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Freedom House (Author)

Freedom in the World 2023 - Colombia

FREE

70

/ 100

[Political Rights](#) 31 / 40[Civil Liberties](#) 39 / 60

LAST YEAR'S SCORE & STATUS

64 / 100 Partly Free

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

Status Change

Colombia's status improved from Partly Free to Free due to more open and competitive national elections, a decline in restrictions on assembly and movement, and the decriminalization of abortion. However, illegal armed groups remained active, and the country was still one of the deadliest in the world for human rights defenders.

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 the country's main left-wing guerrilla group signed a peace accord in 2016. Nonetheless, Colombia faces enormous challenges in consolidating peace and guaranteeing political rights and civil liberties outside of major urban areas. In June 2022, opposition candidate and former left-wing guerrilla member Gustavo Petro was elected to the presidency and formed a government comprised of a broad left-wing

coalition, becoming Colombia's first leftist government since the reestablishment of competitive democracy.

Key Developments in 2022

- Opposition politician Gustavo Petro, a former guerrilla member belonging to the now-defunct April 19th Movement (M-19), was elected president in a June runoff vote with 50.4 percent of the vote. Petro, Colombia's first leftist president, selected Francia Márquez, an environmentalist and civil society leader as vice president; Márquez is the first Afro-Colombian and the second woman to hold the post.
- Following March legislative elections, a broad coalition composed of both leftist and traditional parties gained a wide majority in Congress, and subsequently elected to support Petro's legislative agenda. The coalition included many of the parties that previously supported outgoing president Iván Duque.
- After taking office in August, Petro was able to broker a fragile, temporary truce between the government and various criminal organizations, such as the left-wing Revolutionary Armed Forces of Colombia (FARC) rebel group. In December, the government announced a six-month cease-fire with the National Liberation Army (ELN), FARC dissidents, and three other armed groups. The ELN later denied adopting such an agreement.

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

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

No candidate garnered an outright majority in the first round of the 2022 election, held in May. Following a polarized runoff campaign, Gustavo Petro, the left-wing Historic Pact (PH) candidate, took 50.4 percent of the second-round vote in June, becoming Colombia's first leftist president, and defeating the former mayor of Bucaramanga, Rodolfo Hernández, who was backed by several leaders in incumbent president Iván Duque's party, the Democratic Center (CD). Voter turnout reached 58 percent, marking the highest turnout for presidential elections in nearly 25 years. The balloting was considered competitive and credible, and the results were accepted by stakeholders. Election observers logged sporadic reports of vote buying and other violations in both rounds of polls.

A2 0-4 pts

**Were the current national legislative representatives elected 3 /
through free and fair elections? 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. Following the 2022 elections, the Chamber of Representatives features 188 members: 162 were 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, five seats reserved for the FARC, and 16 seats reserved for representatives of victims of the country's internal conflict; the latter were instituted following an August 2021 law implementing a peace accord provision.

The March 2022 legislative elections were peaceful, though observers reported some irregularities and officials from multiple parties accused the electoral authorities of fraud, vote buying, and allowing candidacies for people with connections to organized crime figures. Most allegations came because of disparities between the unofficial preliminary vote count and the official tally released after the election. Ultimately, the final tally corrected earlier discrepancies, and independent observers deemed the polls and results credible.

Senate seats were dispersed, with seven parties winning 10 or more seats. Petro's PH won a plurality, taking 20 seats, followed by the Conservative Party with 15 seats, and the Liberal Party with 14. In the Chamber of Representatives, three parties won 21 or more seats, led by the Liberal Party with 32 seats. In its second 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 3 /
implemented impartially by the relevant election management 4
bodies?**

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. Congress voted in October 2021 to suspend a law that constrains public contracting during electoral periods, raising concerns about the diversion of state resources for electoral purposes; the Constitutional Court ruled against the law's suspension in

February 2022, and cancelled all contracts signed while the suspension was in effect.

An internal audit of the National Registry, Colombia's election management body, found irregularities in ballot reporting during the 2022 legislative elections, but did not find evidence that fraud had occurred.

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, 4 / and is the system free of undue obstacles to the rise and fall of 4 these competing parties or groupings?

Colombia's historically rigid two-party system has begun to diversify in recent years. It continued to do so in 2022, with candidates representing a wide range of parties—including new groups that emerged without obstruction—freely competing in the year's presidential and legislative elections. Opposition leader Gustavo Petro of the new PH party won the presidency in 2022 and garnered the support of a broad coalition of leftist politicians and civil society leaders, as well as seasoned politicians who broke from their traditional parties.

Three former political parties that had become defunct due to conflict-related violence returned to contest the 2022 elections after being reinstated by a December 2021 court ruling; similar redress is available for other political parties unduly impacted by the conflict.

Score Change: The score improved from 3 to 4 because presidential candidates outside the country's two-party system—including the winning candidate—launched significant and credible campaigns during the May and June elections.

B2 0-4 pts

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

Democratic transfers of power between rival parties are routine at both the national level and in many regions, though significant areas remain under the long-term control of machine-style political clans with ties to organized crime. Following the 2022 presidential elections, opposition leader Gustavo Petro became Colombia's first leftist president and his PH party left the congressional opposition to lead the new governing coalition. Numerous prominent politicians occupy the political space between the extremes of Petro and the CD.

Score Change: The score improved from 3 to 4 because a large group of political parties competed in the year's elections, weakening the country's

traditional political duopoly.

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

After decades of political violence and insecurity around elections, the 2018 and 2022 elections were peaceful and safe for most voters. In limited areas, however, and despite the peace accord with the FARC, activity by the smaller ELN leftist guerrilla group, the successors of previously disbanded right-wing paramilitary groups, so-called "dissident" FARC members, and criminal gangs has continued to impair the ability of citizens to participate freely in the political process.

B4 0-4 pts

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

Women enjoy equal political rights, and at least 30 percent of the candidates on party lists must be women. Following the March 2022 legislative elections, the share of congressional seats held by women increased to 29 percent. Following the 2022 presidential elections, Francia Márquez became the first Afro-Colombian vice president and the second woman to hold the post. Colombia's Congress has historically disregarded women's issues, but in 2021 legislators passed several laws intended to improve social and economic conditions for women, including on issues of family violence and employment opportunities. Though LGBT+ people's rights are legally protected and there are LGBT+ representatives in government, LGBT+ individuals are marginalized in the political sphere.

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.

C Functioning of Government

C1 0-4 pts

Do the freely elected head of government and national legislative representatives determine the policies of the government? 3 / 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 peace accords ended FARC control of significant territory, but since 2017 nonstate armed actors have filled the void in many regions, with FARC dissidents and paramilitary successors expanding the territory in which state authority is absent or mainly limited to coca-eradication efforts.

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.

However, in 2022 more than 200 individuals were sentenced on corruption charges, including a group of corrupt public officials led by a former congressperson.

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, as well as criminal justice processes, can be difficult to access. Civil society groups and independent media have exposed irregularities in government spending and contracting in recent years, including identifying shortcomings in government data regarding disbursement and oversight of COVID-19-related emergency spending.

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 and violence both while reporting and in retaliation for their work. The government has prosecuted several notorious cases of murdered journalists in recent years, but convictions are rare. Free expression groups including the Committee to Protect Journalists (CPJ) also harshly criticized the government for a 2021 attempt to undermine the Inter-American Court of Human Rights (IACHR) October ruling that the state bore responsibility for the 2000 kidnapping, sexual assault, and torture of journalist Jineth Bedoya. As of September 2022, the crime remained under investigation by Colombian officials.

Self-censorship is common, and slander and defamation remain criminal offenses. 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. Government officials, including President Petro, have sometimes disparaged members of the media in response to negative coverage of the government and ruling coalition.

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? 4 / 4

Academic freedom is generally respected, and university debates are often vigorous. Armed groups maintain a presence on some campuses to generate political support and intimidate opponents, and some of their threats impacted some academic activities in Medellin and Cordoba in 2022. However, the overall activity of armed groups on campuses has significantly decreased in recent years. Most academic activities proceeded without interruption in 2022, in contrast to the total suspension of the academic calendar seen in major public universities during the 2021 mass protests.

Score Change: The score improved from 3 to 4 because armed groups are less active on campuses and because academics encounter fewer impediments when engaging in scholarly work.

D4 0-4 pts

Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 3 / 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. A wave of protests, dubbed the national strike, swept the country between April and June 2021, inspired by a range of grievances, including a government-proposed tax plan, economic despair, and police brutality. Most protests were peaceful, but some individuals destroyed property and erected blockades that disrupted supplies of essential goods and services in several cities. Police cracked

down on protesters with what domestic and international rights observers characterized as serious human rights abuses. Government prosecutors opened numerous investigations into their actions, but officials also repeatedly portrayed protesters as terrorists, blamed the unrest on armed infiltrators, and downplayed the scale of rights violations. In January 2022, then-president Duque signed into law Congress's controversial Citizen Security Law, which human rights advocates claimed could exacerbate unjust treatment of protesters.

Colombians organized various street protests in 2022, which generally proceeded peacefully.

Score Change: The score improved from 1 to 2 because demonstrators encountered fewer violent responses from security forces than in the previous year.

E2 0-4 pts

Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 2 / 4

The legal framework generally supports nongovernmental organizations (NGOs), 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, hundreds of activists have been murdered in recent years, mostly by insurgents or the criminal organizations that succeeded demobilized right-wing paramilitary groups. Impunity is widespread, with indictments and convictions occurring in only a small minority of cases.

Attacks on civil society leaders increased in 2022—189 were killed according to human rights group Indepaz—though newly elected President Petro committed to increasing protections for several civil society leaders. Land rights, victims' rights, and ethnic and Indigenous rights advocates are frequently 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. Though Colombia's illegal armed groups have killed thousands of union activists and leaders over the past three decades, killings declined substantially from their peak in the early 2000s. Between April 2021 and March 2022, 13 trade unionists were murdered, down from 22 in the previous year, according to the International Trade Union Confederation (ITUC). 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, the Council of State, and the Supreme Court have consistently exhibited independence from the executive, though corruption allegations involving members of the courts have damaged their credibility in recent years. In March 2021, a former Supreme Court chief justice was convicted of corruption and sentenced to 19 years in prison.

In February 2022, the Constitutional Court expanded abortion rights, decriminalizing all abortions performed up to the 24th week of pregnancy, despite fierce opposition from the government.

The Constitutional Court has repeatedly been asked to mediate polarizing political disputes, especially with respect to the Special Jurisdiction for Peace (JEP), a parallel judicial tribunal that lies at the heart of the 2016 peace accord's transitional justice system. Though critics of the peace accord, previously led by former president Álvaro Uribe, have repeatedly called for shutting down the JEP, it was able to fulfill its mandate without undue interference in 2022.

F2 0-4 pts

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

Colombia's prosecutorial service is relatively professional, but watchdog groups suggest that key oversight institutions, including the Attorney General's Office, became less independent during the Duque administration. Due process protections remain weak, and trial processes move very slowly, though a judicial reform passed in June 2021 included provisions intended to accelerate legal processes.

The country's two key transitional justice bodies following the peace accord, the JEP and the Truth Commission, began operations in 2018; by late 2021 they had amassed enormous volumes of evidence and received testimony from thousands of people. The Truth Commission delivered its final report in 2022, calling for "sweeping changes" to the country's military and for a renewed focus on human rights. The report was disseminated widely, despite fierce criticism from members of the CD. The JEP issued several indictments in 2022, including filing criminal charges against more than a dozen military officials accused of war crimes in July. 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 lack necessary resources, some units are prone to abuse, and police are largely absent from many rural areas where the most dangerous groups are active. The rights abuses committed by police during the national strike in 2021 prompted calls for deep institutional changes. In response to these calls, President Petro installed new military and police commanders in August 2022; Petro has also promised to reform the controversial riot control forces and to remove the police from the Ministry of Defense, though these changes had not been implemented before year's end. Reforms to the national police disciplinary code were enacted in March, introducing new provisions that impose stricter penalties for police officers found to have used excessive force.

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. Scandals involving both corruption and rights violations have continued to buffet the military, including the bombing of a FARC dissident camp in March 2021 that killed several minors.

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. However, President Petro has spoken out against the "irrational" war on drugs, saying that the associated violence has been fueled by militaristic anti-drug policies. A general conflict fragmentation and intensification has affected some areas, illustrated by a continuing rise in the number of people affected by mass displacement—in December 2022, the UN Office for the Coordination of Humanitarian Affairs (OCHA) reported that over 78,000 people were displaced during the year. After Petro took office in August, a number of criminal organizations expressed willingness to accept an offer of more lenient terms of surrender to the state, resulting in a fragile truce that temporarily improved safety for citizens in some areas.

A steady trickle of former FARC combatants, including several high-ranking members, have returned to clandestine life, alleging government failure to abide by the accord's terms. Indepaz estimated the total number of "dissidents" at around 5,200 in October 2021; several of the most prominent dissidents have been killed in internecine fighting in Venezuela during 2021–22. President Petro proposed a new peace deal with FARC dissidents in August 2022, sparking criticism from the top government negotiators of the 2016 peace agreements. The Petro administration also began negotiations with the ELN in December, marking the first new talks with the organization since 2019. That month, the government announced a six-month cease-fire with the ELN, FARC dissidents, and three other armed groups; the ELN later denied adopting such an agreement.

Violence overall has significantly subsided since the internal conflict peaked in the early 2000s, but analysts have noted a gradual trend upward since 2017. The homicide rate decreased slightly between 2021 and 2022, but remained relatively high, with more than 12,000 cases reported as of November 2022. Impunity for crime in general is rampant, and prison conditions remain harsh.

F4 0-4 pts

Do laws, policies, and practices guarantee equal treatment of 2 / various segments of the population? 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. Areas with concentrated Afro-Colombian populations continue to suffer vastly disproportionate levels of abuse by guerrillas, security forces, and criminal groups. UN officials have reported that impunity is nearly absolute for killers of Afro-Colombian and Indigenous ex-combatants and social leaders.

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 2022, Indigenous communities in the departments of Chocó, Cauca, Valle de Cauca, and Nariño suffered widespread violence and displacement perpetrated by former FARC members, paramilitary successors, and criminal groups.

Women face employment discrimination and sexual harassment in the workplace, as well as gender-based violence. In June 2022, the Constitutional Court ruled that businesses must take steps to prevent and punish workplace gender violence.

Though Colombian law prohibits LGBT+ discrimination, LGBT+ individuals often suffer societal discrimination and abuse, and there are high levels of impunity for crimes committed against them. According to Colombian NGO Caribe Afirmativo, 49 LGBT+ people were murdered between January and August 2022.

As many as 2.4 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. International relief agencies praised a February 2021 government announcement that Venezuelan migrants would be granted long-term temporary protection status, though stigmatization, discrimination, and lack of access to services remain problems.

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, employment, or education? 3 / 4

Freedom of movement improved substantially in tandem with the peace process, but it remains restricted by ongoing violence in certain regions, particularly for marginalized people. More than 35,000 individuals were displaced during the first six months of 2022, mostly due to threats from armed groups. Travel in some remote areas is further limited by illegal checkpoints operated by criminal and guerrilla groups.

Most COVID-19-related restrictions on movement ended in 2022, but incoming international travelers were still required to be vaccinated or provide a negative coronavirus test before entering the country.

As of July 2022, more than one million Venezuelan migrants have been granted Temporary Protection Status (ETPV), allowing them to work and move freely in Colombia for 10 years. Permit-holders are eligible for a range of state-run programs and services, including healthcare and education.

Score Change: The score improved from 2 to 3 because the Colombian government began providing temporary permits for Venezuelan refugees and other migrants seeking protective measures and because COVID-19-related movement restrictions were loosened.

G2 0-4 pts

Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 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 and modest progress has been made on land titling, the legal process for land restitution is heavily backlogged, and the resettlement of those who were displaced during the conflict moved slowly during the Duque administration, which demonstrated limited will to advance the process. In 2022, the newly elected Petro administration promised to accelerate the process, and in October, the government agreed to a series of land purchases, which will be distributed at a subsidized price to those displaced by the conflict.

G3 0-4 pts

Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 4 / 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 February 2022, the Constitutional Court decriminalized all abortions performed within the first 24 weeks of pregnancy. Prior to this, women continued to face criminal charges for abortion.

Score Change: The score improved from 3 to 4 because the Constitutional Court decriminalized abortions performed within the first 24 weeks of a pregnancy in a February ruling.

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 has increased since 2020 amid pandemic-related disruption and violence. 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 government-run crop-substitution programs.

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