

## “JEP” – SPECIAL JURISDICTION FOR PEACE

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### SUMMARY OF THE RULING REGARDING THE FARC-EP IN THE

#### FRAMEWORK OF CASE 01 GREETING

Good morning to everyone listening to us today, I am Camilo Suarez, Judge of the Special Jurisdiction for Peace’s Acknowledgement of Truth and Responsibility Section.

Today I especially greet the victims of the internal armed conflict, both those living in our country and abroad, as well as the perpetrators, the judges of the International Criminal Court and the Inter-American Court of Human Rights, the commissioners of the Inter-American Commission on Human Rights, the representatives of the UN Security Council member states, and, more broadly, the international community. I also extend my greetings to the judges of the Special Jurisdiction for Peace (JEP) and to all the individuals and entities that make up the Comprehensive System of Truth, Justice, Reparation, and Non-Repetition (SIVJRNR).

#### PRESENTATION OF THE RULING

This is a landmark event in Colombia’s judicial history. The Special Jurisdiction for Peace issues its first ruling against the former Secretariat of the FARC-EP in Case 01, entitled "Hostage-taking, Serious Deprivation of Liberty and Other Concurrent Crimes Committed by the FARC-EP."

Today, we speak to the heart of Colombia: to its children and adolescents, to those who dream of a different country, and to the women and men who have resisted with dignity. Today we speak to the wounded soul of Colombia, to the victims—the mothers, fathers, sons, daughters, brothers, sisters, and life partners—who have lost so much and waited for years for judicial truth. We also speak to the peoples who have resisted oblivion: Indigenous, Afro-descendant, *campesino*, *Raizal*, *Palenquero*, and *Rrom* communities, as well as the LGBTIQ+ population; all of them marked by a pain they did not choose.

This ruling does not erase the suffering, but it is an act of recognition. It is the voice that tells Colombian society and the world that what happened was unjustifiable and inhumane. A ruling that not only closes a judicial chapter but also opens a new page for the memory, justice, and peace of our nation.

By holding those most responsible criminally accountable and by guaranteeing the rights of the victims, we contribute—through the realization of material justice—to building a path toward an active, living, and committed peace. This decision does not aim to leave us with a peace of mere words, but to contribute to a peace that unites us as a nation, as



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a homeland. It is also an invitation to unequivocally condemn all forms of violence.



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Because violence has stolen too much from us: lives, dreams, stability, trust, progress. Today we plant a seed to grow in truth, in justice, in memory. May it be heard by those who come after us, embraced by those who still believe it is possible to change and to have a better country.

Today we do not present merely a ruling; we present a commitment: never again. Never again kidnapping as a weapon of war. Never again life and the human body used as currency. Never again silence in the face of suffering.

Today we extend an invitation to all of Colombia to build a peace that can be felt in daily life. Not a decorative peace, not an empty promise, but a peace that rises each morning with dignity, with truth, with memory. A peace with the firm purpose of building a Colombia where life is sacred, freedom is inviolable, and justice is possible. As has been said by those who have fought for peace—such as Nelson Mandela, who reminded us that “Peace is not simply the absence of conflict: it is the creation of an environment where we can all flourish, without fear and with dignity.”

### **Transitional justice**

The JEP was created as part of the Comprehensive System of Truth, Justice, Reparation, and Non-Repetition, designed in Point 5 of the 2016 Peace Agreement. It is not a model of ordinary justice; it is a transitional jurisdiction—a model of justice aimed at contributing to peace, guaranteeing victims’ rights, providing legal certainty to perpetrators, and helping to rebuild the social fabric. It is a forum where criminal responsibility is established, but also one that seeks to restore and repair victims. For this reason, contributions to the truth and the acknowledgment of the most serious crimes committed by cause, occasion, or direct or indirect relation to the internal armed conflict are decisive. The model of restorative transitional justice is defined as a jurisdiction that investigates, prosecutes, and sanctions those most responsible for the most serious and representative crimes, but always with a restorative and reparative approach. This includes a differential approach, a rights-based approach, and other cross-cutting perspectives, and seeks to balance full truth-telling, acknowledgment, effective sanctioning, and reparation for victims.

In the interest of achieving a stable and lasting peace, the Government of Colombia signed the final text of the Peace Agreement in November 2016 at the Teatro Colón in Bogotá. It was agreed that those most responsible for the gravest crimes would be tried by the JEP and that the sanctions imposed would be restorative in nature, not solely retributive.



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This agreement made possible the disarmament of more than 13,000 combatants and demonstrated a commitment to peace. This model of justice has shown that perpetrators have remained engaged in this process for more than seven years. Likewise, under United Nations verification, it enabled the creation of a new legally constituted political party. But it also established a lasting commitment: to provide truth, to make reparations to victims, and to guarantee non-repetition.

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The judicial model designed for the Special Jurisdiction for Peace responds appropriately to the challenges posed by the massive and systematic nature of the acts committed during the armed conflict, as well as to the profound consequences of the resulting macro-victimization. The procedural and substantive structure of the JEP is intended to address complex crime patterns, allowing for the concentration of cases and the identification of those most responsible, while safeguarding the rights of victims. This transitional justice model is an effective mechanism for dealing with large-scale human rights violations and breaches of international humanitarian law. It ensures the uncovering of criminal structures and patterns and guarantees truth, justice, reparation, and non-repetition within the framework of restorative transitional justice.

It is a model of justice that combats impunity, that acknowledges the magnitude of the conflict and the scale of victimization, and that embodies a forward-looking justice—one that examines the past to build a better future.

The regulatory implementation of the Final Peace Agreement to establish the JEP has led to the enactment of two Legislative Acts, one Statutory Law, and to ordinary laws which, in addition to establishing rules of procedure, regulate amnesty and the granting of special treatment.

It is within this framework that the First Instance Chamber for Cases of Acknowledgment of Truth and Responsibility of the Tribunal for Peace issued the ruling in Case 01, entitled “Hostage-taking, Serious Deprivation of Liberty, and Other Concurrent Crimes Committed by the FARC-EP.” In this case, the perpetrators were held responsible and the maximum sanction available under this model of justice was imposed: eight years, the special sanction in light of their acknowledgment of responsibility and contribution to a full, exhaustive, and detailed truth that revealed patterns and policies.

This decision establishes that the seven former members of the last Secretariat of the FARC-EP: RODRIGO LONDOÑO ECHEVERRI; JAIME ALBERTO PARRA RODRÍGUEZ; MILTON DE JESÚS TONCEL REDONDO; PABLO CATATUMBO TORRES VICTORIA; PASTOR LISANDRO ALAPE LASCARRO; JULIÁN GALLO ; and RODRIGO GRANDA ESCOBAR, are declared the most responsible within the organization during the prioritized period between 1993 and 2012, and criminally responsible, as perpetrators, for the commission of war crimes consisting of hostage-taking and homicide, as well as crimes against humanity consisting of serious deprivations of liberty, murder, and enforced disappearance. Likewise, this ruling convicts them as perpetrators through command responsibility for the war crimes of torture, cruel treatment, attacks on personal dignity, sexual violence, and forced



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displacement, as well as for the crimes against humanity of torture, slavery, and other inhumane acts committed by the units under their command.

This decision also makes it possible to conclude that the perpetrators have honored their commitments to the Comprehensive System of Peace and the JEP. Since 2017, those most responsible

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—now convicted—have submitted to this jurisdiction and have met the necessary conditions to access special treatment, such as their special sanction, including the prior development of work, projects, and activities of a restorative and reparative nature.

**I. PROCEDURAL SUMMARY**

1. In the course of the dialogic procedure conducted by the Special Jurisdiction for Peace, the Chamber for Acknowledgement of Truth, Responsibility, and Determination of Facts and Conduct, by decision of July 4, 2018, took cognizance of Case 01. On that occasion, the investigation and indictment of the policies and patterns of macro-criminality related to the deprivations of liberty committed by the last Secretariat of the FARC-EP were initiated. This phase concluded on November 24, 2022, when the Chamber issued Resolution of Conclusions No. 002.
2. Subsequently, on January 20, 2023, the Section for the Recognition of Truth and Responsibility assumed jurisdiction over the case, thereby initiating the trial stage for the imposition of sanctions on those most responsible, as identified by the Chamber. On March 13, 2023, a preliminary report was presented to the plenary of the Section, defining the focus of the proceedings and providing for an initial engagement with the legal representatives of the victims and the perpetrators.
3. For this purpose, four meetings were held: two on May 17 and 23, 2023, with the victims’ representatives and the defense attorneys of the perpetrators, and two hearings on observations to the Resolution of Conclusions—on July 4, 2023, for the victims’ observations, and on July 6, 2023, for those of the perpetrators.
4. In the course of the proceedings, on November 21, 2023, an order was issued establishing the general strategy of participation in Case 01, with particular emphasis on verifying compliance with the conditions of truth-telling, as well as on the forms of reparation and restoration provided for under the Comprehensive System for Peace.
5. It is important to note that this procedure was characterized by full respect for judicial guarantees and the participation of the victims. Throughout 2023 and 2024, meetings and hearings were held with victims and perpetrators, and the appeals and motions for nullity filed were resolved, thereby ensuring due process, the right to contradiction, and effective participation within the framework of the dialogic procedure.
6. On April 29, 2024, the Section declared the correspondence between the accredited



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facts, the recognized conduct, the evidence collected, the legal characterizations, the individualized responsible parties, and the proposals for their special sanctions, also evaluating the effective contributions to truth and the reparation of the victims.

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7. Subsequently, technical roundtables and preparatory meetings were held to define the restorative measures. This phase culminated in the verification hearing, held on July 31 and August 1, 2024—an indispensable step prior to the issuance of this ruling.

**II. LEGALLY RELEVANT FACTS**

8. In Resolution of Conclusions No. 02 of 2022, among the legally relevant facts attributable to the last Secretariat of the FARC-EP, three major policies or criminal patterns of systematic deprivation of liberty were identified.

9. The Section for the Recognition of Truth and Responsibility established that, for more than two decades, the former FARC-EP guerrillas massively and systematically implemented kidnapping as a policy of war. Three main patterns were documented: (i) depriving civilians of their freedom to obtain economic resources through ransom payments; (ii) detaining members of the security forces and political leaders in order to force prisoner exchanges and seek political recognition; and (iii) using kidnapping as an instrument of social and territorial control in different regions of the country. These patterns were directed by the FARC-EP Secretariat and carried out with broad autonomy by the regional commands, generating a massive and prolonged impact on the civilian population—namely, a phenomenon of macro-victimization.

10. In addition to these policies, it was proven that captives were subjected to cruel, degrading, and inhumane treatment, including permanent shackling, forced marches, physical and psychological abuse, denial of healthcare, food deprivation, undignified living conditions, and instances of sexual violence. These practices not only violated the dignity of the victims but also inflicted profound suffering on their families and communities, while undermining economic and social life across large areas of the country. For the Section, judicial recognition of these facts constitutes a fundamental step on the road to truth, justice, and full reparation for the victims.

11. The reconstruction of truth began with reports from victims, civil society, and State institutions. As part of this evidentiary activity, records from the ordinary justice system were taken into account, social and political actors were interviewed, and information was compiled and cross-checked against both the individual and collective statements of former FARC-EP members, while ensuring the participation of victims and communities throughout the process. In this way, the stage of acknowledgment of truth, responsibility, and determination of facts was opened, allowing for a comprehensive clarification of the events and conduct.



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12. In 2021, former members of the FARC-EP Secretariat acknowledged their responsibility. In this regard, the Section for the Recognition of Truth and Responsibility contrasted evidence with the victims' statements and evaluated different means of proof,

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seeking to ensure that the truth was complete and detailed with respect to the criminal patterns identified by the Chamber.

13. The result was a consolidated total of approximately 21,396 incidents of kidnapping or hostage-taking, with the highest incidence occurring between 1998 and 2002. The evidence demonstrated that the kidnappings and related crimes were widespread and systematic, directly linked to the armed conflict and directed against the civilian population.

14. It further showed that those most responsible led the FARC-EP with the aim of seizing political power by armed means, designing specific military and political strategies. This confirmed that the patterns of macro-criminality were not isolated or incidental acts, but rather the product of the Secretariat’s will, knowledge, and intent in their planning and execution—systematically infringing upon fundamental rights such as life, freedom of movement, work, personal dignity, and the peaceful coexistence of Colombians.

### III. CHARGES

15. The normative imputation model and the double imputation model were applied to determine the liability of the perpetrators. Within this framework, three aspects were examined: (i) typicality, considering objective, normative, and subjective imputation; (ii) unlawfulness, assessing the actual harm caused to the protected legal interest; and (iii) culpability, within the framework of imputability and the corresponding judgment of reproach.

16. To determine the maximum responsibility of those identified as perpetrators who dominated the organization, the Section drew upon contemporary theories of imputation for international crimes, presenting a proposed solution that represents an essential advance in the analysis of responsibility for system crimes. This model is not limited to examining the individual conduct of an actor; rather, it allows for an understanding of the social and normative meaning of actions, especially in cases involving complex criminal organizations or what legal doctrine refers to as organized power structures.

17. In this case, the Secretariat of the FARC-EP was identified as the body responsible for the adoption and execution of macro-criminal policies, including the illegal detention of persons, implemented in a massive and systematic manner. Such a policy entailed the creation of legally disapproved risks for society as a whole, materializing in serious violations of human rights and international humanitarian law.



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18. Based on the evidence analyzed, it was established that the members of the last Secretariat—Rodrigo Londoño Echeverri, Pastor Alape Lascarro, Milton de Jesús Toncel Redondo, Jaime Alberto Parra, Julián Gallo Cubillos, Pablo Catatumbo, and Rodrigo Granda—held the dominant position within the organization. This meant that, by virtue of the hierarchical structure and the control they exercised, they also bore the positive duty

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to prevent the crimes that resulted from the policies they themselves ordered and sustained.

19. Consequently, the proposed imputation framework makes it possible to attribute responsibility not only to those who directly carried out the kidnappings, but also to those who, from the top of the organization, created the structural conditions for these crimes to occur.

20. Accordingly, it was concluded that the criminal responsibility of the perpetrators arose from the adoption and maintenance of policies that generated structural and systematic risks, which materialized in kidnappings and serious deprivations of liberty against both the civilian population and the security forces.

21. In the context of macro-criminality—understood as the adoption of plans and policies of systematic violence against the civilian population—criminal conduct was not analyzed solely on the basis of individual will, but within the broader framework of the organization’s policies and objectives. The Section therefore held that, in order to attribute to the leaders the acts committed by their subordinates, a double imputation was required, combining classic individual responsibility with organizational or collective responsibility, since traditional categories were not sufficient. Accordingly, it adopted the imputation model that allows for the analysis of system crimes, structured along three axes: (i) the dominant position, essential role, and guarantor position; (ii) the creation of a legally disapproved risk; and (iii) the materialization of that risk in the result.

22. In this way, the members of the Secretariat, selected as top leaders, became the principal executors. The meaning of their conduct was to set in motion an organization operating outside the law and to sustain macro-criminality policies. The procedural record leaves no doubt that the actions of the perpetrators were decisive in the continuation of the policies that, at the time, strengthened the criminal apparatus.

23. Among the representative cases—characterized according to the policy or pattern to which they belonged—the FARC-EP employed different kidnapping modalities as part of its financing and control policy. The most representative included the particularly perverse practices of: *pescas milagrosas*, consisting of stopping vehicles on the road and kidnapping their occupants; planned kidnappings based on prior victim profiling and financial intelligence; collaboration with criminal gangs and even state apparatuses; kidnappings linked to extortion and quota payments, including demands for payment for the delivery of corpses; as well as political, urban, labor-related, and cattle kidnappings.



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24. Beginning in 1998, the FARC-EP implemented the policy of depriving members of the military, police, and civilians of their freedom in order to force exchanges for imprisoned guerrillas, thereby transforming isolated kidnappings into an organized strategy. The materialization of the legally disapproved risk was reflected in emblematic events such as the seizures of bases and stations (Delicias, El Billar, Mitú, Patascoy, and Miraflores), which involved kidnappings, killings,

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disappearances, and subsequent releases. Although the policy demonstrated planning and organizational capacity, it failed to achieve a massive prisoner exchange or recognition of belligerent status, leaving instead a long record of violations of international humanitarian law.

25. The policy of kidnapping civilians for exchange purposes, implemented by the FARC-EP, directly implicated the civilian population in the conflict. Captives were subjected to severe mistreatment, forced marches, confinement in camp-like conditions resembling concentration camps, and constant threats, evidencing both the duration and gravity of the risk materialized in captivity that lasted five, seven, or more years.

26. The FARC-EP's policy of social and territorial control involved depriving civilians and public officials who exercised institutional presence of their liberty, identifying enemies, imposing punishments or forced labor, and exerting dominion over territory, thereby generating a “power vacuum” in several regions. The materialization of this risk was evident in massive and targeted kidnappings, including interrogations, torture, forced marches, prolonged confinement, and death threats, all of which gravely affected the victims’ physical and emotional integrity. The detention of local leaders, mayors, councilors, and public employees was used to obstruct State functions, forcing victims into labor, subjecting them to threats and displacement, and consolidating a pattern of systematic violence against civilians and institutions.

27. For the determination of responsibility, it was also necessary to examine intent and knowledge on the part of the perpetrators, taking into account that the top leaders of the FARC-EP acted with full awareness and willingness in implementing these policies. These policies—debated and approved in guerrilla conferences and plenary sessions of the General Staff—entailed clear risks to human rights and international humanitarian law, demonstrating that those responsible were fully aware of the consequences of their actions and thereby establishing the subjective element of wrongdoing and responsibility.

28. In light of the foregoing, it was also appropriate to apply the principle of command responsibility to the analysis of the facts established in this case and to the situation of the perpetrators who were the highest commanders of the FARC-EP, due to the need to attribute criminal responsibility to those who exercise authority over others and fail to prevent or repress the crimes committed by their subordinates. Therefore, it is essential that the superior have the real and effective capacity to control the actions of the subordinate.

29. It must be emphasized that the responsibility of a commander or superior constitutes an autonomous form of criminal attribution for improper omissions, distinct



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from other forms of criminal participation such as perpetration-by-means, co-perpetration, or complicity. In Colombia, the regulations governing the jurisdiction of the JEP establish that command responsibility contains the following elements: (i) it requires effective control; (ii) it requires knowledge (before, during, and after); (iii) the means at their

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disposal to prevent or respond appropriately; and (iv) an assessment of their actual capacity to exercise control over the events.

30. During the implementation of the kidnapping policy, the FARC-EP high command did not issue clear orders regarding the humane treatment of captives, limiting themselves instead to instructing that their lives be preserved. The absence of concrete guidelines allowed middle management and the so-called “jailers” to impose degrading conditions and commit abuses, constituting an omission attributable to the leadership. The SRVR determined that the top commanders were hierarchical superiors who received reports, had the power to impose sanctions, and possessed sufficient information to be aware of the atrocious conduct committed against more than 4,200 abductees. By virtue of their position of control, they had actual knowledge—or at the very least, duty to know—of the abuses suffered by the victims.

#### IV. ACKNOWLEDGMENT

31. To reach this decision and, consequently, to impose the special sanction under the terms established in Legislative Act 01 of 2017, Article 5 sets forth several conditions for accessing the special treatment provided by the SIVJRNR: the provision of full truth, reparation of victims, and guarantees of non-repetition. With respect to the special sanction, Article 126 of Law 1957 of 2019 clearly establishes that sanctions shall be imposed on all those who acknowledge responsibility and provide an exhaustive, detailed, and full account of the truth before the Chamber for Acknowledgement regarding certain very serious infractions. Such sanctions must be served for a minimum of five (5) years and a maximum of eight (8), during which their remedial and restorative functions must be carried out.

32. In this context, it is important to note that this Tribunal has established that, in addition to the voluntary accounts given by the perpetrators, in the acknowledgment hearings, they admitted responsibility for the commission of the crimes charged in the case entitled “Hostage-taking, Serious Deprivation of Liberty, and Other Concurrent Crimes Committed by the FARC-EP.” This acknowledgment constitutes the essential prerequisite enabling the SRVR to issue a decision on the merits under the applicable transitional justice model.

33. The Section verified that the perpetrators acknowledged truth and responsibility in hearings and voluntary accounts. Such acknowledgment, in its factual, legal, and restorative dimensions, constitutes an essential presupposition of the Comprehensive System. The first dimension concerns the acceptance of facts that form part of the patterns



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of macro-criminality, in the terms of Article 79(h) of Law 1957 of 2019 and Article 27B of Law 1922 of 2018. The second relates to the acceptance of the classification of the conduct as crimes and of the mode of commission— whether by perpetration, co-perpetration, or command responsibility—without requiring explicit recognition of the title of imputation. The third dimension is directed toward the restoration of harm and the re-dignification of the victims, in accordance with Article 27 of Law 1922 of 2018.

34. Finally, individual responsibility was also attributed to those at the highest level, either for issuing orders, for exercising command authority, or for failing to control their subordinates. Within this

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framework, the consistency between what was acknowledged and what was established in the orders and resolutions was confirmed, thereby guaranteeing due process, legal certainty, and the possibility of issuing a substantive ruling within the framework of transitional justice.

35. Furthermore, it was recognized that the contributions went beyond the mere narration of facts, enabling the identification of macro-criminal policies and individual responsibilities, and constituting a public acknowledgment that dignifies the victims and reinforces the restorative nature of the jurisdiction. Finally, it was underscored that the duty of truth is dynamic and progressive, and that its fulfillment must be maintained throughout the execution of sanctions and in other institutional spaces.

**V. PRINCIPLE OF LEGALITY AND LEGAL QUALIFICATION**

36. It is important to note that, in issuing this ruling—as in the correspondence order—the Tribunal carried out its own legal qualification in accordance with Article 29 of the Political Constitution. This qualification entails the application of the criminal code in force at the time of the commission of the acts, together with the norms of international human rights law, international humanitarian law, and international criminal law. Within this normative harmonization, the principle of legality has been guaranteed, applying, among other aspects, the criminal law in force at the time of the events: the 1980 Penal Code and, since 2000, Law 599, which criminalized kidnapping for ransom, simple kidnapping, and hostage-taking. The analysis was further complemented by International Criminal Law, confirming that the conduct also constituted international crimes prohibited under treaties and customary international law. The JEP likewise applied the principle of favorability, recognizing the crimes under the categories of the Rome Statute but imposing sanctions under Colombia’s special transitional justice regime, which is more lenient than the ordinary system in light of the purposes that inspire the special sanction. Improper accusations were also excluded, reaffirming strict adherence to the principle of legality.

37. Having defined the applicable normative framework, it was then necessary to examine, crime by crime, the constituent elements of each international offense attributed, in order to verify the accuracy of the legal qualification adopted. In this case, two main categories of crimes are not eligible for amnesty: war crimes committed in the course of the internal armed conflict, and crimes against humanity committed in the context of a widespread or systematic attack against the civilian population.



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**VI. REGARDING COMPLIANCE WITH THE REGIME OF CONDITIONALITY**

38. In compliance with Article 20 of Law 1957 of 2019, this Section proceeded to verify compliance with the obligations arising under the Regime of Conditionality of the following perpetrators: RODRIGO LONDOÑO ECHEVERRI, JAIME ALBERTO PARRA, MILTON DE JESÚS TONCEL, PABLO CATATUMBO TORRES VICTORIA, PASTOR LISANDRO ALAPE LASCARRO, JULIÁN GALLO CUBILLOS, AND RODRIGO GRANDA ESCOBAR.

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39. With respect to the process of laying down arms, compliance was verified through the certification issued by the UN Verification Mission in Colombia, in accordance with Resolution 2366 of 2017.

40. Regarding the obligation to contribute to victims’ reparation, the perpetrators submitted an inventory of assets to the UN Verification Mechanism.

41. As for the release of hostages, it was verified that, through the statement on February 26, 2012, the FARC-EP Secretariat announced the release of the last ten military personnel in its possession and publicly declared its commitment to abandon kidnapping for ransom.

42. Similarly, regarding the disengagement of minors, the agreement on the exit protocol and the transitional plan for foster care was verified, thereby guaranteeing the reintegration of children and adolescents, in accordance with Joint Statements No. 70, 96, and 97 of 2016 of the Havana Roundtable.

43. It was further established that the perpetrators expressly acknowledged responsibility for the crimes against humanity of severe deprivation of liberty and the war crime of hostage-taking, as stated in Order No. 19 of 2021. This acknowledgment was reaffirmed at the Truth Acknowledgment Hearing of June 2022, in which the victims were directly heard.

44. Subsequently, within the framework of the Public Verification Hearing of Case 01, held on July 31 and August 1, 2025, the perpetrators JAIME ALBERTO PARRA, PASTOR ALAPE, JULIÁN GALLO, AND MILTON TONCEL personally reaffirmed their commitment to continue contributing to the truth and to comply with the Regime of Conditionality.

45. For their part, the perpetrators RODRIGO LONDOÑO, RODRIGO GRANDA, and PABLO CATATUMBO submitted in writing their ethical, moral, and legal commitment to contribute to the truth, acknowledge the harm caused, provide reparation to the victims, and guarantee non-repetition.

46. This Section also considered the statements of commitment signed by the perpetrators, in which: (i) they expressed their willingness, since 2017, to join the Comprehensive System of Truth, Justice, Reparation, and Non-Repetition; (ii) they agreed to submit to the jurisdiction of the JEP, to notify any change of residence, and to refrain from leaving the country without authorization; (iii) they undertook the



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commitment never to use weapons again and to actively contribute to the objectives of the Final Agreement; and (iv) they reaffirmed their commitment to the Comprehensive Reintegration Program led by the Agency for Reincorporation and Normalization.

47. Finally, it was verified that the perpetrators have no recent criminal record or disciplinary sanctions in force, as confirmed by the consultations

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filed with the National Police and the Office of the Attorney General of the Nation in August 2025.

48. Consequently, this Section found that the perpetrators had demonstrated compliance with the obligations arising under the Regime of Conditionality, without prejudice to the fact that such compliance must be maintained as a permanent and enforceable duty, based on the rights of the victims and the mandate of the Comprehensive System of Truth, Justice, Reparation, and Non-Repetition.

**VII. REGARDING THE PHENOMENON OF MACRO-VICTIMIZATION IN CASE 01**

49. This Tribunal expresses its solidarity with the pain of the victims and recognizes their struggle to vindicate their rights. Accordingly, it held that, in Case 01: (i) the last Secretariat of the FARC-EP generated large-scale victimization across the universe of accredited victims, as a result of the macro-criminal policies adopted by that guerrilla organization; and (ii) as a consequence of those policies, the victims suffered systemic harm that occurred in a widespread and systematic manner.

50. The Section found that, as a result of the crimes of hostage-taking, serious deprivation of liberty, and other concurrent offenses, the last FARC-EP Secretariat victimized a significant and plural number of persons, which, as of the issuance of this ruling, corresponds to 4,186 accredited victims out of a total universe of 21,396.

51. This Tribunal further determined that the criminal actions of the perpetrators affected a broad segment of the population, encompassing a multiplicity of social and economic sectors. Specifically, it was established that in Case 01, harm was inflicted on men and women, older adults, children and adolescents, persons of diverse sexual orientation and gender identity, persons with disabilities, pregnant women, foreigners, civilians, members of the security forces, and members of the Afro-Colombian, Indigenous, Rrom, and Raizal peoples. Individuals from diverse economic and social sectors of the country—such as business owners, traders, transporters, *campesinos*, public servants, political and social leaders, cattle ranchers, students and teachers, as well as both subordinate and independent workers—were also harmed.

52. The Section further found that, in Case 01, there was a pattern of massively and indiscriminately targeting the victimized population. The impact was massive in that the macro-criminal policies were capable of affecting the widest possible number of victims, regardless of sex, gender, race, ethnicity, national or family origin, language, religion,



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political or philosophical opinion, profession, occupation, age, or condition of vulnerability.

53. The Tribunal also found common or similar features in the harm caused, which allowed it to conclude that there was a more or less uniform impact on the

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victims who formed, at the very least, the universe of those accredited. In this way, the Section was able to group the victims' harmful experiences into at least twenty-eight (28) specific impacts of kidnapping. These experiences emerged both from their accounts and from other sources made available to the Tribunal, which in turn enabled it to identify the following typologies or categories of harm representative of these effects, according to the nature of the interest affected: material harm and non-material harm.

54. Specifically, the Section found that the victims suffered the following types of harm: "harm to property or tangible goods," "harm to expected income," "moral harm," "psychological harm or harm to psychological health," "physiological harm or harm to physical health," "harm to personal identity," "existential harm," and "sexual, affective, and reproductive harm."

55. Additionally, the Tribunal declared that, in Case 01, there was "environmental and territorial harm" resulting from the impact generated in the areas that were the object of criminal actions carried out by the former guerrilla to implement their policies of deprivation of liberty. These actions produced harmful and interdependent effects on the territory and its inhabitants.

56. This Section established that the phenomenon of large-scale victimization produced systemic harm of a widespread or systematic nature, characterized by the consistent repetition of the following effects: (i) the direct victims of Case 01 suffered humiliation and objectification of such magnitude as to cause deep and enduring moral harm, which, as of the date of this ruling, continues to affect them internally; (ii) the acts of hostage-taking, serious deprivation of liberty, and other concurrent crimes inflicted on the direct and indirect victims serious existential harm that abruptly and detrimentally transformed their relationships, conditions of existence, and, in general, their life projects, the consequences of which persist today in the external living conditions of the victims; and (iii) the direct and indirect victims sustained severe harm to their property and/or income or expected income, and/or suffered patrimonial losses as a consequence of the immaterial harm endured, irrespective of race, sex, gender, age, economic capacity, or condition of vulnerability.

57. The macro-victimization methodology employed allowed this Tribunal to describe the facts of hostage-taking and serious deprivation of liberty not solely from the perspective of the crime and the criminal responsibility of the perpetrator, but from the perspective of the harm and identity of the victims who suffered it. In other words, the Tribunal analyzed the facts of the case from a victimological perspective—after addressing the macro-criminal phenomenon—with the purpose of identifying who the



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victims were, what their most significant harms were, and in what context their victimization occurred.

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**VIII. SPECIAL SANCTIONS**

58. As already noted, the special sanctions provided for under the SIVJRNR Chamber for Acknowledgement are for the perpetrators who acknowledge the exhaustive, detailed, and full truth regarding serious facts. Its regulation is contained in the 2016 Final Agreement (Section 5.1.2) and was incorporated into domestic law through Transitory Article 13 of Legislative Act 01 of 2017 and Article 126 of Law 1957 of 2019. In accordance with these sources, the sanctions of the JEP have an essentially restorative purpose: to repair the harm caused, through restrictions on rights and freedoms proportionate to the degree of acknowledgment of truth and responsibility by the perpetrator.

59. Special sanctions include effective restrictions on rights and freedoms—such as freedom of residence and movement—necessary for their implementation, as well as conditions aimed at ensuring non-repetition. It is important to emphasize that, according to the regulatory design, these restrictions do not constitute imprisonment or ordinary security measures. This is expressly provided for in the Final Agreement and in the Statutory Law: effective restriction entails monitoring and supervision mechanisms suitable to ensure good faith compliance with the Tribunal’s orders, without in any case being understood as imprisonment. Consequently, the special sanction imposed—eight years of restrictions on rights and freedoms—must be materialized through submission to a permanent supervision regime by the JEP, in accordance with the criteria set out in Article 127 of Law 1957 of 2019. It also requires the location of those sanctioned in a specific geographic area, the establishment of schedules, and the designation of specific activities, particularly in relation to the performance of works or activities with restorative content (TOAR) derived from the sanction imposed.

60. The special sanction is situated within the framework of transitional justice and reflects the commitment to avoid impunity and to provide reparation to victims. Colombia has made a commitment to special sanctions. Certainly, this type of sanction will be debated by society and public opinion. However, it must be remembered that this sanction—the special sanction—is the product of a dialogue of society as a whole, enshrined at both the constitutional and legal levels. It does not allow for interpretations dictated by political favors or interests. The special sanction presented today in this ruling is the result of the Peace Agreement, and this decision aspires to provide a clear image of society’s will not to persist in the path of violence.

61. It is reiterated that sanctions within transitional justice have both a retributive and restorative character and must be grounded in the seriousness of the crimes and victim centeredness. It consists of two elements: the effective restriction of freedoms and the restorative dimension, aimed at guaranteeing the rights of victims and the consolidation



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of peace. In addition, it seeks to promote the perpetrators' reintegration into civilian life and the restoration of the social fabric.

62. These sanctions are individualized according to the harm caused and the capacities of each responsible party, with the participation of victims and communities. Their content combines

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restrictions on rights with works and activities of reparative and verifiable impact (TOAR), including rural projects, environmental protection, infrastructure development, illicit crop substitution, literacy, and training. These measures are not exhaustive, because beyond punishment, they seek to ensure full reparation, non-repetition, and the reintegration of those responsible into civilian life.

63. Accordingly, it must be underscored that the special sanction inseparably integrates both a restorative component and a retributive component, since together they constitute its essence and purpose within the Comprehensive System for Peace, which has constitutional foundations, as affirmed by the Constitutional Court in Ruling C-080 of 2018. The restorative component is materialized through works and activities of restorative content, aimed at restoring the rights of victims, rebuilding the social fabric, and providing guarantees of non-repetition. The retributive component, in turn, is expressed in the effective restriction of freedoms and rights imposed for a period of eight years, constituting a real, effective, and tangible sanction in view of the gravity of the crimes committed. These two elements are not conceived as separate or alternative, since the restorative nature does not exclude retributive reproach, and vice versa; together they form the sanctioning modality of the JEP, validated by the constitutional block and the Constitutional Court as a legitimate and proportionate response to those most responsible for war crimes and crimes against humanity.

64. Although the sanctions of the JEP differ from those of the ordinary jurisdiction, they include an effective retributive component and are subject to strict conditions of contribution to truth, reparation, and non-repetition. They therefore do not imply impunity, but rather constitute an alternative modality for fulfilling the obligation to investigate, prosecute, and punish, in line with the purposes of transitional justice. The Tribunal emphasized that, in the case of those most responsible for the most serious crimes, the constitutional order enshrines the duty to impose an effective and proportionate sanction. This duty is fulfilled through the sanctions of the JEP, given their restriction/restoration period of five to eight years, which reflects a serious limitation of rights for a significant period of time.

## IX. POLITICAL PARTICIPATION

65. The Section examined the implications of imposing special sanctions on the perpetrators’ exercise of political rights under the JEP and concluded that such sanctions are compatible with the democratic principle and with the constitutional framework of transition. This ruling is supported by the normative design of the Final Agreement and its subsequent development—Legislative Act 01 of 2017 (Transitory Article 20) and



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Statutory Law 1957 of 2019 (including Articles 31, 126, and 141)—which establish restorative justice as a guiding paradigm and provide that the imposition of sanctions by the JEP does not, in itself, disqualify political participation. Within this framework, the political and social reincorporation of ex-combatants is articulated with the centrality of victims’ rights and the objectives of reconciliation, democratic expansion, and

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non-repetition. Consequently, participation and sanction are not mutually exclusive; they are integrated into the same constitutional and legal design aimed at achieving stable and lasting peace.

66. From this perspective, the Section clarified that political participation goes beyond the simple binomial of electing and being elected, encompassing other legitimate forms of democratic influence—such as institutional and community deliberation, territorial coordination, and social leadership—always within the limits of transitional justice. The Constitutional Court has recognized that democratic openness is a legitimate instrument of transition, provided that the Constitution and victim centeredness are respected. Therefore, the special sanctions—as real and verifiable restrictions of rights and freedoms, though not constituting imprisonment—do not undermine the essential core of political rights, but are instead oriented toward truth, reparation, and non-repetition. The authorization to participate is not an undue privilege, but a transitional prerogative aimed at deepening democracy and addressing the root causes of the conflict.

67. To resolve the potential tension between sanction and participation, the Section applied the principle of proportionality (suitability, necessity, and reasonableness). It determined, first, that the purposes pursued by the special sanctions—truth, justice, reparation, non-repetition, and the reconstruction of the democratic principle—are constitutionally legitimate and imperative; second, that the restorative measures imposed are adequate and necessary to achieve those purposes; and third, that the incidental restrictions on political liberties derived from their enforcement remain within constitutional bounds, without undermining their essential core. There is no less restrictive alternative capable of ensuring, with equal effectiveness, a balance between the rights of perpetrators and the objectives of the System. Within this logic, the limitations arising from strict compliance with the sanctions—such as temporary absences or territorial displacements required to carry out activities—do not constitute disguised political sanctions, but rather incidental and proportionate consequences of transitional reproach.

68. Finally, the Section concluded that there is no incompatibility between the execution of the special sanction and the exercise of political rights by perpetrators who have complied with the Regime of Conditionality, a determination that will be expressly reflected in the operative part. However, it established two closing rules: (i) when the performance of sanction-related activities is objectively impossible to reconcile with specific political functions, compliance with the sanction shall always prevail, in order to safeguard its effectiveness and victim centeredness; and (ii) the exercise of political rights may not be used to disseminate negationist or revictimizing discourse, or positions contrary to this ruling and the decisions of the JEP; any objections must instead be pursued through the appropriate procedural channels. Thus, the coexistence of sanction and participation reflects a normative and constitutional balance that preserves the State's sanctioning power, dignifies the victims, and ensures the faithful implementation of peace commitments



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**X. DETERMINATION OF THE SANCTION**

69. The Section for Acknowledgment, exercising the authority conferred by the Final Peace Agreement, Legislative Act 01 of 2017, Law 1957 of 2019, and Law 1922 of 2018, imposes the special sanction of eight (8) years on the perpetrators from the last Secretariat of the FARC-EP. This decision is based on the verification of full acknowledgment of truth and responsibility, on the acceptance of the facts and conduct constituting war crimes and crimes against humanity, and on the obligation to assess the sanction according to objective criteria of proportionality and reasonableness. The special sanction, as provided for under the transitional system, inseparably integrates a restorative component—materialized in works and activities of restorative content (TOAR)—and a retributive component, expressed in effective restrictions on rights and freedoms under judicial supervision, though not equivalent to deprivation of liberty in a prison establishment.

70. The maximum term of eight years reflects the extreme gravity, systematic nature, and magnitude of the harm caused by the conduct attributed to the perpetrators, as well as their leadership role within the armed organization. Factors such as the modality of execution, the special vulnerability of the victims, and the widespread impact on entire communities reinforce the need to impose a sanction of significant temporal intensity within the applicable legal framework. Although the contributions to truth and the commitments to reparation were positively assessed, the level of command exercised and the scope of the harm inflicted require that these contributions be translated into intense, continuous, and verifiable obligations throughout the entire term of the sanction.

71. In this regard, the sanction of eight years is consistent with the principles of proportionality, necessity, and reasonableness, as well as with the victim centeredness, who must receive a response commensurate with the magnitude of the suffering they have endured. The TOARs constitute the restorative core of the sanction, and their specific planning will be determined in a subsequent decision, taking into account the needs of the victims and the conditions of the territories. Its execution will be carried out under a strict regime of supervision and monitoring by the Jurisdiction, ensuring that each day of restriction translates into tangible benefits for society and, in particular, for the communities most affected by the crimes.

72. This Section underscores that the special sanction does not constitute an automatic benefit or a form of impunity, but rather a special treatment conditioned on the real and verifiable fulfillment of commitments to truth, reparation, and non-repetition. Consequently, during the eight years imposed, the perpetrators must fully comply with the Regime of Conditionality, provide truthful and complete information, participate in acknowledgment hearings, and implement the restorative projects ordered. The decision



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to set the sanction at its legal maximum is supported by reinforced reasoning and was adopted in strict compliance with applicable regulations, constitutional jurisprudence, and the precedents of this Jurisdiction. It constitutes a legitimate and proportionate response, consistent with the purposes of transitional justice and with the international obligations of the Colombian State.

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**XI. REGIME OF CONDITIONALITY**

73. This Section is fully empowered to verify compliance with the Regime of Conditionality established in Article 20 of Law 1957 of 2019, which imposes specific obligations on the perpetrators to ensure the seriousness of their submission to the transitional system. These obligations include: the surrender of weapons; the release of hostages; the disengagement of illegally recruited minors; the acknowledgment of responsibility; the effective contribution to the clarification of the truth within the framework of the SIVJRNR; and compliance with the specific conditions set by the JEP in each case. They also require a commitment to non-repetition and the non-commission of new crimes, an active contribution to the reparation of victims—including the disclosure of truth regarding property and assets—and, finally, the obligation to contribute to the success of the process of full reintegration into civilian life.

74. Within this framework, the sanctioning model applicable to those who acknowledge truth and responsibility enables the materialization of these obligations in a restorative dimension, linking legal reproach with the comprehensive reparation of the systemic harm inflicted on victims in contexts of macro-victimization. Consequently, the sanctions imposed by the Jurisdiction become instruments of transformation which, in addition to requiring real restrictions on rights, actively bind perpetrators to the satisfaction of victims’ rights, the reconstruction of the social fabric, and the consolidation of guarantees of non-repetition, as required in Case 01.

**XII. THE ROLE OF THE JUDGE IN TRANSITIONAL JUSTICE**

75. The Section for Acknowledgment of Truth and Responsibility emphasized that the transitional judge, within the framework of the Special Jurisdiction for Peace, plays an active role that goes beyond the imposition of punitive sanctions. Pursuant to the Constitution and the Statutory Law 1957 of 2019, the judge’s function is to promote restorative projects that materialize comprehensive reparation for victims and the consolidation of guarantees of non-repetition. To this end, the judge is empowered to activate the institutional framework, influence public policy, and summon state entities, within the exercise of a dialogic procedure that reflects the principle of harmonious collaboration among public authorities and the mandates of the Final Peace Agreement.

76. In exercising these competencies, the Section specified that the execution of special sanctions requires the concurrence of multiple state entities, which are responsible for adopting administrative and contractual decisions regarding resource management and

project implementation. The JEP does not replace these functions, nor does it assume fiscal or disciplinary responsibility for the determinations of the competent entities. Its role is to order and supervise the execution of restorative projects in accordance with current regulations and the principles of transparency, efficiency, and accountability in the use of public resources. To this end, the Section has promoted preliminary inter-institutional coordination hearings, strengthened the Executive Secretariat's Bank of Initiatives, and arranged for fiscal oversight by the

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Office of the Comptroller General of the Republic with respect to the resources allocated to the materialization of sanctions.

77. Finally, the Section concluded that the special sanctions do not constitute an accessory or merely declarative punishment, but rather complex restorative acts with material, symbolic, and transformative effects. These measures are structured through individualized projects that seek to provide comprehensive reparations for victims, reestablish fractured social ties, and generate conditions of non-repetition. The sanction is legitimized by its capacity to produce verifiable results in four dimensions: the effective participation of victims; commitments of non-repetition; restrictions on liberties with a restorative orientation; and public acknowledgment of responsibility. Accordingly, the Section declared the legitimacy and enforceability of this sanctioning model, ordering its implementation under verifiable conditions of execution, supervision, and special subjection to the transitional regime.

### XIII. RESTORATIVE LINES AND PROJECTS

78. The Section stipulated that the sanctioned perpetrators must implement restorative projects of high social and symbolic impact, designed to dignify the victims and repair the harm caused. These projects include memory and symbolic reparation measures, actions to search for missing persons, environmental and territorial recovery initiatives, and programs for comprehensive action against anti-personnel mines. All were designed with the participation of victims and with the support of state and social entities, to ensure that the results achieve a real and verifiable restorative effect.

79. The Section emphasized that the participation of victims is essential for the legitimacy and effectiveness of restorative sanctions, which is why their proposals were evaluated on the basis of criteria of relevance, restorative orientation, and feasibility. Execution will depend on technical, budgetary, and institutional review, as well as on available resources and territorial conditions, in order to avoid unrealistic expectations. Within this framework, several restorative lines of action were defined, including: (i) memory preservation and symbolic reparation, aimed at dignifying and recognizing affected persons and communities; (ii) environment, nature, and territory, with projects for the preservation, restoration, and sustainability of ecosystems; (iii) rural and urban infrastructure, aimed at repairing and reconstructing community assets impacted by the conflict; (iv) education, literacy, and training, designed with a forward-looking orientation to make visible the harms and patterns of victimization, while strengthening resilience, reconciliation, and coexistence as foundations for peace.



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80. In turn, the restorative projects presented by the perpetrators were analyzed according to the following criteria: (i) verification of their legal legitimacy and of the formal decision imposing the sanction, generally delimiting the restorative content under review; (ii) assessment of their restorative coherence, to establish internal consistency and their real capacity to generate transformative effects;

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(iii) evaluation of their restorative effectiveness; and (iv) the relationship of the project to the harm characterized. These projects, which are imposed on the perpetrators, are described below:

81. Project "Memory and Symbolic Reparation." This project comprises a set of actions aimed at recognizing the victims of kidnapping and forced disappearance and promoting processes of truth, dignity, and non-repetition. Activities include the transcription and validation of testimonies; the design, installation, and dissemination of memory tiles and artifacts; and participation in audiovisual, radio, and digital productions—including a microsite—with reparative content. The project also contemplates the organization of forgiveness events and dialogic spaces regarding the victimizing acts, participation in restorative encounters with victims, responsible parties, and communities, as well as the preparation of reports and systematizations.

82. Project "Search for Persons Reported Missing." The purpose of this project is to support the clarification and location of victims linked to Case 01, through the preparation of an information balance, meetings with the perpetrators, and the formulation of work plans coordinated with the UBPD. It includes the collection and systematization of data, the provision of coordinates, the preparation of thematic maps, and accompaniment in field visits for prospecting and recovery. The project also contemplates training and adaptation of facilities for the custody of remains, participation in the methodological design of territorial spaces, and the conduct of acts of acknowledgment, repentance, and forgiveness, agreed upon with the victims.

83. Project "Environment, Nature, and Territory." This project seeks to promote ecological recovery and community strengthening in areas affected by the armed conflict through land preparation, the establishment of nurseries, and the propagation of native species and crops. It includes the implementation of planting strategies, ecosystem maintenance, and agricultural initiatives, along with educational programs in environmental conservation and nature tourism. The project also contemplates the identification of environmental impact sites, the installation of signage, and the development of ecotourism routes.

84. Project “Comprehensive Action against Anti-personnel Mines” (AICMA). The purpose of this project is to contribute to the decontamination of territories affected by anti-personnel mines (APM) and unexploded ordnance (UO) through the collection, updating, and systematization of information on risk areas, as well as mapping and prioritizing intervention zones. It includes technical training processes in non-technical surveys, clearance, and mine risk education (MRE), as well as awareness-raising workshops for communities. All of these measures are articulated with spaces for



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dialogue, restorative encounters, and monitoring mechanisms, ensuring a restorative approach, guarantees of non-repetition, and community strengthening in the affected territories.

85. Among the priorities established in this ruling, the intervention of the Palmira cemetery was ordered as an act of dignification of the victims buried there as unidentified persons. This measure seeks to coordinate institutional efforts to advance memory recovery, the identification of remains, and their dignified return

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to families, thereby responding to one of the most urgent demands of the victims of kidnapping and forced disappearance.

86. Likewise, the ruling prioritized the implementation of restorative acts featuring dignifying narratives, conceived as symbolic spaces of memory and acknowledgment for the victims of kidnapping and forced disappearance. These events, which will begin in the cities of Cali and Neiva, are intended to make victims’ voices visible, reconstruct the truth of what occurred, and promote social reconciliation through collective exercises of dignity. Their implementation also seeks to consolidate a territorial approach that brings together community and institutional efforts in the construction of memory and the guarantee of non-repetition.

87. This prioritization was based on the special attention given to areas with the greatest concentration of victims and perpetrators. These projects aim to contribute to symbolic reparation, truth, and social reconciliation, integrating actions for the search and dignified return of missing persons, as well as public acts of acknowledgment of responsibility.

88. In summary, the decision established that the restorative projects bring together differentiated but coordinated actions directed at symbolic, collective, and individual reparation; the reconstruction of the social fabric; ecological restoration; memory of the harm; and guarantees of non-repetition. Each project was designed under criteria of restorative proportionality, active participation, and territorial contextualization, and, following a process of technical evaluation, participatory review, and suitability analysis, was deemed legitimate, relevant, and consistent with the Regime of Conditionality.

89. Consequently, this Section ordered the imposition of the designated restorative projects on the perpetrators, to be carried out under the terms and conditions established in the plan approved by this Section.

90. In this regard, the Section emphasized that the determination of the special sanction is delimited by the term imposed in the ruling, which constitutes an unalterable judicial parameter, and that the assigned restorative projects cannot modify its duration. These projects, however, are subject to technical, operational, logistical, and administrative considerations, which allow for a margin of flexibility in their design, adaptation, or substitution, provided that their restorative purpose is maintained and institutional guidelines are observed. Thus, the duration of the sanction is not determined by the nature or number of projects, except in the case of the reduction allowed for early compliance through anticipated TOARs.



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91. However, it should be noted that the four initial restorative projects will not necessarily account for the entirety of the special sanction imposed, nor will they exhaust all the reparation needs arising from the facts of the case. Article 141 of Law 1957 of 2019 establishes an illustrative list of possible TOARs that may be carried out by the perpetrators, expressly clarifying that such list is neither exhaustive nor closed. In accordance with this provision, the JEP may evaluate and incorporate additional projects or activities, provided they have a clear restorative or reparative content,

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in order to ensure that restoration programs remain consistent with the general categories established in the law and guidelines, and that they guarantee the application of differential and territorial approaches, as well as the participation and rights of the victims.

**XIV. REGARDING EARLY COMPLIANCE WITH THE SPECIAL SANCTION**

92. The Section took into account the works and activities carried out by the seven perpetrators in Case 01 prior to the imposition of a special sanction. To this end, it reviewed and systematized 40 certification reports submitted by the Executive Secretariat of the JEP in order to determine whether they were of a restorative and reparative nature, i.e., whether they constituted TOARs.

93. Based on this review, the Section: (i) established the criteria for evaluating anticipated and certified TOARs; (ii) assessed the formal and substantive requirements of each TOAR; and (iii) examined the effects of early compliance and, where appropriate, determined the corresponding deduction from the special sanction for each perpetrator, in accordance with item 5.1.2.III.60 of the Final Peace Agreement and Article 139 of Law 1957 of 2019.

94. In this regard, the Section examined whether each TOAR: had a restorative impact; contributed to and guaranteed the rights of victims; addressed harms caused by, or related to, events that occurred as a result of, on the occasion of, or in direct or indirect connection with the armed conflict; ensured the personal and direct participation of the perpetrators; incorporated the differential and progressive participation of victims and communities; applied territorial and differential approaches; and was compatible with the catalogue of sanctions established in Article 141 of Law 1957 of 2019.

95. On this basis, the Section evaluated the works and activities carried out and determined that the maximum responsible persons convicted in this decision—Rodrigo Londoño Echeverri; Jaime Alberto Parra Rodríguez; Milton De Jesús Toncel; Pablo Catatumbo Torres Victoria; Pastor Lisandro Alape Lascarro; Pastor Lisandro Alape Lascarro; Julián Gallo Cubillos; and Rodrigo Granda Escobar—have carried out and participated in 46 TOARs, of which 40 are currently certified before the Executive Secretariat of the JEP, six are in the process of certification, and four are directly related to the facts of Case 01.

96. The valuation of these TOARs will be credited as a deduction from the duration of the special sanction imposed in this ruling, in accordance with the principles of legality,

proportionality, reasonableness, and legal certainty. This Section, exercising its judicial autonomy, emphasizes that this determination does not prejudice the guarantees of the perpetrator's rights or detract from their legal situation.

**XV. REGARDING THE RESTRICTION OF RIGHTS AND FREEDOMS**

97. The Section emphasized that special sanctions operate under a dual paradigm—retributive and restorative—and are consistent with international criminal law,

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which establishes that the most serious crimes cannot go unpunished. The retributive component expresses the ruling of reproach for macro-criminality and reaffirms the validity of the legal norm, without undermining the restorative purpose centered on victims.

98. In transitional terms, the intensity of the retributive component is not measured by the traditional equivalence of prison time, but by the effectiveness of the restorative component and the achievement of the goals of truth, reparation, and non-repetition. Thus, in addition to the hardship inherent in the restriction of rights, the system prioritizes the execution of TOARs with verifiable impact. Within this framework, the principle of proportionality is applied: the sanction is suitable, necessary, and reasonable insofar as it combines effective reproach (through real restrictions) with sufficient restorative actions, without reducing the response to a mere arithmetic calculation between seriousness and imprisonment.

99. The effective restriction of rights and freedoms constitutes the core of the retributive component of the special sanction. In accordance with constitutional jurisprudence, execution of these sanctions requires precise conditions regarding residence, schedules, territorial delimitation, and supervision of movements, all supported by appropriate monitoring, surveillance, and control mechanisms. These restrictions are not equivalent to a custodial sentence in a penitentiary establishment or to ordinary security measures; they are *sui generis* limitations, expressly established by the Statutory Law, which ensure a real and controllable sanction compatible with the special nature of the JEP.

100. Consequently, the Section provides that restrictions on residence and movement, along with permanent monitoring, apply throughout the entire execution of the special sanction, with prior authorization required for any movement unrelated to compliance with TOARs. The judicial authority will conduct periodic verification of compliance and may request reports, adjust conditions, and calibrate responses to non-compliance, including the loss of benefits in serious cases, in accordance with the Regime of Conditionality and Articles 134 and 141 of Law 1957 of 2019.

101. To guarantee effective oversight, the Section establishes a mixed monitoring framework: (i) in situ, through periodic visits to TOAR execution sites and coordination of security conditions for perpetrators and communities; and (ii) institutional and international, in coordination with the Executive Secretariat and the UN Verification Mission, which assist in supervision, information-sharing, and observation of compliance trends, thereby reinforcing independence, impartiality, and transparency.

102. Additionally, the Section provides for remote monitoring through a non-invasive



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electronic device (PDA type) with georeferencing and “geofencing” functionalities, objective recording, and traceability of presence and movements. This tool, less intrusive than those used in ordinary justice models, reduces the risk of stigmatization, allows timely responses to deviations, optimizes verification resources, and facilitates exceptional authorizations (e.g., for humanitarian reasons) without undermining control. In short, the retributive component of the special sanction is materialized in real and verifiable restrictions, supported by a comprehensive system of continuous supervision—on-site, institutional, international, and technological—

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indispensable to guarantee the seriousness of the sanction, victim centeredness, and the guarantee of non-repetition.

103. As a consequence of the foregoing, and in order to effectively enforce compliance with the retributive component of the special sanction, the restrictions on the rights of residence and movement, together with the monitoring and verification mechanisms, must be understood as permanent and must accompany compliance with the special sanction throughout the entire eight (8) years of its duration.

**XVI. THE MONITORING AND VERIFICATION MECHANISM**

104. The Section establishes that compliance with special sanctions entails strict obligations for the perpetrators and corresponding duties of monitoring, supervision, oversight, and certification for the Jurisdiction, in accordance with Statutory Law 1957 of 2019. The ruling specifies the conditions and modalities of execution—restrictions, permitted movements, schedules, and verification—in order to render the restorative sanction both operational and verifiable. Supervision of the restorative projects (TOARs) is functionally integrated with the monitoring of restrictions on rights and freedoms: the same sources of verification, parameters, and “alert thresholds” apply to both components, so that any misalignment of the TOAR regime also impacts the restrictive regime and triggers the procedural consequences already provided for.

105. To give effect to these mandates, the Tripartite Mechanism for the Monitoring and Verification of Special Sanctions (MMVSP) operates with three components: the SeRVR (judicial verification), the SEJEP (administrative monitoring), and the UN Verification Mission (strategic verification), pursuant to the Final Agreement (point 5.1.2) and Law 1957 of 2019. Monitoring consists of collecting and managing information on the material compliance with sanctions. Judicial verification is an exclusive and non-delegable function of this Section, which assesses the sufficiency of compliance, issues corrective orders, and certifies full compliance. The Coordination Committee meets periodically to consolidate territorial reports, evaluate progress, and adopt measures in the event of difficulties, with differentiated channels for information exchange: good offices and non-urgent developments; urgent alerts and possible non-compliance; and court orders communicated within the established timeframes.

106. In performing its duties, the SEJEP compiles periodic reports, carries out on-site verification (visits, inspections, technological support such as georeferencing and audiovisual records), tracks schedules and timetables, coordinates with government entities, and prepares technical reports for this Section and the Mission. The UN Mission,



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mandated by the Security Council, provides independent verification, trend analysis, advocacy, and good offices, observing both the conduct of the sanctioned party and the state conditions for implementing the sanction. At the territorial level, the SEJEP and Mission liaisons serve as the first line of follow-up; in cases of urgent alerts, the OAMI convenes Situation Tables with the participation of the reporting office to identify solutions and, where necessary, propose immediate injunctions.

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107. Finally, the mechanism operates in coordination at both the territorial and central levels, and engages with ethnic authorities when sanctions are executed in the territories of Indigenous, Black, Afro-Colombian, Raizal, Palenquero, and Rrom peoples, in accordance with Article 135 of the Statutory Law and the intercultural coordination protocols adopted by the JEP. On this basis, the Section decides to: (i) activate and regulate the unified scheme for follow-up and certification of compliance in Case 01; (ii) subject all execution to permanent and integrated monitoring of both the restorative project and the restrictions on rights; (iii) rigorously apply the Regime of Conditionality, including the loss of benefits and revocation in cases of serious non-compliance; and (iv) ensure that special sanctions are executed strictly within the terms established, with tangible results in truth, reparation, and non-repetition, thereby preserving the legitimacy and restorative effectiveness of the transitional system.

**XVII. CONDITIONS OF COMPLIANCE WITH THE SPECIAL SANCTION**

108. The Section for Acknowledgment verified, through a Public Verification Hearing (July 31 and August 1, 2025), the existence of material, logistical, and security conditions for the execution of the special sanction imposed on the perpetrators in Case 01. It recalled that those serving special sanctions are in a situation of particular subjection to the State, which acts as guarantor of their fundamental rights (life, integrity, dignity) throughout the term of execution. Accordingly, conditions of habitability, safety, and other cross-cutting aspects must be interpreted in light of the restrictive nature of the sanction and the correlative reinforced duty of the State to guarantee such rights.

109. Based on the evidence presented at the hearing, the Section found and ordered effective inter-institutional coordination with the ARN, the Ministry of Defense, the UNP, the SENA, and other relevant authorities to ensure: (i) execution sites that meet security and dignity criteria; (ii) minimum habitability (water, sanitation, electricity, hygiene); (iii) protection mechanisms in the field; and (iv) sufficient logistical and financial resources. It was further established that the National Government has set up joint technical tables to define and support these conditions, in line with the Final Agreement and its implementing regulations.

110. In terms of habitability and decent housing, the ARN is ordered to provide, adapt, and finance the living spaces of those sanctioned prior to the commencement of the projects, as well as to cover food, hygiene items, clothing, and logistical and training support. The Section took note of the "Community and Restorative Actions and Practices" sub-account of the *Colombia en Paz* Fund, intended to finance cross-cutting implementation conditions, and of the ARN's national capacity to accompany special



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sanctions in any territory, articulated with the reincorporation Route (individual and collective plans). The ARN is further ordered to: (i) submit monthly reports on each perpetrator's PRI (covering social, economic, community, and political components); (ii) strengthen psychosocial, educational, and health accompaniment, with priority given to high-risk cases; and (iii) verify and update records in the SIRR — particularly that of Mr. Pablo Catatumbo Torres Victoria.

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111. With regard to security and comprehensive protection, the Section noted the existence of pilot security protocols and ordered the Ministry of Defense to develop and implement a General Security Protocol for the four restorative projects of Case 01, structured in seven phases: (i) risk diagnosis; (ii) concerted construction; (iii) socialization; (iv) entry coordination; (v) security and communications during execution; (vi) exit coordination; and (vii) subsequent evaluation. The National Police is ordered to maintain updated risk maps for each project and to share analyses and recommendations with the JEP. The UNP is ordered to conduct individual risk assessments and to adjust or reinforce protection schemes (escorts, vehicles, communications) in coordination with the Ministry of Defense, the Police, the ARN, and the Executive Secretariat, without interfering with compliance with TOARs.

112. With respect to operational risks and well-being, the Section mandates that each project must include an occupational risk management plan, covering hazard identification, PPE, technical training (with SENA’s support), emergency and medical evacuation routes coordinated with the health sector, and continuous psychosocial support. The lead entity for each project must also establish policies addressing perpetrators’ personal risks and civil liability to third parties. All obligated entities must submit periodic reports to the Executive Secretariat of the JEP (SEJEP), which will consolidate a comprehensive compliance report for this Section, under the Mechanism for Monitoring and Verification of Special Sanctions (MMVSP).

113. Finally, the Section reaffirms the tripartite design of the MMVSP (SeRVR-SEJEP-UN Verification Mission), its information routes (good offices, urgent alerts through Situation Tables convened by the OAMI, and judicial orders communicated within 24 hours), and its complementary operation at both the central and territorial levels. All state entities, oversight bodies, and institutions involved are required to maintain direct, timely, and effective coordination with the SEJEP, which will convene technical follow-up roundtables and enter the corresponding minutes into the case file. It is recalled that the special subjection of perpetrators to the JEP goes hand in hand with the special subjection of state entities to the orders of this Jurisdiction: diligent and timely compliance with such orders is a condition for sanctions to produce restorative results and to materialize the goals of truth, justice, reparation, and non-repetition.

**XVIII. THE TOTALIZING EFFECT OF THIS RULING**

114. Finally, the special sanction imposed by the JEP absorbs and extinguishes the ordinary penalties and criminal liabilities of the perpetrators for the same acts,



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consolidating the State’s response within the transitional system into a single sanctioning title. This ensures coherence, legal certainty, and the primacy of restorative punishment, while preventing duplication of proceedings and recognizing the contributions made to truth and victim reparation. This absorbing effect constitutes the most favorable treatment for those who acknowledge truth and full responsibility, providing definitive legal closure and binding judicial and investigative authorities to guarantee compliance.

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115. In conclusion, the absorbing effects derived from this ruling will be expressly set out in the operative section, through clear and binding orders addressed to the competent judicial and investigative authorities. This is to guarantee the full legal effectiveness of the decision adopted herein and to safeguard the principles of legal certainty, unity of sanctioning title, and coherence within the transitional justice system.

**XIX. DECISION**

Taking into account the foregoing, with the decision adopted in Case 01, this Section declares the seven members of the former Secretariat of the FARC-EP criminally responsible for the most serious crimes committed in the context of the armed conflict: war crimes of hostage-taking, homicide, torture, cruel treatment, outrages upon personal dignity, sexual violence, and forced displacement; as well as crimes against humanity of severe deprivation of liberty, murder, enforced disappearance, torture, slavery, and other inhumane acts. Consequently, it imposes on them the special sanction of eight (8) years—the maximum limit established by the Constitution and the law—to be served under a strict regime of restrictions on rights and freedoms, during which they must carry out works, tasks, and activities with the restorative content within the framework of the projects defined by this Section.

In doing so, the Section reaffirms that truth, justice, and reparation are not concessions but inalienable rights of the victims and binding obligations of the State and of those who have submitted to transitional justice. This ruling sends an unequivocal message: atrocious crimes will not go unpunished. The sanctions, combining both restorative and retributive dimensions, aim to uphold the dignity of the victims, consolidate peace, and guarantee that such serious acts will never be repeated.

**RESOLUTION**

**ONE: TO DECLARE RODRIGO LONDOÑO ECHEVERRI**, identified with ID No. 79.149.126, criminally responsible as a perpetrator for the war crimes of hostage-taking and homicide, as well as for the crimes against humanity of severe deprivation of liberty, murder, and enforced disappearance; and, as a perpetrator under command responsibility, for the war crimes of torture, cruel treatment, outrages upon personal dignity, sexual violence, and forced displacement, as well as for the crimes against humanity of torture, slavery, and other inhumane acts committed by the units under his command, in accordance with the reasons set forth in the grounds of this decision.



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**TWO: TO DECLARE JAIME ALBERTO PARRA RODRÍGUEZ**, identified with ID No. 1.214.464.706, criminally responsible as a perpetrator for the war crimes of hostage-taking and homicide, as well as for the crimes against humanity of severe deprivation of liberty, murder, and enforced disappearance; and, as a perpetrator under command responsibility, for the war crimes of torture, cruel treatment, outrages upon personal dignity,

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as well as for the crimes against humanity of torture, slavery, and other inhumane acts committed by the units under his command, in accordance with the reasons set forth in the grounds of this decision.

**THREE: TO DECLARE MILTON DE JESÚS TONCEL REDONDO**, identified with ID No. 15.237.742, criminally responsible as a perpetrator for the war crimes of hostage-taking and homicide, as well as for the crimes against humanity of severe deprivation of liberty, murder, and enforced disappearance; and, as a perpetrator under command responsibility, for the war crimes of torture, cruel treatment, outrages upon personal dignity, sexual violence, and forced displacement, as well as for the crimes against humanity of torture, slavery, and other inhumane acts committed by the units under his command, in accordance with the reasons set forth in the grounds of this decision.

**FOUR: TO DECLARE PABLO CATATUMBO TORRES VICTORIA**, identified with ID No. 14.990.220, criminally responsible as a perpetrator for the war crimes of hostage-taking and homicide, as well as for the crimes against humanity of severe deprivation of liberty, murder, and enforced disappearance; and, as a perpetrator under command responsibility, for the war crimes of torture, cruel treatment, outrages upon personal dignity, sexual violence, and forced displacement, as well as for the crimes against humanity of torture, slavery, and other inhumane acts committed by the units under his command, in accordance with the reasons set forth in the grounds of this decision.

**FIVE: TO DECLARE PASTOR LISANDRO ALAPE LASCARRO**, identified with ID No. 71.180.715, criminally responsible as a perpetrator for the war crimes of hostage-taking and homicide, as well as for the crimes against humanity of severe deprivation of liberty, murder, and enforced disappearance; and, as a perpetrator under command responsibility, for the war crimes of torture, cruel treatment, outrages upon personal dignity, and forced displacement, as well as for the crimes against humanity of torture, slavery, and other inhumane acts committed by the units under his command, in accordance with the reasons set forth in the grounds of this decision.

**SIX: TO DECLARE JULIÁN GALLO CUBILLOS**, identified with ID No. 16.266.146, criminally responsible, as a perpetrator, for the war crimes of hostage taking and homicide, as well as for the crimes against humanity of severe deprivation of liberty, murder, and enforced disappearance, in accordance with the reasons set forth in the grounds of this decision.

**SEVEN: TO DECLARE RODRIGO GRANDA ESCOBAR**, identified with ID No. 19.104.578, criminally responsible, as a perpetrator, for the war crimes of hostage taking and homicide, as well as for the crimes against humanity of severe deprivation of liberty,



murder, and enforced disappearance, in accordance with the reasons set forth in the grounds of this decision.

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**EIGHT: Consequently, to IMPOSE special sanctions, for a term of eight (8) years, on RODRIGO LONDOÑO ECHEVERRI, JAIME ALBERTO PARRA RODRÍGUEZ, MILTON DE JESÚS TONCEL REDONDO, PABLO CATATUMBO TORRES VICTORIA, PASTOR LISANDRO ALAPE LASCARRO, JULIÁN GALLO CUBILLOS, AND RODRIGO GRANDA ESCOBAR, as set forth in this decision. NOTE that this special sanction has a totalizing effect under the terms explained in the grounds of the ruling. Taking this into account, those sanctioned must participate in a series of restorative projects that incorporate differentiated, legitimate, and contextualized measures aimed at symbolic reparation, the reconstruction of the social fabric, ecological restoration, and the dignification of the victims within the framework of Case 01.**

Finally, this Section emphasizes that the ruling is not limited to defining the criminal and restorative responsibility of the perpetrators, but also issues a set of specific orders to State and National Government entities. These orders are intended to ensure institutional co-responsibility in materializing the restorative content of the sanctions, to guarantee legal certainty for those appearing before the Jurisdiction, and to secure the effectiveness of the special sanctions. Only through inter-institutional coordination and timely compliance with the measures ordered will it be possible to consolidate the restorative model provided for in the Final Agreement, thereby realizing the rights of the victims and the purposes of transitional justice.

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