

THE 7 CASES BEFORE THE JEP

The fight against impunity, one of the mandates of the Special Jurisdiction for Peace (JEP), is progressing through the opening of cases where the most serious crimes committed in the context of the armed conflict are analysed and investigated. With a contextual perspective, the JEP seeks to understand the truth about the causes of the conflict as a guarantee of non-repetition.

As of October 2019, the JEP has opened seven cases, which can be grouped according to their common characteristics: 1) cases in which several crimes and those alleged to be responsible are analysed and investigated within a specific territorial context, 2) cases in which criminal activities of those alleged to be responsible are investigated and analysed, without defining a territorial context, 3) cases in which criminal activities are investigated and analysed according to a particular group of victims.

Cases with specific territorial contexts

In Cases 002, 004, and 005, the JEP has prioritized the study of the territorial situation of some of the municipalities that have historically been seriously affected by the armed conflict. In Case 002, the situation of Ricaurte, Tumaco, and Barbacoas municipalities in the Nariño department are being investigated. Case 004 is concerned with the Urabá region in the departments of Antioquia and Chocó. The municipalities of Santander de Quilichao, Suárez, Buenos Aires, and Morales, in the northern part of Cauca department, are analysed and investigated in Case 005.



Rodeemos el Diálogo



@RodeemosDialogo



@RodeemoselDialogo



Embrace Dialogue

Cases around those alleged to be responsible

In this group, Cases 001 and 003 are analysed and investigated. The former focuses on the criminal activity of wrongful retention, known as kidnapping (secuestro), specifically committed by FARC-EP. With the same criteria, and understanding State agents as an actor of the armed conflict in Colombia, Case 003 focuses on deaths wrongfully presented as killed in combat by State agents, known as “false positives”. For this Case, it is worth remembering that the Office of the Prosecutor of the International Criminal Court (ICC) has been carrying out preliminary examinations on the situation in Colombia since 2004, as it claims that there is a reasonable basis to believe that crimes against humanity have been committed in the country. As a result, the Office of the Prosecutor of the ICC has publicly backed the work of the JEP, and continues to monitor the effectiveness of processes around impunity as a guarantee of the rights of the victims, a factor which will affect the decision by the ICC to open an investigation in the future.

Cases around a given group of victims

Cases 006 and 007 fall under this group. Case 006 concerns the victimization of the Patriotic Union-UP (Unión Patriótica-UP), a political party formed in 1984 following the agreement between the FARC-EP and the National Government headed by Belisario Betancur, which offered insurgencies a way to do politics legally and with guarantees. After securing seats in Congress and regional bodies through popular elections, its members were persecuted and murdered in the 80s and 90s, in what is known as the “UP genocide”; even though the Office of the Prosecutor General of Colombia has declared the murders of the members of the UP as crimes against humanity, the cases remain unpunished. Case 007 is the most recent one and focuses on the recruitment of boys and girls as a group of victims in the context of the armed conflict.



Rodeemos el Diálogo



@RodeemosDialogo



@RodeemoselDialogo



Embrace Dialogue

Conclusion: The JEP moves forward to dismantle impunity

Regarding the progress of investigations and analysis of each of the Cases, as of 22 August 2019 the JEP had completed 51 audiences and 162 versions. According to official figures, out of the total of those who agreed to appear before the JEP, 81% account for FARC-EP members, 18.4% for Armed Forces, and 0.5% for State agents different from the Armed Forces.

At Rodeemos el Diálogo, we recognise the JEP's progress. The importance of the Cases gives us hope as we see that impunity is beginning to be dismantled in Colombia. In the following snapshots we will inform in detail about the cases and progress in the investigations.



Rodeemos el Diálogo



@RodeemosDialogo



@RodeemoselDialogo



Embrace Dialogue