

Inside the 16th Brigade it was implanted a complex criminal organization that took advantage of the military institution and of its own legal channels in order to present murders as combat casualties, using the structure, functions, public funds and dependencies from the military unit, as well as from the extinct Security's Administrative Department (DAS, for its Spanish initials).

THE SPECIAL JURISDICTION FOR PEACE CHARGES



war crimes and crimes against humanity on **22 army members**, one member of the extinct DAS, and two third party civilians for 'false positives' committed in Casanare.

Casanare

> After a judicial contrast inside Casanare's subcase, one of the six prioritized regions of Case 03, the SJP determined that those charged on this indictment made part of a criminal organization conformed at the interior of the 16th Brigade between 2005 and 2008, with the intention to kill defenseless people who were later presented as combat casualties.

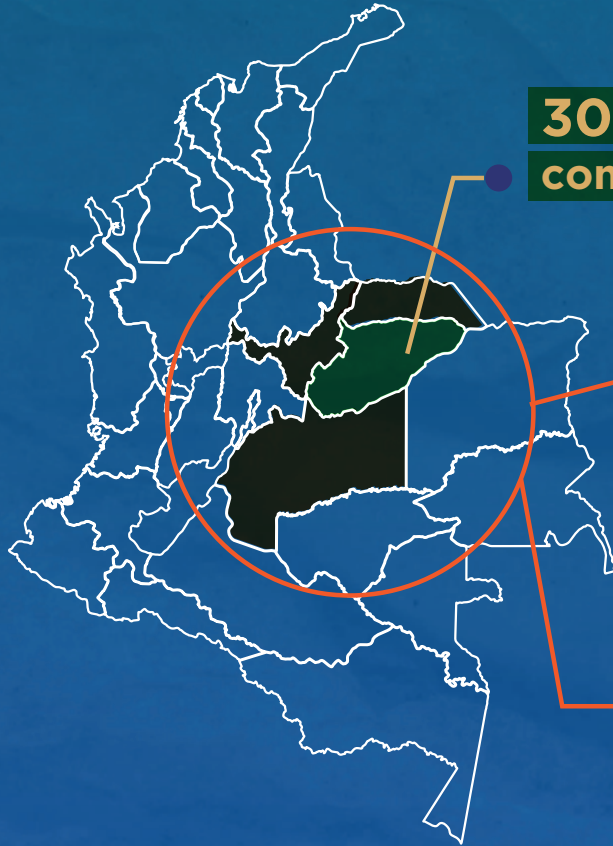


VICTIMS

CASE

03

Casanare's
Indictment



303 people were killed in 218 actions committed in Casanare,

with victims brought

from **Boyacá, Meta and Arauca**

> **Among the victims there are**



9 women and 1 LGBTQ person

Most victims were members of civil population

Some victims were accused of being guerrilla members, militiamen, guerrilla's collaborators, criminals, or paramilitaries

In the moment of their assassination, victims were not participating in any combat



Those accused as most responsible

> The SJP charged those who made essential contributions to the respective criminal schemes to which they belonged, according to a division in functions.

Retired major general,
Henry Torres Escalante

Retired colonel,
Wilson Camargo Tamayo

Retired lieutenant colonel,
Marcolino Puerto Jiménez

Retired lieutenant colonel,
Germán Alberto León Durán

Retired lieutenant colonel,
Henry Hernán Acosta Pardo

Retired major,
Gustavo Enrique Soto Bracamonte

Retired major,
Jorge Eduwin Gordillo Benítez

Retired major
Erwin Eduardo Duarte Rojas

Retired captain,
Jaime Alberto Rivera Mahecha

Retired captain,
César Augusto Cómbita Eslava

Captain,
Miguel Andrés Sierra García

Retired lieutenant,
Marco Fabián García Céspedes

Retired lieutenant,
Edwin Leonardo Toro Ramírez

Retired lieutenant,
Jhon Alexánder Suancha Florián

Retired first sergeant,
Gildardo Antonio Jiménez Castrillón

Retired first sergeant,
Wilfrido Domínguez Márquez

Retired sergeant first class,
Wilson Salvador Burgos Jiménez

Retired first corporal,
Gélver Pérez García

Retired corporal first class,
Leandro Eliécer Moná Cano

Retired detective from extinct DAS,
Orlando Rivas Tovar

Two civilians who worked as recruiters:

- Wilson Rodríguez Mimisica and
- Miguel Fernando Ramírez

Non determinative participants

> Other accused subjects who, under consideration of the Acknowledgment Chamber, do not hold maximum responsibility of these facts, but who under the judges' concept must be subpoenaed to acknowledge responsibility.

Retired colonel,
Cipriano Peña Chivatá

Retired Lieutenant,
Zamir Humberto Casallas Valderrama

Sergeant first class,
Faiber Alberto Amaya Ruiz



PROSECUTED CRIMES

> The SJP's Acknowledgment Chamber prosecuted the **crimes against humanity** of **murder** and **enforced disappearance of persons**, and the **war crime** of **willful killing**.

- The SJP also accused two militaries of committing the war crime of using children to participate actively in hostilities for the case of three underage who were used to deceive some victims of 'false positives'. And one of these military was accused of committing the crime against humanity of persecution against any identifiable group or collectivity by reasons of gender.



A CRIMINAL PATTERN

Murders and enforced disappearance of persons who were presented as combat casualties by some members of the 16th Brigade

> **The Acknowledgment Chamber identified two policies that configured the criminal pattern:**

1. It was associated to the will of killing stigmatized population, or demobilized guerrilla personnel who were in process of reintegration, for alleged links with insurgency or criminal groups.
2. It corresponds to a complex pressure apparatus and specially of incentives given to the members of these criminal organization inside the brigade.

> **There were three modalities:**

- 1) The killing of people who previously were apprehended or put out of combat in the middle of operations which initially were legal.
- 2) Victims were accused, based on diverse work of intelligence, of being criminals or members of illegal armed groups and later executed.
- 3) Some victims were deceived and transported from urban zones by recruiters, who serve as informants for members of the military units, in order to be killed later.

CASE

03

Casanare's
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OTHER FINDINGS

> Public funds from taxpayers, as well as financial resources given to the military units by agreements with oil companies, were irregularly destined to commit these crimes



> With the arrival of retired major general Henry Torres Escalante to the 16th Brigade there was an increase in the presentation of false operational results



> Some victims were killed while being defenseless after being encouraged to consume alcohol or drugs. There were also, Elderly people were killed, as well as people with special cognitive conditions or in economic vulnerability



> The Military Criminal Justice did not investigate properly these deaths, what contributed to the perpetuation of the criminal conduct



SOURCES IN SJP'S INVESTIGATION

CASE

03

Casanare's
Indictment

> The charges formulated by the Acknowledgment Chamber are product of the judicial contrast and analysis of:



8 reports

from State entities such as the Office of the Attorney General and the Office of the Prosecutor General, also from victims and human rights organizations



106 preliminary hearings

with implicated subjects



Commentaries and observations from victims

and the Office of the Prosecutor General

Judicial inspections of **48 processes** from the Ordinary Criminal Jurisdiction and **224 processes** from the Military Criminal Justice, in addition to ordinary jurisdiction's files.