

Document #2046504

Freedom House

Freedom in the World 2021 - Colombia

PARTLY FREE

65

/ 100

[Political Rights](#) 29 / 40[Civil Liberties](#) 36 / 60

LAST YEAR'S SCORE & STATUS

66 / 100 Partly Free

Global freedom statuses are calculated on a weighted scale. [See the methodology.](#)

Overview

Colombia is among the longest-standing democracies in Latin America, but one with a history of widespread violence and serious human rights abuses. Public institutions have demonstrated the capacity to check executive power and enforce the rule of law, and violence declined as the government and the country's main left-wing guerrilla group moved toward a peace accord signed in 2016. Nonetheless, Colombia still faces enormous challenges in consolidating peace and guaranteeing political rights and civil liberties outside of major urban areas.

Key Developments in 2020

- With over 1.6 million cases and over 40,000 deaths reported by the government, Colombia was severely afflicted by the COVID-19 pandemic. The outbreak initially centered on the Atlantic coast region, but also affected Bogotá and other major cities; in rural areas, illegal armed groups violently enforced unofficial quarantines.
- In December, President Iván Duque announced that nearly one million Venezuelans without legal status would be excluded from Colombia's coronavirus vaccination program. Some 1.7 million Venezuelans, many sick or impoverished, had settled in Colombia in recent years after fleeing a devastating economic crisis at home; some returned during the year, even as closure of the two nations' border thwarted legal passage.
- The peace accord signed in 2016 between the government and the left-wing Revolutionary Armed Forces of Colombia (FARC) rebel group remained intact during the year, but implementation delays—which were exacerbated by restrictions imposed to control the coronavirus pandemic—and the continued rearming of some former rebels prompted concern about the pact's durability.
- Powerful former president Álvaro Uribe was subjected to a detention order in August amid an investigation into witness tampering and intimidation allegations.
- Abuses by state security forces led to repeated public outcry. In February, news outlets exposed an illegal surveillance operation run by the Colombian military, and in June revelations emerged of soldiers committing a series of alleged sexual assaults. In September, a police killing in Bogotá sparked violent protests that resulted in the deaths of 13 people.
- A multiyear wave of lethal attacks against human rights defenders and other social activists continued throughout 2020. Scores of activists—which were concentrated among marginalized indigenous and Afro-Colombian communities—were murdered, and the perpetrators of such crimes generally enjoyed impunity.

Political Rights

A Electoral Process

A1 0-4 pts

Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

The president is directly elected to a four-year term. As part of a series of 2015 constitutional amendments,

presidential reelection was eliminated.

The peace accord between the government and the FARC was a significant issue in the 2018 election. President Duque, a protégé of former president and chief peace-accord critic Álvaro Uribe, pledged throughout the campaign to alter the pact’s terms, which he characterized as overly magnanimous toward the guerrillas. No candidate garnered an outright majority in the first round; following a polarized runoff campaign, Duque defeated left-wing former Bogotá mayor Gustavo Petro with 54 percent of the vote. The balloting was considered competitive and credible, though election observers logged sporadic reports of vote buying and other violations in both the first and second rounds.

Local and regional elections are generally characterized by greater opacity and more frequent violence than national elections, including over 100 attacks and 7 murders in the run-up to the October 2019 balloting. In the most prominent race, for mayor of Bogotá, Green Alliance candidate Claudia López won; she became the city’s first woman and first openly gay mayor. Opposition-aligned candidates also won the governorship in Antioquia—the heartland of Uribe and the Democratic Center (CD)—along with the mayoralties of Medellín and Cali.

A2 0-4 pts

Were the current national legislative representatives elected through free and fair elections? 3 / 4

Congress is composed of the Senate and the Chamber of Representatives, with all seats up for election every four years. The nation at large selects 100 Senate members using a proportional representation system; two additional members are chosen by indigenous communities, one seat is awarded to the runner-up in the presidential election, and another five seats were reserved in 2018 and 2022 for the FARC under the peace accord. The Chamber of Representatives consists of 172 members, with 161 elected by proportional representation in multimember districts, two chosen by Afro-Colombian communities, one each by indigenous and expatriate voters, one seat reserved for the runner-up vice presidential candidate, and five seats reserved for the FARC, as in the Senate.

The March 2018 legislative elections were relatively peaceful, though observers noted accusations of fraud, vote buying, and connections between candidates and organized crime figures. Senate seats were dispersed, with six parties winning 10 or more seats, led by Duque’s CD with 19. In the Chamber of Representatives, five parties won 21 or more seats, led by the Liberal Party with 35; the CD garnered 32 seats. In its first balloting as a legal party, the FARC took no seats aside from the five guaranteed to it in each chamber.

A3 0-4 pts

Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 3 / 4

The legal framework generally allows for competitive balloting in practice, though the nine-member National Electoral Council (CNE)—which oversees the conduct of the country’s elections, including the financing of political campaigns and the counting of votes—has faced criticism for ineffective enforcement of electoral laws, blamed in part on the partisan selection system for its members.

B Political Pluralism and Participation

B1 0-4 pts

Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 3 / 4

Colombia’s historically rigid two-party system has undergone a protracted process of realignment and diversification in recent years. The 2018 elections brought into the legislature a mix of parties from the left, right, and center. This balance, coupled with intraparty splits, left Duque with an unstable governing coalition in each legislative chamber, though the government maintained a working majority during most of 2020. The FARC, whose acronym now stands for Common Alternative Revolutionary Force, reorganized as a political party in 2017; the congressional seats it received under the peace accord gave it far more representation than it would have earned through normal voting.

B2 0-4 pts

Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 3 / 4

Democratic transfers of power between rival parties are routine at both the national level and in the regions, though significant areas remain under the long-term control of machine-style political clans with ties to organized crime. Petro’s performance in the 2018 presidential election marked the strongest showing for the political left in a modern presidential campaign, and a number of candidates from outside traditional parties were able to win regional-level races in 2019. Numerous prominent politicians occupy the political space between the extremes of Petro and the CD, and in 2020 jockeying began among prospective candidates in anticipation of the 2022 elections.

B3 0-4 pts

Are the people’s political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 2 / 4

Despite the peace accord with the FARC, activity by the smaller National Liberation Army (ELN) leftist guerrilla group, the successors of previously disbanded right-wing paramilitary groups, and criminal gangs has continued to impair the ability of citizens in some areas to participate freely in the political process, as evidenced by the attacks

during the 2019 regional campaigns. In March 2020, audio emerged of a murdered rancher affiliated with drug traffickers discussing arrangements to distribute cash to voters in support of Duque's second-round campaign in 2018, in areas along the Caribbean coast; investigations were ongoing at year's end.

B4 0-4 pts

Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other 3 / relevant groups) have full political rights and electoral opportunities? 4

Lighter-skinned Colombians occupy a disproportionate share of government posts. While progress remains slow, the government has undertaken a series of steps to incorporate Indigenous and Afro-Colombian voices into national political debates in recent years. The 2016 peace accord included provisions for improving consultation mechanisms for marginalized groups, but issues affecting Afro-Colombians and Indigenous groups are rarely priorities in national policymaking. An Indigenous senator, Feliciano Valencia, was the victim of an assassination attempt in October 2020.

Women enjoy equal political rights, and at least 30 percent of the candidates on party lists must be women. About 20 percent of the seats in each congressional chamber are currently held by women. Colombia's vice president, Marta Lucía Ramírez, is a woman.

In October 2019, Green Alliance candidate Claudia López won the mayorship of Bogotá, becoming the city's first woman and first openly gay mayor.

C Functioning of Government

C1 0-4 pts

Do the freely elected head of government and national legislative representatives determine the policies 3 / of the government? 4

Elected officials generally determine government policy without interference. However, the Colombian state has long struggled to establish a secure presence in all parts of its territory, meaning threats from guerrilla groups and criminal gangs can disrupt policymaking and implementation in certain regions and localities. The emergency decree powers granted to the president amid the 2020 coronavirus pandemic raised concern among some observers that Congress's role was being unduly bypassed.

C2 0-4 pts

Are safeguards against official corruption strong and effective? 2 / 4

Corruption occurs at multiple levels of public administration. Graft scandals have emerged in recent years within an array of federal agencies, but investigations do result in convictions, including against senior officials. Numerous members of the two Uribe administrations (2002–10) were convicted of corruption, trading favors, and spying on political opponents.

A multicountry bribery scandal centered on the Brazilian construction firm Odebrecht led to charges in 2017 and 2018 against two senators and multiple former legislators and bureaucrats. In 2020, numerous fraud investigations were opened in relation to emergency COVID-19 spending, especially at the local level. Scrutiny of politicians by the national attorney general and inspector general has increased. In December 2020, the head of the National Police was forced to resign while facing a conflict of interest investigation by the inspector general. However, whistleblowers lack sufficient legal protection; for example, in October 2020 an employee of a state-owned media agency faced criminal charges after providing a watchdog group with evidence of internal censorship at the agency.

C3 0-4 pts

Does the government operate with openness and transparency? 3 / 4

Government information is generally available to the public, though information related to military and security affairs can be difficult to access. A proposal that was put to a referendum in 2018 would have committed lawmakers to passing a set of reforms meant to establish far-reaching increases in government transparency; although support for the measures was nearly unanimous, turnout narrowly failed to clear the threshold for the outcome to be binding.

Civil Liberties

D Freedom of Expression and Belief

D1 0-4 pts

Are there free and independent media? 2 / 4

The constitution guarantees freedom of expression, and opposition views are commonly aired in the media. However, journalists face intimidation, kidnapping, and violence both in the course of reporting and as retaliation for their work. The government has prosecuted several notorious cases of murdered journalists in recent years, but convictions are rare. In 2020, local press watchdog Foundation for Press Freedom registered 445 attacks on press freedom, including one killing, for which military involvement was under investigation. In May the newsweekly *Semana* published an explosive report detailing military surveillance operations that targeted scores of domestic and foreign journalists as well as politicians, judges, and activists, leading to the firing of 11 soldiers, with additional investigations ongoing at year's end.

Self-censorship is common, and slander and defamation remain criminal offenses. In July 2020, Vice President Marta Lucía Ramírez filed criminal charges against an Insight Crime journalist after an article mentioned ties between her husband and an accused drug trafficker; she dropped the case several days later. The government does not restrict access to the internet, nor does it censor websites. Twitter and other social media platforms have become important arenas for political discourse, but large areas of Colombia remain without local news coverage.

D2 0-4 pts

Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

The constitution provides for freedom of religion, and the government generally respects this right in practice.

D3 0-4 pts

Is there academic freedom, and is the educational system free from extensive political indoctrination? 3 / 4

Academic freedom is generally respected. University debates are often vigorous, though armed groups maintain a presence on some campuses to generate political support and intimidate opponents. Students were among the most active protesters during large-scale mobilizations in November and December 2019, in which demonstrators had expressed a litany of grievances with government policies.

D4 0-4 pts

Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4

Individual expression is generally protected in major urban centers, but it remains inhibited in more remote areas where the state, insurgents, and criminals vie for control.

E Associational and Organizational Rights

E1 0-4 pts

Is there freedom of assembly? 2 / 4

Although provided for in the constitution, freedom of assembly is restricted in practice by violence. Due in part to the need for social distancing, no planned protests achieved the scale of the dramatic wave that shook Bogotá and other cities in late 2019. However, dissemination of footage of a police killing in Bogotá in September generated a massive reaction. Protesters destroyed dozens of police posts, while the police responded with gunfire, leaving 13 dead and hundreds wounded. The government blamed the unrest on subversives and proposed new restrictions on protest activity, while opposition officials, including Bogotá mayor López, strongly criticized the police response. In September, the Supreme Court ordered state institutions to respect the right to protest and establish protocols to prevent abuses by the security forces.

E2 0-4 pts

Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 4

The legal framework generally supports nongovernmental organizations, and civil society is diverse and active, but the threat of violent reprisal poses a major obstacle to freedom of association. While the government provides protection to thousands of threatened human rights workers, trust in the service varies widely, and the COVID-19 pandemic posed additional challenges to effective protection. Hundreds of activists have been murdered in recent years, mostly by insurgents or the criminal organizations that succeeded right-wing paramilitary groups that demobilized in the mid-2000s; impunity is widespread, though indictments and convictions have occurred in some cases.

Although the Duque administration has reiterated its respect for civil society groups and repeatedly committed to developing more effective protection policies, violations against activists have continued at a high level. As of mid-December 2020, the UN had registered 120 killings of social leaders and human rights defenders during the year. Among the most frequent victims are land rights, victims' rights, and ethnic and Indigenous rights advocates targeted by illegal armed groups and other powerful interests seeking to control local illicit economies or halt the implementation of rural development plans, especially coca substitution programs.

E3 0-4 pts

Is there freedom for trade unions and similar professional or labor organizations? 2 / 4

Workers may form and join trade unions, bargain collectively, and strike, and antiunion discrimination is prohibited. Over the past two decades, Colombia's illegal armed groups have killed more than 2,600 labor union activists and leaders. Killings have declined substantially from their peak in the early 2000s, though 14 trade unionists were murdered between January 2019 and March 2020, according to the International Trade Union Confederation. A special prosecutorial unit has substantially increased prosecutions for such assassinations since 2007, but few investigations have targeted those who ordered the killings.

F Rule of Law

F1 0-4 pts

Is there an independent judiciary? 3 / 4

The justice system remains compromised by corruption and extortion. The Constitutional Court and the Supreme Court have consistently exhibited independence from the executive, though corruption allegations involving members of both courts have damaged their credibility in recent years.

The Constitutional Court has repeatedly been asked to mediate polarizing political disputes, especially with respect to the Special Jurisdiction for Peace (JEP), a parallel court structure or tribunal that lies at the heart of the 2016 peace accord’s transitional justice system. Critics of the peace accord, led by former president Uribe, continued to call for shutting down the JEP throughout 2020. In August, the Supreme Court ordered Uribe confined to house arrest amid a witness tampering and bribery investigation. He subsequently resigned from the Senate, leading to the transfer of the case to the attorney general’s office, and was granted conditional release in October.

F2 0-4 pts

Does due process prevail in civil and criminal matters? 2 / 4

Colombia’s prosecutorial service is relatively professional and due process protections have improved, but they remain weak overall, and trial processes move very slowly. The two key transitional justice bodies, the JEP and the Truth Commission, began operations in 2018; by late 2020 they had amassed enormous volumes of evidence and received testimony from thousands of people. In 2020 operations were slowed by the coronavirus pandemic, but investigations and testimony continued, including public acknowledgement by former FARC combatants that guerrillas had engaged in recruitment of minors, sexual assault, and kidnapping, and carried out several prominent assassinations. However, uncertainty remains about the extent to which the bodies will be able to render a comprehensive historical and judicial accounting of Colombia’s conflict.

F3 0-4 pts

Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 2 / 4

Many soldiers operate with limited civilian oversight, though the government has in recent years increased human rights training and investigated violations by security forces personnel. Collaboration between security forces and illegal armed groups has declined, but rights groups report official toleration of paramilitary successor groups in some regions. The police are more professional than many in neighboring countries but lack necessary resources, are occasionally abusive, and are largely absent from many rural areas where the most dangerous groups are active.

Civil-military relations have been a source of significant tension in recent years. A portion of the armed forces opposed the peace process, and the ability of accused human rights violators within the military to receive benefits under the transitional justice system is one of the most controversial elements of the process. The systematic killing of civilians to fraudulently inflate guerrilla death tolls resulted in as many as 3,000 murders by the military between 2002 and 2008. Such killings plummeted after the scandal was exposed, but in 2019 the *New York Times* reported that the military was again emphasizing body counts, with a corresponding rise in extrajudicial executions. Additional scandals involving both corruption and rights violations buffeted the military in 2019, resulting in the forced resignation of defense minister Guillermo Botero in November and army chief Nicacio Martínez in December. The military’s image was further dented by new revelations in 2020, particularly a large-scale surveillance operation exposed in May and several cases of soldiers raping Indigenous minors reported in June. The state responded to the wave of scandals by removing some soldiers and commanders and forming several investigative commissions, but as of November they had yet to yield institutional reforms. Similarly, police violence in September in Bogotá—and longstanding impunity for alleged brutality—prompted calls to remove the police from the Ministry of Defense, but the Duque administration rejected such proposals.

Some parts of the country, particularly resource-rich zones and drug-trafficking corridors, remain highly insecure. Remnant guerrilla forces—including both the ELN and dissident factions of the FARC—and paramilitary successor groups regularly abuse the civilian population, especially in coca-growing areas. In 2020, the strict lockdown that accompanied the COVID-19 pandemic led to numerous crimes committed by armed groups against the population under the guise of quarantine enforcement. This pattern reflected a general conflict fragmentation and intensification in some areas, illustrated by a dramatic rise in the number of massacres—defined as incidents in which three or more people are murdered—with local NGO Indepaz registering 91 massacres. Though the acreage under cultivation has stabilized, coca growing has reached historic highs in recent years. Impunity for crime in general is rampant, and most massacres that took place during the conflict have gone unpunished. Prison conditions remain harsh; in March 2020, 24 inmates died in a Bogotá prison riot that began as a protest regarding insufficient protection from the coronavirus.

A steady trickle of former FARC combatants have returned to clandestine life, with the total number of “dissidents” estimated at around 2,500. In 2019, several high-ranking FARC members officially announced their return to insurgency, alleging government failure to abide by the accord’s terms. Although observers characterize reintegration of ex-combatants as partially successful, as of November 2020 the JEP reported that 249 demobilized FARC members had been killed since the peace agreement. Despite a coronavirus-related ELN partial ceasefire in April 2020, prospects for an accord between the government and the rebels remained poor throughout the year.

Despite these problems, violence overall has significantly subsided since the early 2000s. The national homicide rate in 2020 was approximately 24 per 100,000 people, and other crimes also appeared to decline as a result of the coronavirus lockdown in 2020.

F4 0-4 pts

Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

The legal framework provides protections against various forms of discrimination based on gender, race and ethnicity, sexual orientation and gender identity, and other categories, and the government takes some measures to enforce these protections. Nevertheless, several vulnerable groups suffer serious disadvantages in practice.

Afro-Colombians, who account for as much as 25 percent of the population, make up the largest segment of the more than 7 million people who have been displaced by violence, and some 80 percent of Afro-Colombians live below the poverty line. Areas with concentrated Afro-Colombian populations continue to suffer vastly disproportionate levels of abuse by guerrillas, security forces, and criminal groups.

Most of Colombia’s Indigenous inhabitants, who make up more than 3 percent of the population, live on approximately 34 million hectares granted to them by the government, often in resource-rich, strategic regions that are highly contested by armed groups. Indigenous people have been targeted by all sides in the country’s various conflicts. In 2020, Indigenous communities in the departments of Chocó, Cauca, and Nariño suffered increasing violence and displacement perpetrated by the ELN, former FARC members, and paramilitary successors, prompting a protest gathering in Bogotá in October to demand greater protection. The coronavirus pandemic caused additional deprivation, particularly for the Wayúu group living near the Venezuelan border.

Women face employment discrimination and sexual harassment in the workplace, as well as gender-based violence. Killings of women spiked in 2020, and women were also disproportionately harmed by the economic dislocation wrought by the pandemic-induced lockdown.

LGBT+ people suffer societal discrimination and abuse, and there are also high levels of impunity for crimes committed against them. According to the governmental ombudsman’s office, 63 LGBT+ people were murdered in the first 8 months of 2020.

As many as 1.7 million Venezuelan migrants have entered Colombia in recent years, and the government has offered work permits, access to services, and other accommodations to those who register. The influx created increasing strain in 2020; public opinion toward migrants hardened, and the economic disruption inflicted by the COVID-19 pandemic caused a reverse migration toward Venezuela, even as closure of the two nations’ border thwarted legal passage. In December, President Duque stirred controversy by announcing that the nearly one million Venezuelans without legal status would be excluded from Colombia’s coronavirus vaccination program.

G Personal Autonomy and Individual Rights

G1 0-4 pts

Do individuals enjoy freedom of movement, including the ability to change their place of residence, 2 / employment, or education? 4

Freedom of movement improved substantially in tandem with the peace process, but it remains restricted by ongoing violence in certain regions, particularly for vulnerable minority groups. Travel in some remote areas is further limited by illegal checkpoints operated by criminal and guerrilla groups. These problems were exacerbated by both the strict official lockdown from March through August 2020 and the even harsher unofficial lockdown imposed by illegal armed groups, which was violently enforced in at least 11 departments.

Score Change: The score declined from 3 to 2 because armed groups have illegally enforced strict pandemic-related lockdowns, murdered people at informal checkpoints, forced some to flee their homes, and trapped human rights defenders and social leaders in locations where they face threats of violence.

G2 0-4 pts

Are individuals able to exercise the right to own property and establish private businesses without 2 / undue interference from state or nonstate actors? 4

Violence and instability in some areas threaten property rights and the ability to establish businesses. Guerrillas, paramilitary successor groups, and common criminals regularly extort payments from business owners. Corruption as well as undue pressure exerted on prosecutors and members of the judiciary can disrupt legitimate business activity.

Progress remains slow on the implementation of the landmark 2011 Victims and Land Law, which recognized the legitimacy of claims by victims of conflict-related abuses, including those committed by government forces. While affected citizens continue receiving compensation, the legal process for land restitution is heavily backlogged, and the resettlement of those who were displaced during the conflict continues to move slowly, with the Duque administration demonstrating little will to accelerate the process.

G3 0-4 pts

Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, 3 / protection from domestic violence, and control over appearance? 4

Personal social freedoms, such as those related to marriage and divorce, are largely respected. In 2016, after several years of contradictory judicial and administrative decisions regarding same-sex unions, the Constitutional Court voted to legalize them. In October 2018 the Constitutional Court reaffirmed a 2006 ruling that allowed abortion in cases of rape or incest, severe fetal malformation, or a threat to the life of the mother, but Congress’s refusal to pass implementing regulations created confusion in the health care sector. A case involving the constitutionality of criminal penalties for abortion remained under review at the court as of the end of 2020.

G4 0-4 pts**Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4**

Child labor, the recruitment of children by illegal armed groups, and related sexual abuse are serious problems in Colombia; recruitment declined following the peace accord, but rose again amid pandemic-related disruption and violence in 2020. A 2011 free trade agreement with the United States and a subsequent Labor Action Plan called for enhanced investigation of abusive labor practices and rights violations, but progress remains deficient in several areas. In coca-growing zones, armed groups exert coercive pressure on farmers to engage in coca cultivation and shun crop-substitution programs.

ecoi.net summary:

Annual report on political
rights and civil liberties in 2020

Country:

Colombia

Source:

[Freedom House](#)

Original link:

<https://freedomhouse.org/country/colombia/freedom-world/2021>

Document type:

Periodical Report

Language:

English

Published:

3 March 2021

Document ID:

2046504

Austrian Red Cross
Austrian Centre for Country of Origin and Asylum
Research and Documentation (ACCORD)

Wiedner Hauptstraße 32, 1041 Wien
[T \(Telefon\)](#) +43 1 589 00 583
[F \(Fax\)](#) +43 1 589 00 589
info@ecoi.net

Contact
Imprint & Disclaimer
F.A.Q.
Data Protection Notice

ecoi.net is run by the Austrian Red Cross (department ACCORD) in cooperation with Informationsverbund Asyl & Migration. ecoi.net is funded by the Asylum, Migration and Integration Fund, the Austrian Ministry of the Interior and Caritas Austria. ecoi.net is supported by ECRE & UNHCR.

