books, etc.), testimonies are collected, and contextual analyses are developed

●06

***A truth with
scientific support***



In the joint case of the Las Mercedes Cemetery in Dabeiba, for example, the accounts of the defendants were contrasted with the forensic findings discovered in situ (bodies wrapped in black bags, gunshot wounds to the skulls at close range, bindings, etc.) In other words, the truth provided by the defendants in the judicial process was verified in the field.



***The indictments
are passing from
the Judicial Panel for
Acknowledgment of Truth
and Responsibility to the
Special Peace Tribunal
for the issuance of
the sentences***

07

The Judicial Panel for Acknowledgment of Truth and Responsibility of the SJP has sent four Concluding Resolutions to the Chamber in Cases of Acknowledgment of Truth and Responsibility: one in Case 01 (kidnapping), two in Case 03 (Norte de Santander, Caribbean Coast), and one in joint case 03 and 04 (Las Mercedes Cemetery in Dabeiba, Antioquia). Currently, the Peace Tribunal is evaluating the imposition of Restorative Sanctions on 38 participants, who have provided truthful accounts and acknowledged their responsibility. The final decision will be announced in the four judgments issued by the court. However, the defendants have been complying with their conditionality regime and participating in restorative actions. To date, the Chamber in Cases of Acknowledgment of Truth and Responsibility has issued two Correspondence Rulings on Case 01 and the Costa Caribe Sub-Case of Case 03, to move towards sentencing and punishment.

***The closure of
the preliminary
examination by the
Office of the Prosecutor
of the International
Criminal Court (ICC)
concerning Colombia***

08



On October 28, 2021, after 17 years, the ICC decided to close its preliminary examination of the Colombian State, based on the work carried out by the SJP to investigate the serious international crimes that occurred in the context of the armed conflict (war crimes and crimes against humanity) and to prosecute the most responsible perpetrators. Colombia is an example of the so-called “Positive complementarity”.

09

From individual and scattered investigations to the construction of macrocases



Throughout the Colombian armed conflict, the justice system had conducted thousands of investigations into war crimes and crimes against humanity. However, given the massiveness of serious events, results were always very limited. In most cases, not even the material perpetrators could be identified, and the most responsible perpetrators were ultimately not investigated. On the contrary, the SJP, through the technique of criminal investigation in context, has been able to associate thousands of cases and reconstruct criminal patterns, which has allowed it to issue 18 solid indictments against the most responsible perpetrators.



Victims have understood what happened to them and have met the most responsible perpetrators

10

By associating cases and finding criminal patterns, thousands of victims have understood that these events were not isolated or the result of chance or a family tragedy, but the materialization of criminal plans. Likewise, they have also been able to obtain details about the planning, execution and cover-up of the crimes. Similarly, they have also been able to meet and confront the most responsible perpetrators of the crimes within the framework of the transitional judicial proceedings (in the course of public hearings), an unprecedented situation in Colombian judicial history.

CASE 01: KIDNAPPING

Type of defendant: Farc-EP

● 11

***Macroindictments
against former
members of the
Farc-EP Secretariat***



For the first time in Colombian history, members of the last secretariat of the now defunct Farc-EP acknowledged before the courts, the victims and the country their responsibility for the policy that led to the commission of more than 21,000 kidnappings and other crimes. They were charged with war crimes and crimes against humanity.



***Indictments for
crimes associated
with kidnapping***

12●

For the first time, the justice system charged seven former members of the last Secretariat of the defunct Farc-EP for the implementation of a kidnapping policy that spread throughout the country. They were also charged for not having controlled the treatment that its subordinates gave to the captives, which led to other crimes during the kidnappings, such as forced disappearances, homicides, torture, cruel and inhumane treatment, slavery, forced displacement and even sexual violence.

13

The SJP documented the mistreatment and humiliation committed during captivity



The SJP documented the cruel and inhumane treatment suffered by kidnapping victims, both civilians and members of the armed forces, and their families, as part of a criminal policy. This was possible thanks to the door opened by this transitional justice system, to incorporate both the victims' reports and their testimonies into the case files. In these years, the SJP collected the voluntary statements of 402 defendants of the former guerrilla, but also the observations presented by 795 victims on those. In addition, 1,200 written statements from the victims were analyzed.



Determination of responsibility of mid-level commanders

14

A To date, 34 mid-level commanders have been charged in Case 01 concerning kidnappings. The Colombian justice system used to investigate the material perpetrators of the kidnappings and then charge the members of the Secretariat of the now defunct Farc-EP in absentia, without establishing the responsibilities of mid-level commanders. The SJP, by contrast, has brought charges against those who implemented the kidnapping policy at the regional level. To date, five indictments have been handed down against the most responsible perpetrators in the kidnapping case for war crimes and crimes against humanity: 10 former mid-level commanders from the former Joint Central Command, eight from the Western Bloc, seven from the Northwestern Bloc, five from the Caribbean Bloc and four from the Middle Magdalena Bloc. And there are two more regional indictments to come.

15

The SJP reconstructed the macro-criminal patterns of kidnapping



For the first time, thanks to the SJP and the investigation of Case 01, the top commanders of the defunct Farc-EP, who for decades opposed the establishment, were subjected to the justice system of the Colombian State. In a public hearing, they acknowledged their responsibility for the kidnappings to the justice system and the victims. The investigation revealed that kidnapping was a systematic and generalized policy that extended throughout the country, following three criminal patterns: 1) Kidnappings were part of the Farc-EP's financial policy that was adopted in 1993. 2) To force the exchange of imprisoned guerrilla members, and 3) to exercise territorial control.



The SJP unveiled the modus operandi of kidnappings for economic reasons

16

In the case of financial kidnappings, the SJP revealed that the former guerrillas sought to deprive people with assets of more than two million dollars of their freedom, in order to collect 10% of those assets in exchange for their release or not being kidnapped, but in the judicial process it was discovered that most of the victims could not afford to pay the extortions demanded by the guerrillas. The now defunct Farc-EP has acknowledged that there were deliberate kidnappings, especially by militia members, without consulting their superiors. Initially, they claimed it was beyond their control, but as part of the judicial proceeding, they have acknowledged that it was also their responsibility for failing to adequately control their troops.

17

The SJP unveiled the practice of kidnappings for territorial control and not only for economic purposes



Regarding kidnappings for territorial control, the Judicial Panel for Acknowledgment of Truth and Responsibility found that people who did not obey their orders were victims of these crimes. But they also kidnapped people for no reason, as there was negligence in the collection of information when it came to choosing those who ended up in captivity. Many of these kidnapping victims, as a form of punishment, were given forced labor, such as road construction, for which the guerrilla would later claim they had made a contribution to the community. In investigating this criminal pattern, the Judicial Panel found that, at the height of the fighting in the areas in dispute with the paramilitaries, some of the kidnappings were directed against those who were not part of the Farc-EP troops, under the premise that those who were not in their ranks were “paramilitaries”.



The practice of sexual violence against captives of the armed forces

18

Another of the findings of the judicial proceeding, was that sexual violence was used against kidnapped members of the armed forces as a form of humiliation towards the enemy.

19

The SJP found that the kidnappings had their own regional dynamics



For example, in the area of the Central Joint Command that operated in Tolima, northern Huila and Quindío, there were not so many kidnappings, compared to other structures of the Farc-EP, but it was the first to implement the kidnapping policy. Forced disappearance and slavery were crimes committed mainly in the south and east of the country, in regions where the State was very weak or non-existent. The Western Bloc, which operated in Valle del Cauca, Cauca and Nariño, financed itself through illegal economies such as cocaine trafficking, but fronts or columns that could not access this source of money used kidnapping. In the Northwestern Bloc's area of operation, in Antioquia and four other departments, businessmen, banana growers, cattle ranchers, merchants and bus drivers were a constant target of guerrilla kidnappings.



Clarification of the murder of former Valle del Cauca departmental assembly members

20

Thanks to the judicial proceeding, it was learned, among other details, that the massacre of the Valle del Cauca departmental assembly members occurred because the guerrilla thought that a military rescue attempt was being carried out, although in reality it was the arrival to their camp of guerrilla members from another front of the same Farc-EP. In addition, for the first time in history, defendants also acknowledged that they had an order to kill the captives in the event of a rescue attempt.

CASE 02: TUMACO, RICAURTE AND BARBACOAS, NARIÑO

Type of defendant: Farc-EP and armed forces

● 21 *Indictment for the international crime of extermination*



The SJP charged 15 former members of the Farc-EP with the crime against humanity of extermination for persecution on the basis of gender against women, girls, and persons with diverse or non-normative sexual orientations, identities, and gender expressions, based on a macrocriminal pattern.



The first indictment for sexual violence

22●

In Case 02, the SJP determined the existence of a pattern of macro-criminality of sexual violence, gender-based violence and violence due to prejudice against women, girls and persons with diverse or non-normative sexual orientations, gender identities and gender expressions. Between 1990 and 2016, 168 incidents of sexual and gender-based violence against women and girls, and bias-based violence against people with diverse sexual orientations and gender identities and expressions were documented, in which 254 direct victims were identified.

23°

***The first
indictment for
environmental
crimes***



In Case 02, the crime of war was charged for damage caused to nature and to territories that, belonging to ethnic peoples, were considered sacred sites. The Judicial Panel for Acknowledgment of Truth- and Responsibility found that the 29th Front, the Mariscal Sucre Mobile Column and the Daniel Aldana Mobile Column of the defunct Farc-EP committed, in the investigated period (1990 and 2016), more than 71 acts that destroyed nature and sacred sites, such as the Katsa Su, Great Awá Territory; the Eperara Euja, Eperara Siapidaara Territory; the ancestral and collective Territory of the Afro-Colombian Black People, as well as in the lands of Farmer Communities and the urban population. Among other damages, more than 70,000 barrels of crude oil were spilled as a result of attacks against the infrastructure of the Trans-Andean Pipeline and the control and development of illegal gold mining activities.



***The SJP brings
charges for
victimizations
against Ethnic
Peoples of the
Pacific Coast***

24°

Between 1997 and 2016, the 29th Front, the Mariscal Sucre Mobile Column and the Daniel Aldana Mobile Column of the defunct Farc-EP, committed 314 acts of selective assassinations, massacres and forced disappearances against the civilian population, in which they directly victimized 468 people.

• 25

Displacement and confinement indictments

In Case 02, those responsible for committing 334 acts of forced displacement, which affected 27,087 people, and 44 confinements, which left 20,124 victims, were charged.



First indictment for forced recruitment

26•

In Case 02, those responsible for having recruited and used 102 children with ethnic affiliation, between 2001 and 2015, in Tumaco, Ricaurte and Barbacoas, were charged. Of the total number of victims, 13 were girls and 89 were boys. At the time, they were recruited and used, 36 were between the ages 6 and 14, and 49 were between the ages of 15 and 17.

• 27

Indictment for use of antipersonnel mines

In Case 02, those responsible for the installation of antipersonnel mines that, between 2002 and 2015, affected 279 people in 153 events, were charged.



CASE 03: MURDERS AND ENFORCED DISAPPEARANCES PRESENTED AS FALSE COMBAT CASUALTIES BY STATE AGENTS

Type of defendant: Armed forces, other State agents and civilians

28°

Overcoming denialism



The SJP's judicial investigation has identified that at least 6,402 people were killed between 2002 and 2008, to be illegitimately presented as combat casualties, a criminal practice that began in the 1980s. Today, it has been judicially proven that there was an unconstitutional policy of body counting, implemented systematically throughout the national territory.



An important group of high-ranking military commanders has been summoned by the SJP

29°

To date, at least 40 retired generals of the National Army have been summoned to render accounts in macrocases 03, 04 and 05, an unprecedented development in Colombian justice.

30

Identification of diverse macrocriminal patterns



The patterns explain the existing connections between numerous scattered cases of killings and enforced disappearances presented as combat casualties, including the use of municipal cemeteries for the practice of enforced disappearance, as occurred in Dabeiba, Ituango, San Juan del Cesar, El Copey and Carepa, among others. This is one facet of the phenomenon revealed by the SJP investigations.



In Dabeiba, the SJP revealed how the forced disappearance materialized through the concealment of bodies and the use of municipal cemeteries, such as Las Mercedes in Dabeiba and Ituango (Antioquia)

31

In Dabeiba, Antioquia, judicial interventions allowed progress in the search and exhumation of 48 bodies, as well as the identification and dignified delivery of 13 victims. The field work broke the silence imposed by the war and opened the possibility of beginning to reconstruct the tragedy that this community should never have experienced.



***High impact
and cover-up***

32°

The false reporting of combat casualties would not have been successful, and for so long, if each illegitimate casualty had not been carefully and deliberately disguised as a lawful result, as demonstrated in the seven Indictments issued in Case 03.

33°

***Regional
indictments***



The Indictments in Case 03 have focused on charging members of the armed forces involved in the so-called ‘false positives’ with war crimes and crimes against humanity. Each indictment addresses regions and time periods where these crimes were documented: Casanare, Norte de Santander, Huila, Caribbean Coast and Antioquia, as well as in the Joint Case of Las Mercedes Cemetery in Dabeiba (Antioquia).



*Today we know
that Soacha did not
mark the beginning,
but the end of the
wrongly called
'false positives'*

34°

The SJP investigation revealed that, long before these crimes shook the country, the inhabitants of Catatumbo had already reported that civilians in the area were being killed and presented as operational casualties. After a security council on December 5, 2007, in which the seriousness of the situation was exposed, the modus operandi changed: the victims were transferred from other municipalities and cities to Catatumbo. The reason? The military personnel and civilians involved wanted to prevent the local population from recognizing the identity of these victims, once they were reported as combat casualties. General (Ret.) Paulino Coronado Gómez, who was the commander of Brigade 30, accepted responsibility for his omission.

35°

*Indictment as
indirect perpetrator
against a retired
general from the
National Army*



The investigation into the Casanare sub-case, revealed that a complex criminal organization was established in the XVI Brigade, that used the Army's institutional architecture to present murders and forced disappearances as combat casualties in that department between 2005 and 2008. This was determined by the SJP's Judicial Panel for Acknowledgment of Truth and Responsibility, when it established that under the command of Major General (Ret.) Henry William Torres Escalante, there was an increase in the artificial presentation of operational results in this region in the east of the country. General (Ret.) Torres accepted in writing and publicly his responsibility as perpetrator of crimes against humanity, murder and forced disappearance of persons. He was the first general of the Republic to do so.





*Pressure from
combat casualties
led to 'false positives'
across Colombia*

36 •

In the sub-cases of Case 03, the SJP documented how pressure to show operational results increased with the implementation of the strategy to strengthen the armed forces, which encouraged the commission of murders and enforced disappearances presented as combat casualties. This macrocriminal pattern is inscribed in the de facto policy of body count, in which each of the victims was subjected to these crimes with the same purpose: to respond to the excessive and uncontrolled pressure for combat casualties that was established from the command, which descended through the different levels of the chain of command.

• 37

*The SJP
focused on
Antioquia*



Antioquia concentrates the largest number of cases registered in the Provisional Universe of Events of Case 03. Of the more than 6,400 victims identified by the SJP between 2002 and 2008, 1,613 (25.19%) occurred in this department. Forty-two of the 50 people charged as those most responsible perpetrators in this subcase, acknowledged their participation in the crimes perpetrated by six battalions of the Fourth Brigade of the Colombian Army.



***Today the country is aware
of the damage caused by
the murder and forced
disappearance of the victims***

38°

Because of these crimes, the families of the victims have faced moral, psychological and physical damage. They suffered from depression, anxiety, hallucinations with their family members and even suicidal intentions, as well as multiple other impacts that include ruptures in their family relationships, uncertainty, anguish, stigmatization, re-victimization, threats, harassment and damage to family assets, among others.

39 ***Indictment against five retired generals of the National Army***



In Huila, the Judicial Panel for Acknowledgment of Truth and Responsibility indicted five generals for war crimes and crimes against humanity. The Panel emphasized that the indicted generals were supposed to protect the legal assets of the population, to effectively control their subordinates and, despite having reasonable measures at their disposal to do so, they failed to comply with their constitutional obligations. The Jurisdiction indicated that senior officers were permissive, lax in controls, and did not exercise their powers of prevention, investigation and punishment. This facilitated the dissemination, permanence and cover-up of the crimes.

CASE 05: NORTH OF CAUCA AND SOUTH OF VALLE DEL CAUCA

Type of defendant: Farc - EP and armed forces



*The indictment
for the guerrilla
assaults of several
municipalities*

40●

In Case 05, the SJP charged ten individuals with ultimate responsibility for the guerrilla assaults carried out by the now-defunct FarcFarcARC-EP in northern Cauca and southern Valle del Cauca. Those individuals were responsible for the attacks in Corinto, Toribío and Jambaló during the conflict. The SJP determined that these attacks did not respect the principles of distinction and proportionality of International Humanitarian Law, since they involved the use of indiscriminate weapons, and most of them were completely disproportionate in relation to the means used and the consequences they generated.

●41

*Indictment of the
attacks against
Ethnic Peoples*



The “Jacobo Arenas” and “Gabriel Galvis” mobile columns of the Farc-EP, established a regime that threatened lives and systematically violated the cultural identity rights of ancestral peoples, farmer and Afro-descendant communities settled in the 19 municipalities prioritized in Case 05. These damages also profoundly impacted the territories and nature. In the case of the Cauca River, recognized as a victim, it is revealed that armed groups used this body of water as a mass grave. Additionally, chemicals used for illegal mining and producing of illicit substances were dumped there.



The confirmation of a continuum of violence

42

Many of the forms of violence deployed by the Farc-EP in the prioritized municipalities, reproduce models of ethnic-racial domination that originated centuries ago, and remain in a continuum of violence that has affected ethnic communities in Colombia.

43

The use of militias



One of the practices documented by the SJP in Case 05 indicates that, in order to guarantee the subjugation of indigenous and Afro-descendant communities for the organization’s purposes, among other matters, Farc-EP increased its militias to destabilize the social fabric, fracture community networks and hinder organizational processes.

CASE 07: RECRUITMENT AND USE OF CHILDREN IN THE ARMED CONFLICT

Type of defendant: Farc-EP and armed forces



Indictment with recruitment of minors and sexual violence

44

The SJP charged six former members of the Secretariat of the now defunct Farc-EP, with the recruitment and use of 18,677 girls and boys, as well as other war crimes committed against them in the context of life within the group's ranks. This indictment was achieved in the framework of a process with the participation of 9,854 victims. Of these, 8,903 belong to five affected indigenous peoples, and 951 correspond to individual victims, including direct survivors and families who continue the search for missing recruited children.

45

The impact of recruitment on Ethnic Peoples



The SJP determined that the recruitment and use of children belonging to Indigenous Peoples aggravated the risk of physical and cultural extinction of these peoples. The former Farc-EP took advantage of the historical vulnerability of these communities, caused by racism and lack of state protection, to reach their territories with promises of aid, or through the imposition of social and territorial norms, affecting their traditions and self-government structures.

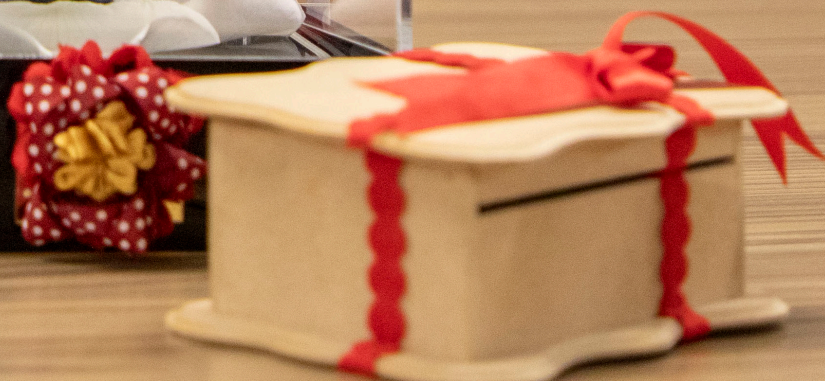


Characterization of sexual violence associated with the recruitment of minors

46

For the first time in the history of the prosecution of the armed conflict in Colombia, former leaders of the Farc-EP were charged with macrocriminal patterns, that include ill-treatment, torture, homicide and sexual and reproductive violence. Regarding sexual and reproductive violence practices, the judicial panel found that, although they were prohibited by internal Farc-EP regulations, their leaders omitted their duties as commanders to adopt effective measures to control the troops under their command and thus prevent and sanction these acts. Of the victims recruited, 24% reported experiencing some form of gender-based violence during their time in the ranks of the former guerrilla. Of these victims, 91% are women, 9% are men and 7% identified as having a diverse sexual orientation or gender identity.

P | JURISDICCION ESPECIAL PARA LA PAZ



DEFINITION OF THE LEGAL STATUS OF THE VARIOUS DEFENDANTS



***The SJP helps
to bring legal
closure to the armed
conflict by providing
legal certainty to
defendants***

47

Without truth and justice for the most serious crimes, the country will not be able to turn the page on the conflict. But also, without prompt resolution of the legal situation, those who submit to the transitional justice mechanisms will not be able to rejoin society, work and fully exercise their rights. For this reason, the SJP has two mandates: to deliver justice to the most responsible perpetrators for the most serious and representative crimes committed during the conflict, and to resolve the legal situation of thousands of defendants, so that they can quickly reincorporate into society. From September 2022 to 2024, the Judicial Panel for Determination of Legal Situations has conducted 156 hearings and 42 Early Contribution to the Truth proceedings.

48

***The resolution
of amnesty
applications***



The Judicial Panel for Amnesty or Pardon communicated the amnesty decrees that were granted by the Colombian State to more than 9,600 signatories of the defunct Farc-EP for political crimes. That is, between June 2017 and July 2018, in compliance with the Final Peace Agreement, by means of nine presidential decrees, the legal status of the vast majority of the members of the

extinct guerrilla were resolved, but the SJP found that these decrees had not been communicated by the corresponding authorities. Also, to date, the Judicial Panel for Amnesty or Pardon has granted 827 amnesties and rejected 4,238 applications that did not meet the legal criteria.



***No Sanction
Route and
definition of
legal status of
defendants***

49●

A Through the Non-Prosecution Path of the Judicial Panel for Determination of Legal Situations, more than 6,000 members of the armed forces have begun to benefit from waivers of criminal prosecution, enabling them to resolve their legal status once and for all. To date, 140 defendants have received this benefit, after rigorous verification of compliance with strict commitments to truth, redress of victims and acceptance of responsibility, thus contributing to non-repetition.

● 50

***The SJP
created a rigorous
filter against
“intruders”***



The SJP is not a refuge for those who try to evade justice with false promises of contributing to the truth. Those who do not deliver a full, complete and detailed truth will not have access to the benefits of the system, nor will they have any reason to remain in it. The Judicial Panel for Determination of Legal Situations has rejected more than 2,951 applications for submission, of which 1,800 come from former members of paramilitary groups, as well as other actors over whom the SJP does not have jurisdiction, or who do not meet the requirements to remain in the Jurisdiction. In addition, the panel has developed case law with rigorous control criteria for bad faith applications for submission of third parties. This has prevented system congestion and protected victims' expectations.



Criminal amnesties and benefits in exchange for full truth

51°

The participation of victims in the proceedings and the defendants' contributions to the truth and restoration of the damage caused are not exclusive to the Judicial Panel for Acknowledgment of Truth and Responsibility. These commitments run throughout the entire structure of the SJP. For the first time in Colombian history, those who took part in an internal armed conflict must expose their truths in a comprehensive manner, in order to access amnesties or waivers of criminal prosecution. This step is essential to resolve their legal status definitively in instances such as the Judicial Panel for Amnesty or Pardon and the Judicial Panel for Determination of Legal Situations, thus marking an unprecedented advance towards a justice system that works to contribute to reconciliation and peace.

52°

Not all the truth is in the macrocases



The Judicial Panel for Determination of Legal Situations has carried out territorial hearings on truth satisfaction measures, as well as hearings to follow up on the conditionality regime. These hearings are a fundamental requirement for making decisions regarding non-punitive consequences, ensuring compliance with international standards in the fight against impunity.



Concrete and programmed commitments are tools for the reconstruction of truth

53°

Thanks to the contributions of those defendants before the Judicial Panel for Determination of Legal Situations, many truths about the Colombian armed conflict have come to light, including aspects related to the paramilitarism and parapolitics phenomenon. Cases that remained in impunity have been clarified through this procedural channel.

54°

The work of the Autonomous System of Advocacy for the defendants



To guarantee the rights of defense and due process, the Executive Secretariat of the SJP has provided free legal advice to 6,674 participants, as well as collective psychosocial support to 3,391 and individual attention to 1,902. These services have been offered through Autonomous System of Advocacy for the defendants, charged to the entity's own budget.

GUARANTEE OF THE RIGHTS OF VICTIMS



Full and massive participation of victims in all SJP proceedings

55

In seven years of judicial investigation, it is the first time that such a high number of victims have accessed justice. In the SJP, there are 11,989 individually recognized victims in the macrocases, and 405 collective subjects representing more than 340,000 people belonging to indigenous reservations, community councils and farmer communities. The Jurisdiction guarantees the full participation of victims in all steps, processes and procedures, under conditions of absolute equality. They have done so from the presentation of reports to participation in observation and acknowledgement of responsibility hearings, to adversarial trials. This has made it possible to diagnose and show the country the damage they have suffered. At the present stage, victims are participating in the design of the sanctions to be imposed on those responsible who have provided the truth and acknowledged their responsibility.

56

The work of the Autonomous System of advocacy for victims



Through the Autonomous System of Advocacy of the Executive Secretariat of the SJP, 15,811 individual victims are being represented in judicial proceedings, and 7,133 have received psycho-legal support.



The complex delimitation of provisional universes of victims and facts

57°

In the provisional universes of facts, the SJP has determined: more than 21,000 kidnappings and 18,677 children recruited by the now defunct Farc-EP; 1,350,181 victims of Ethnic Peoples affected by the war; 35,178 victims of sexual and gender-based violence; 5,733 victims of the Patriotic Union political party, and more than 6,402 murders and forced disappearances presented as combat casualties.

The exercise of jurisdiction in matters of non-extradition guarantees and constitutional actions for the protection of fundamental rights

58°



The Review Chamber of the SJP has been responsible for analyzing requests for non-extradition guarantees. To date, 73 applications have been processed, of which only one has been granted. In contrast, 62 applications have been rejected, either due to inadmissibility, or because the magistrates abstained from processing them or denied their application. In addition, eight applications were withdrawn by the interested parties themselves; in one case a lack of jurisdiction was declared, and in another case the proceedings were terminated due to death. This section has also ruled on 1,242 constitutional actions for the protection of fundamental rights.

A JUSTICE THAT HELPS TO SEARCH FOR THE MISSING



***Over 110 victims’
bodies of forced
disappearance
returned to their
families***

59

With the help of the Unit for the Search of Persons presumed as Disappeared, the Colombian Institute of Legal Medicine, the Attorney General’s Office, and the Investigation and Prosecution Unit of the SJP, 1,744 exhumations have been conducted, and more than 110 individuals have been identified. This is due to the adoption of 43 precautionary measures for over places where the bodies of persons reported missing are presumed to be. In addition to investigating and punishing those most responsible, the SJP has worked alongside the Unit for the Search of Persons presumed as Disappeared to provide judicial efforts to the search for the disappeared.

***Harmonization
between the
country’s economic
development and
the search for the
disappeared***

60



For the first time in Colombia, thanks to the work of the SJP, there is a Forensic Archeological Protocol for the search of missing persons in bodies of water (as in the case of Canal del Dique), and

Guidelines for the development of protocols for the safeguarding and protection of bodies of alleged victims in transportation infrastructure projects. These instruments are aimed at ensuring that construction megaprojects are developed without impeding or affecting the search for the disappeared.



Search tools

61●

The SJP promoted the creation of a Reverse Search mechanism, to locate relatives of identified but unclaimed bodies that remain in the Colombian Institute of Legal Medicine. Since the launch of the campaign in September 2024, 34 families have been found. In addition, a Comprehensive Strategic Plan was developed for the National Institute of Legal Medicine, a guide for the forensic approach to ossuaries, and a protocol for dignified deliveries.

●62

Forensic findings at La Escombrera confirm victims' historical claims



After more than 20 years of search, and thanks to the articulated work of the forensic teams of the Unit for the Search of Persons presumed as Disappeared and the Forensic Technical Support Group of the Investigation and Prosecution Unit of the SJP, the first 13 bone structures were found, and the first four bodies of people who disappeared in the context of the armed conflict were identified in one of the most emblematic places of the armed conflict in Medellín: La Escombrera.

Forensic intervention at this site was ordered by the Chamber in Cases of Absence of Acknowledgement of Truth and Responsibility in August 2020, at the request of victims' organizations and searching families. After extensive preparation, the intervention has taken more than nine months of work, in which 38,000 cubic meters of soil have been removed. In charge of this process is a forensic technical team composed of a lead anthropologist and 18 other people working at the site, including engineers, machinists, surveyors, operators, drivers and laborers.

THE CREATION OF A RESTORATIVE MODEL THAT IS UNIQUE IN THE WORLD

• 63

***We are an
international
benchmark in
restorative justice***



Restorative measures, such as the Works or Activities with Restorative content (TOAR in Spanish), which must be carried out by those who comply with their obligations before the SJP, contribute to the restoration of the damage caused and the reconstruction of the social fabric. The Executive Secretariat of the SJP has so far certified 218 TOARs, out of 267 submitted in 23 departments and 88 municipalities. These TOARs correspond to the seven restorative lines: 1) Memorialization and symbolic redress. 2) Rural and urban infrastructure. 3) Environment, nature and territory. 4) Education, literacy and training. 5) Comprehensive Action Against Mines. 6) Differential damages (Sexual and Gender Violence) and macrovictimization 7) Search for Disappeared Persons.



*The SJP promoted
the creation of the
Restorative System*

64°

This is an institutional commitment for the judicial scenario to allow the restorative approach to materialize, and for those responsible for serious crimes committed during the armed conflict to contribute to repairing the damage and pain they caused to the victims, the communities and the Territory, through the implementation of restorative projects.

During 2024, the SJP launched the first phase of its first three restorative projects, which pave the way for the imposition of the first sanctions. These are:

- » **‘Horizontes Seguros’ (Safe horizons)**, which had the department of Antioquia as its epicenter, in the municipalities of Dabeiba, Mutatá, Frontino and Murindó. There, 11 peace signatories and 7 former members of the armed forces worked in Land Mines Risk Education and, together with the Colombian Campaign Against Mines, trained more than 3,000 people. Through this project, for the first time, the SJP was able to bring together former guerrilla and armed forces members in the same space, with the common purpose of developing restorative work for the victims. Simultaneously, this space was also the scene of reconciliation for them, who in the past were conceived as enemies.
- » **‘Armonizándonos’ (harmonizing ourselves)**, which took place in Nariño, is a project in which 13 peace signatories participated in the initial phase of this restorative process, working on the construction of the road leading to the ‘Marcos Pa’ House of Wisdom. With this action, they materialized their commitment to contribute to the redress of the violence that impacted the Awá People. This project is related

to SJP Case 02, called 'Nariño Territorial Situation', in which the SJP is investigating serious crimes committed in Tumaco, Ricaurte and Barbacoas (Nariño).

- » **'Siembras de Vida' (Sowings of life)**, which took place in Usme, Bogotá. 46 members of the armed forces, including perpetrators investigated in Case 03 and others, whose legal status will be resolved by the Judicial Panel for Determination of Legal Situations worked in this ecological restoration project, . The epicenter of this effort was the Chingaza-Su-mapaz corridor, an area historically marked by the presence of armed groups, where stigmatization and adversity persist and still resonate in the collective memory of its inhabitants.



*A justice that
transforms
individuals and
communities
affected by war*

65°

The restorative practices developed in the SJP have transformed people, communities, territories and institutions. The Jurisdiction gave back to the victims the hope that peace and justice are possible. In these years, the SJP has shown those who caused them pain and the country, that it is possible to repair the irreparable. To bring justice for serious crimes and contribute to restoring the damage caused. They told us so themselves.

At the Acknowledgment Hearing held in Medellín for murders and forced disappearances presented as combat casualties by State agents in the Las Mercedes Cemetery of Dabeiba, Esneda Altamirano, aunt of one of the victims, intervened to explain how, despite not initially understanding restorative justice, the SJP process had allowed her to find answers to questions such as “Why

forgiveness? Why the approach? Why should I have to look them in the face, when they were the ones to blame for my nephew's death? We did not wake up one day and said: 'today we are going to forgive' (...) No. It was a transition of almost seven or eight months, during which we worked with SJP's psychosocial workers, who, in a situation of humanity, put themselves in our shoes".

• 66

The impacts of restorative justice



The paradigm shift proposed by Transitional Restorative Justice poses many moral and ethical challenges, forcing us to see humanity where we only see monstrosities, truly atrocious acts. This transition to the humanity behind each victim and each perpetrator, is the process we are carrying out in the SJP. And that process is, in itself, one of the most valuable results.



The concreteness of ethnic and territorial approaches

67 •

The SJP has carried out joint proceedings with the indigenous jurisdiction and Afro-descendant authorities, the territory has been recognized as a victim of the armed conflict, and all judicial notifications and proceedings have been respectful of the peoples' own practices. In addition, we have made significant progress in the punishment of en-

environmental crimes, especially those perpetrated in ethnic territories. Prior consultations have been held, and protocols have been signed for relations and coordination with the Black, Afro-Colombian, Raizal and Palenquero Peoples, as well as with the Indigenous Peoples and the Romani or Gypsy population. To date, approximately 115 interjurisdictional proceedings have been carried out.

68

The fight for equality



Important diagnoses have been made on patterns of gender-based violence and, based on this, former members of the Farc-EP, including mid-level commanders and one high-ranking one, were charged with committing acts of sexual violence. In Case 02, which deals with the Territorial Situation of Tumaco, Ricaurte and Barbacoas, 15 former members of the Farc-EP were charged in July 2023. Considering the gender approach, the Judicial Panel for Acknowledgment of Truth identified one of the patterns as sexual and gender-based violence against women and girls, as well as violence due to prejudice against people with diverse sexual orientations and gender identities and expressions. These charges seek to satisfy the rights of the victims, who expect answers to their specific demands for truth throughout their process in the SJP.



Procedural innovations

69

The SJP has developed procedural innovations, such as interpretative rulings, the mobility of magistrates and their teams, the exercise of concurrent competences, restorative precautionary measures, and notifications with ethnic and gender relevance. Through interpretative rulings, for example, the Appeals Chamber seeks to ensure unity in the interpretation of the law, and to guarantee legal certainty and equality in the application of the law. These rulings clarify the meaning or scope of provisions, define criteria for integrating regulations, and unify case law from an early stage. To date, eight interpretative rulings have been issued on topics such as the conditionality regime, victim participation, notifications, preliminary issues of noncompliance and negative selection criteria.

70

***Faster and
more participatory
adversarial trials***



Given that the SJP has already initiated adversarial trials for those participants who do not accept their responsibilities, judges have designed a much more agile transitional adversarial process, accompanied by greater participation of the victims, which is completely new. This proceeding ensures that serious events do not go unpunished and that those responsible, if convicted in court, are punished with prison sentences.

71

Benchmarks in the adversarial trial



A transitional adversarial trial was completed in less than a year against retired Colonel Publio Hernán Mejía. This procedural stage began after the officer did not accept his responsibility for war crimes and crimes against humanity, and the Investigation and Prosecution Unit (UIA) accused him of committing 35 representative acts of murder and other crimes, which resulted in the victimization of 72 people. This type of trial seeks to guarantee, beyond the standards of the ordinary justice system, both the participation of the victims and the due process of the defendant, in a model that offers speedy proceedings and ample evidentiary debate.



Paths for the imposition of sanctions

72

The SJP created an internal path to transform the restorative initiatives of the victims and the participants into viable projects that allow the imposition of restorative sanctions and the materialization of the measures to contribute to the reparation. In addition, it agreed with the National Government, within the framework of the Articulation Instance, on the way to promote and implement such restorative projects. These paths are essential to achieve two of the fundamental objectives of the SJP: to avoid impunity by imposing restorative sanctions that result in effective restriction of rights, as well as in the satisfaction of the victims' desires and, with this, to transform the structural conditions that perpetuate violence in the country, thus seeking to guarantee non-repetition.

*Internal and
external articulation
agreements for the
imposition
of sanctions*



The SJP defined the guidelines that orient the internal and inter-institutional articulation path to implement Restorative Initiatives, Plans, Programs and Projects. This agreement clearly defines the concrete institutional commitments for the effective implementation of the restorative projects that will allow for the materialization of the Restorative Sanctions and the measures to contribute to the reparation imposed by the SJP. The agreements reached have allowed a more coordinated work for the imposition of the Restorative Sanctions to be met by the most responsible perpetrators, which will provide the truth and acknowledge responsibility. Having clear guidelines on this process, is essential to guarantee the rights of victims, provide legal certainty to defendants, and to consolidate an effective restorative approach that redresses violated rights and contributes to reconciliation.

PROTECTION OF LIFE, PERSONAL INTEGRITY AND DIGNITY OF THE SIGNATORIES OF THE FINAL PEACE AGREEMENT



74

Precautionary measures aimed at dignifying the signatories of the Final Peace Agreement



The SJP has issued several court orders aimed at combating the stigmatization and exclusion of the signatories of the Final Peace Agreement and their families. The purpose has been to guarantee them the full exercise of their rights as Colombian citizens who are committed to peace.



Effective judicial measures for the protection of the signatories of the Final Peace Agreement

75

One of the main concerns of the SJP has been the preservation of life and personal integrity of the signatories of the Final Peace Agreement. Therefore, ex officio, it adopted precautionary measures aimed at reversing the structural causes of this unfortunate situation, a task that has been highlighted by the UN Security Council, the UN Verification Mission and the Constitutional Court.

SJP's efforts contributed to the issuance by the National Government of Decree 0638 of June 12, 2025, which regulates the Comprehensive Protection Program for Peace Signatories.

Achievements of the SJP

Annexes

Macrocases

of the Judicial Panel for Acknowledgment of Truth and Responsibility

CASE
01

Hostage taking, severe deprivation of liberty, and other concurrent crimes committed by Farc-EP



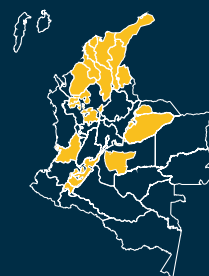
CASE
02

Prioritizes the territorial situation of Tumaco, Ricaurte and Barbacoas (Nariño)



CASE
03

Murders and force disappearances presented as combat casualties by State agents



CASE
04

Territorial situation of the Urabá region



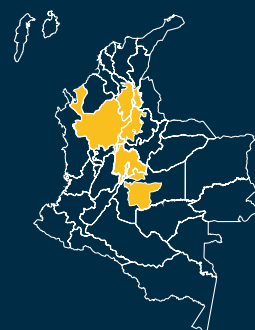
CASE
05

Prioritizes the territorial situation in the region of northern Cauca and southern Valle del Cauca



CASE
06

Victimization of Patriotic Union political party members



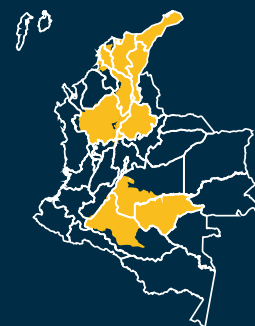
CASE
07

Recruitment and use of children in the armed conflict



CASE
08

Non-amnestible crimes committed by the armed forces, State agents in association with paramilitary groups, or civilian third parties in the armed conflict



CASE 09

Crimes committed against
Peoples and Ethnic Territories
in the framework of the
Colombian armed conflict



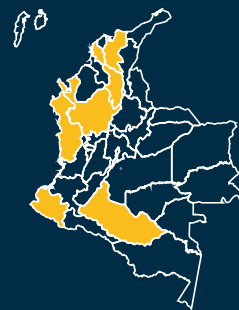
CASE 10

Non-amnestible crimes
committed by the defunct
Farc-EP in the framework of
the Colombian armed conflict



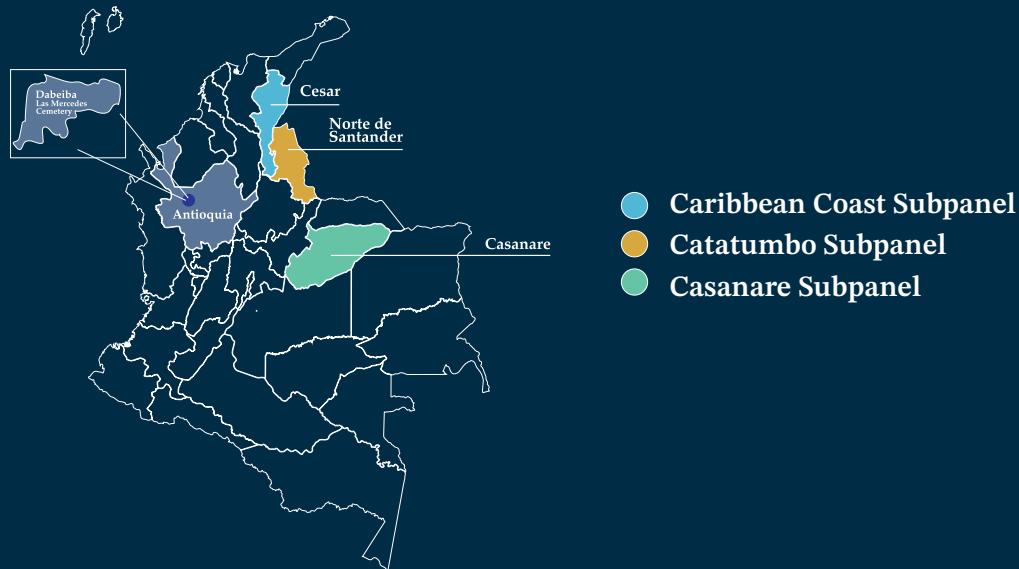
CASE 11

Gender-based violence, sexual
violence, reproductive violence,
and other crimes committed
due to prejudice based on
sexual orientation

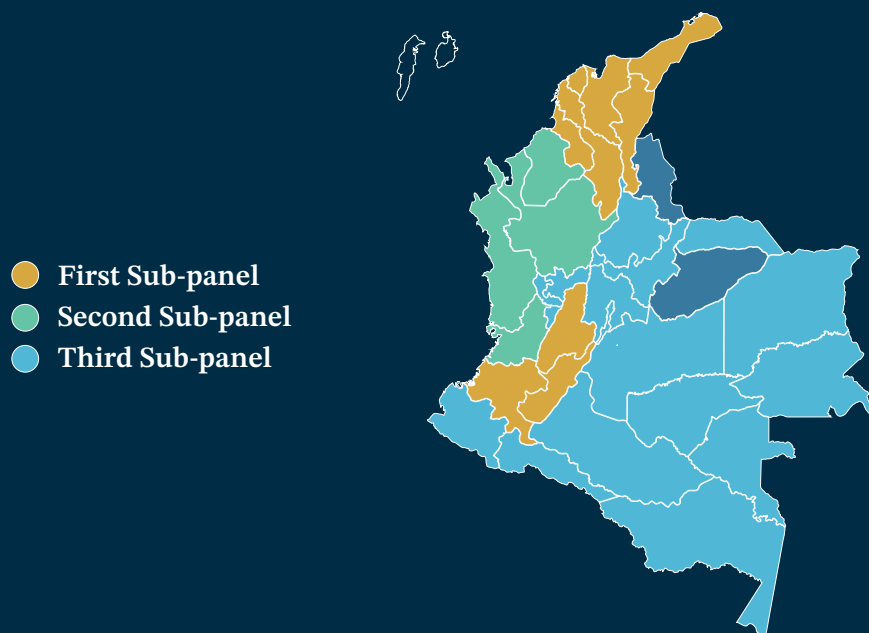


The Non-Prosecution Path in the country

Subpanels of the Judicial Panel for Determination of Legal Situations with non-most responsible perpetrators defendants in the sub-cases of Case 03. To date, 707 defendants (678 from the armed forces, and 29 from the former Farc-EP) have been referred, in what is known as “negative selection”.



Subpanels of the Judicial Panel for Determination of Legal Situations with non-most responsible perpetrators defendants for regions, time ranges or military units not prioritized by the Judicial Panel for Acknowledgment of Truth.



Monitoring

Anticipated TOARs

267

TOARs
submitted

218

Certified
TOARs

61

TOARs in
process

6

TOARs
withdrawn

145

Activities

61

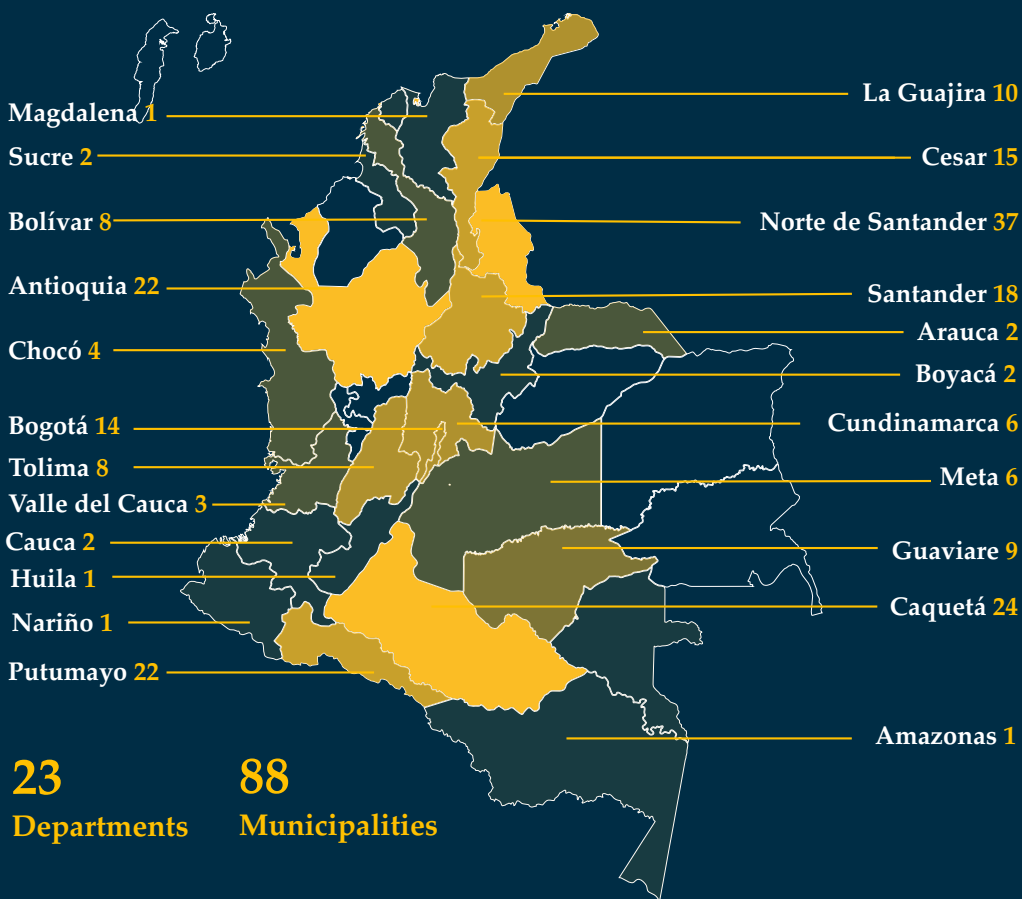
Works

59

Projects

14,700

Monitored
working hours



Monitoring

Anticipated TOARs

3.536

Defendants

984

Women

2.565

Men

2.968

Former Farc-EP
members

165

Armed Forces

1

State Agents

408

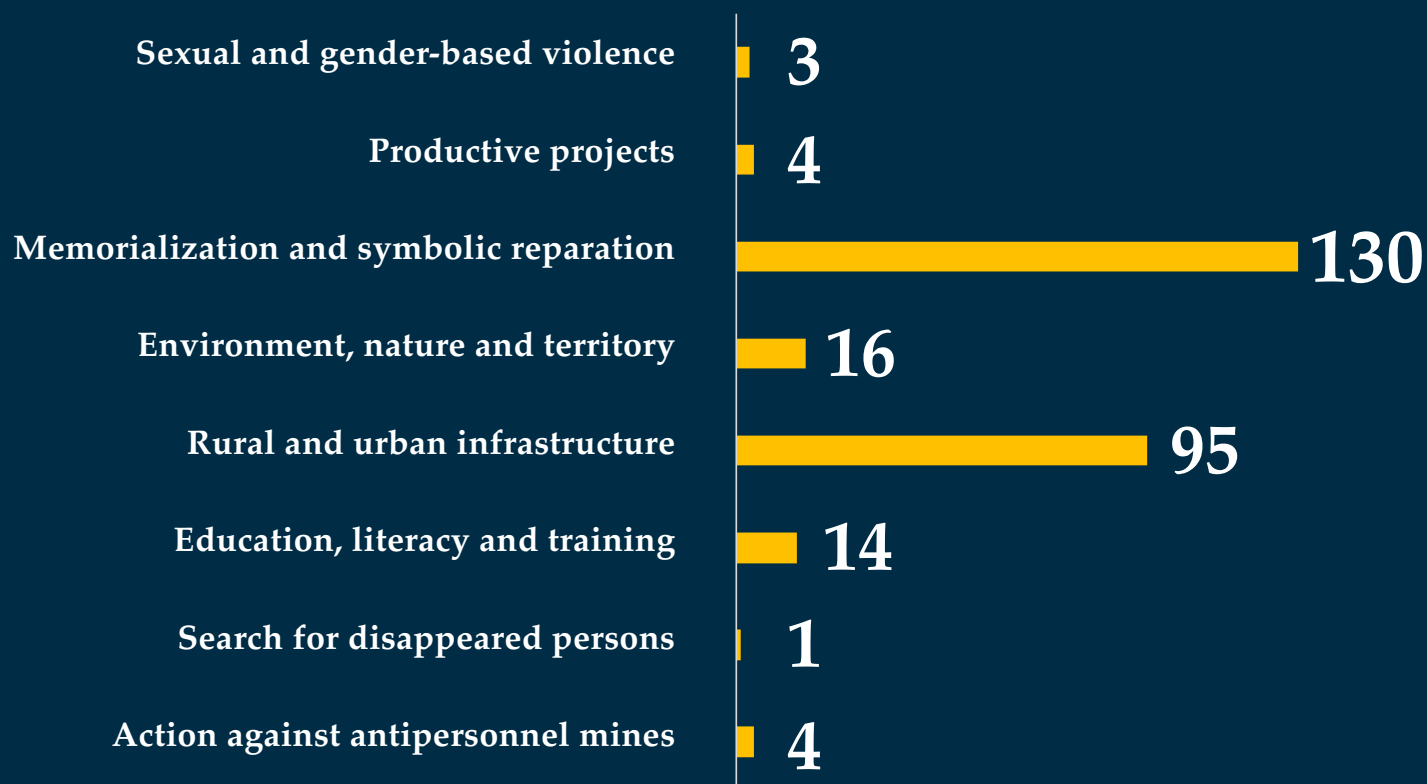
No validated

2

Civilian third
parties

Restorative lines

Anticipated TOARs



COMPOSITION OF THE JUDICIAL PANELS AND THE PEACE TRIBUNAL



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PRESIDENT



José Miller Hormiga Sánchez
VICE PRESIDENT

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Magistrate
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DIRECTOR OF THE UIA

EXECUTIVE SECRETARIAT



Harvey Danilo Suárez Morales
EXECUTIVE SECRETARY

Where is the SJP located?



SJP | SPECIAL JURISDICTION FOR PEACE

<https://www.jep.gov.co>



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