

The New Strategy for Prioritisation in Case 03

On 18 February 2021, as part of [Auto 033 of 2021](#), the Special Jurisdiction for Peace (JEP) published its strategy for prioritisation within [Case 03](#). Beyond explaining the new methodology employed by the JEP to investigate this case, this Auto also provides a new estimate for the number of victims of “falsos positivos” - civilians illegitimately presented by the State as dead in combat - and identifies the territories that were most severely affected by this practice. This snapshot presents an analysis of the decisions taken by the JEP in relation to prioritisation and of the implications for the new investigation methods.

New Estimate for Victims of “Falsos-Positivos”

Case 03, titled “deaths illegitimately presented by members of the State as dead in combat”, was opened in 2018 by the Chamber for the Recognition of Truth, Responsibility and Determination of Conduct (SRVR) on the basis of a report submitted by the Attorney General. The report recognised approximately 2,248 people as victims of extrajudicial executions between 1988 and 2014. Three years after opening Case 03, the SRVR has been able to establish that between 2002 and 2008, approximately 6,402 people were victims of extrajudicial killings and subsequently labelled as enemy combatants, a figure almost three times bigger than that presented in the Attorney General’s report. This new figure was obtained through triangulating the information obtained in the [accreditation of victims](#), the evidence presented by those who appeared before the JEP, and reports from other institutions and non-governmental entities.

Prioritisation of Sub-cases in Case 03

Prioritisation allows the JEP to group together into macro-cases, those individual cases that come from a particular region or period, and that follow a similar criminal pattern. Working within these macro-cases allows the SRVR to conduct its investigations more efficiently. Events related to Case 03 were previously considered within the ordinary justice system to constitute a systematic and generalised practice of human rights violations.



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For this reason, and in contrast to other cases investigated by the JEP, Case 03 investigations follow a “bottom-up strategy”, based on the identification of those most responsible at the regional and local levels, only seeking to identify those responsible nationally at a later stage in the investigation.

Considering that some territories were more affected than others, there was an upsurge in victims between 2000 and 2008, and some military units were particularly involved in this practice, the SRVR has prioritised six sub-cases. Prioritisation of cases takes into account the information and resources available, in order to maximise and speed up the investigation process. It does not imply that cases involving other territories, periods or military units will not be included in later investigations. For example, the criminal events currently occurring in Arauca, Boyacá, Caquetá, Guainía, Guaviare, Putumayo and Sucre, are being considered for inclusion in a second step of the investigation process for Case 03.

The Sub-cases Prioritised in Phase 1

The **subcase of Antioquia**, is one of the cases prioritised by the SRVR. This department has the highest number of victims of “falsos positivos” and the case includes the investigation of the events surrounding the Las Mercedes Cemetery in Dabeiba. This case is considered symbolic because of the gravity of the crimes committed, the vulnerability of the victims, the extreme power held by those responsible and the recurrence of these practices within the same population group. Moreover, investigation of this case has allowed the JEP to collect evidence useful for other case investigations, such as Case 04.

Other prioritised subcases are the **Costa Caribe**, **Meta** and **Casanare**, which, according to the figures established by the SRVR, are among the regions with the highest number of victims.

The remaining subcases: Norte de Santander and Huila are prioritised because the crimes targeted victims with particular vulnerabilities such as mental disabilities and drug use, or people involved in political activities, which led to the stigmatisation of rural communities as supporting the FARC.



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Currently, the JEP is receiving the voluntary testimonies of members of the military units implicated in this case and is incentivising the participation of accredited victims in the hearings, so they can pose questions and ask for new evidence. In certain subcases, the victims are complementing these testimonies with their observations.

Embrace Dialogue recognises the efforts of the JEP to implement new investigation strategies that satisfy the rights of victims. We believe that the prioritisation of specific subcases is an important step for the clarification of truth within Case 03.



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