

**TECHNICAL INFORMATION SHEET  
PETITION 108-00 SEGOVIA MASSACRE  
FRIENDLY SETTLEMENT REPORT No. 38/15  
TOTAL COMPLIANCE  
(COLOMBIA)**

**I. SUMMARY OF THE CASE**

**Victim (s):** Segovia Massacre  
**Petitioner (s):** Javier Leonidas Villegas Posada  
**State:** Colombia  
**Beginning of the negotiation date:** April 22, 2014  
**FSA signature date:** May 6, 2015  
**Friendly Settlement Agreement Report:** **38/15**, published on July 24, 2015  
**Estimated length of the negotiation phase:** 1 year  
**Related Rapporteurship (s):** Memory, Truth, and Justice Unit  
**Topics:** Summary, extrajudicial, or arbitrary executions / Right to life / Massacre / Right to a fair trial / Right to judicial protection guarantees / Investigation

**Facts:** The case refers to incidents that took place on November 11, 1998 when a group of heavily armed men arrived in trucks at the center of the municipality of Segovia in Antioquia, opened fired, and threw hand grenades, leading to the death of 43 persons, including three children, and injuring another 50 persons. As indicated in the petition, the massacre was perpetrated by paramilitaries with the acquiescence of the National Army. The Colombian judiciary system had convicted five servicemen and four civilians and sentenced them to prison and fines for the crime of terrorism and others, on the basis of the facts described in the petition; nevertheless, not all those responsible had been investigated and punished. The petition was submitted for the benefit of 29 persons who lost their lives and 4 persons who were injured as a result of the incidents and their respective next-of-kin; afterwards this group was extended to include 5 additional victims and their next-of-kin.

**Rights alleged:** The petitioner alleged the violation of Articles 1 (obligation to respect rights), 4 (right to life), 5 (right to personal integrity), 7 (right to personal liberty), 8 (right to a fair trial), 10 (right to compensation), 11 (protection of honor and dignity), 17 (protection of family), 22 (freedom of movement and residence), and 25 (right to judicial protection) of the American Convention on Human Rights.

**II. PROCEDURAL ACTIVITY**

1. On May 6, 2015, the parties signed a friendly settlement agreement.
2. On July 24, 2015, the IACHR published Report No. 38/15, approving the friendly settlement agreement.

**III. ANALYSIS OF COMPLIANCE WITH THE CLAUSES OF THE FRIENDLY SETTLEMENT**

Clause of the Agreement	Status of Implementation
<b>FIRST: RECOGNITION OF RESPONSIBILITY</b>	<b>Declarative clause</b>

<p>The Colombian State recognizes its international responsibility for the violation of the rights enshrined in Article 4 (right to life) [...]</p>	
<p><b>SECOND: ON THE SUBJECT OF JUSTICE</b>                  The parties recognize the progress made in the area of justice in the instant case. Nonetheless, the State undertakes to continue to honor its obligation to investigate, try and punish those responsible for the crimes.</p>	<p><b>Total<sup>1</sup></b></p>
<p><b>THIRD: MEASURES OF SATISFACTION AND REHABILITATION</b>                  The State undertakes to implement the following measures of satisfaction:</p> <ul style="list-style-type: none"> <li>• An act of public apology in the municipality of Segovia, Department of Antioquia, presided over by a high-ranking government official, with the participation of public officials and the next of kin of the victims. At this ceremony, the State will acknowledge liability as set forth in the instant agreement. This measure shall be carried out within one year of the date of the signing of the instant Agreement and will be entrusted to the Comprehensive Victim Support and Reparation Unit.</li> <li>• The State undertakes to assist the victims of the instant case in gaining access to reparation plans, programs and projects offered by the Colombian State using a model of comprehensive care, assistance and reparation of victims implemented by the Comprehensive Victim Support and Reparation Unit. Actions implemented in the framework of this roadmap to full reparation will include: i) measures of physical, mental, psychosocial and social rehabilitation and</li> </ul>	<p><b>Total<sup>2</sup></b></p>
<p>ii) Measures of symbolic reparation such as actions relating to the historic record or memory and commemorations that will be arranged by consensus with the victims and their representatives.</p>	<p><b>Total<sup>3</sup></b></p>
<p><b>FOURTH: GUARANTEES OF NON-REPETITION</b>                  The Colombian State undertakes to continue imparting human rights and international humanitarian law education programs within the Colombian armed forces. It further undertakes to include the facts of the instant case as a topic of study and analysis at extracurricular training events on human rights in different training and instruction schools and academies.</p>	<p><b>Total<sup>4</sup></b></p>
<p><b>FIFTH: MONETARY REPARATION</b>                  The State undertakes to enforce Law 288 of 1996, once the instant friendly settlement agreement is approved through the issuing of the Article 49 report under the ACHR, in order to redress any moral or material damages that may be proven to have been suffered by the victims' next of kin, who offer proof of their legitimacy and who have not been compensated through the Administrative Courts.</p>	<p><b>Total<sup>5</sup></b></p>

<sup>1</sup> See IACHR, *Annual Report 2022*, Chapter II, Section C. Advances and regressions on negotiation and Implementation of Friendly Settlement Agreements. Available in: [https://www.oas.org/en/iachr/docs/annual/2022/Chapters/4-IA2022\\_Cap\\_2\\_EN.pdf](https://www.oas.org/en/iachr/docs/annual/2022/Chapters/4-IA2022_Cap_2_EN.pdf)

<sup>2</sup> See IACHR, *2016 Annual Report*, Chapter II, Section D: Status of Compliance with the Recommendations and Friendly Settlements in Individual cases, paras. 694.

<sup>3</sup> See IACHR, *Annual Report 2022*, Chapter II, Section C. Advances and regressions on negotiation and Implementation of Friendly Settlement Agreements. Available in: [https://www.oas.org/en/iachr/docs/annual/2022/Chapters/4-IA2022\\_Cap\\_2\\_EN.pdf](https://www.oas.org/en/iachr/docs/annual/2022/Chapters/4-IA2022_Cap_2_EN.pdf)

<sup>4</sup> See IACHR, *2016 Annual Report*, Chapter II, Section D: Status of the Compliance with the Recommendations and Friendly Settlements in Individual Cases, paras. 694.

<sup>5</sup> See IACHR, *2023 Annual Report*, Chapter II, Section C. Advances and challenges on negotiation and implementation of friendly settlements, Available at: [https://www.oas.org/en/iachr/docs/annual/2023/chapters/IA2023\\_Cap\\_2\\_ENG.PDF](https://www.oas.org/en/iachr/docs/annual/2023/chapters/IA2023_Cap_2_ENG.PDF)

#### IV. LEVEL OF COMPLIANCE OF THE CASE

3. The Commission declared full compliance with the case and the ceasing of the follow-up of the friendly settlement agreement in the 2023 Annual Report.

#### V. INDIVIDUAL AND STRUCTURAL OUTCOMES OF THE CASE

##### A. Individual outcomes of the case

- The State acknowledged the Colombian State's international responsibility for its failure to guarantee the rights to life and personal integrity enshrined in the American Convention on Human Rights with respect to the victims deceased during the incidents of the massacre, as well as with respect to the victims who were injured.
- Actions were taken to investigate, try, and convict 5 servicemen and 4 civilians, sentencing them to between 18 and 26 years of prison and to the payment of fines ranging from 98 to 140 minimum monthly wages legally in force (*salarios mínimos mensuales legales vigentes—SMMLV*), as criminally responsible for the incidents.
- The following sessions were held: orientation sessions for the beneficiaries on July 1 and 3, 2015 in Segovia and Medellín; sessions on the contents of the agreement among the parties; and sessions on the ceremony of acknowledgement of responsibility, as well as on the dates and contents of the training provided to law enforcement officers.
- The ceremony extending public apologies was held in the municipality of Segovia, Department of Antioquia, presided by a high-ranking authority from the government, with the attendance of public authorities and the next-of-kin of the victims.
- With respect to the measures of satisfaction and rehabilitation, specifically with respect to physical, mental, and psycho-social rehabilitation measures, they have been implemented through the Program for Psycho-social and Comprehensive Healthcare Services to Victims (*Programa de Atención Psicosocial and Salud Integral a Víctimas—PAPSIVI*), which the Ministry of Health and Social Protection is in charge of.
- The State made the monetary reparation payment on behalf of 197 victims.
- The State paid financial reparation to more than 90% of the beneficiaries in an amount totaling 550, 480, 848.94 pesos.
- The State has conducted investigation, trial, and (Tr. where applicable) sentencing procedures with respect of 11 members of the Security Forces (*Fuerza Pública*), 11 members of the United Self-Defense Forces of Colombia (AUC), and 1 civilian (a former Congressman). Of the 23 persons brought to trial, 14 were convicted and 1 acquitted (Colonel Hernando Navas Rubio's acquittal was confirmed by the Higher Court of Antioquia).
- On April 17, 2020, the second one-day counseling session for victims was conducted in connection with their inscription in the Consolidated Victims Registry.
- The State made the payment of economic reparations in the amount of \$2,370,549,042.81 (*pesos*) M/CTE, in favor of 32 beneficiaries.

##### B. Structural outcomes of the case

- The State held five training days aimed at law enforcement personnel using the factual contents of the case.
- The State permanently installed an Infogram on the events of the Massacre in the central room of the Museum of Memory.
- The State prosecuted 11 armed forces members, 11 members of the United Self-Defense Forces of Colombia and one civilian. Of the 23 persons prosecuted, 16 were convicted and one was acquitted.
- The investigations continue, outside the framework of the monitoring of this friendly settlement agreement, in macro-Cases No. 06 and 08 before the JEP.