



Colombia

FREEDOM IN THE WORLD 2020

66
/100

PARTLY FREE

<u>Political Rights</u>	29 /40
<u>Civil Liberties</u>	37 /60

LAST YEAR'S SCORE & STATUS

66 /100 **Partly Free**

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



Overview

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Colombia is among the longest-standing democracies in Latin America, but one with a history of widespread violence and serious human rights abuses. Violence

has declined in recent years, and public institutions have demonstrated the capacity to check executive power and enforce the rule of law. The government and the country's main left-wing guerrilla group signed a peace accord in 2016, but as of 2019 Colombia still faced enormous challenges in consolidating peace and guaranteeing political rights and civil liberties throughout its territory.

Key Developments in 2019

- 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 and the August announcement that several prominent rebels were rearming prompted concern about the pact's durability.
- President Iván Duque's popularity waned during the year, and his Democratic Center (CD) party suffered defeats in October's local and regional elections, the run-up to which was plagued by threats and violence against candidates.
- A wave of lethal attacks against human rights defenders and other social activists continued throughout the year. Scores of activists were murdered, and the perpetrators of such crimes generally enjoyed impunity.
- A large-scale protest movement erupted in multiple cities in November and December, accompanied by accusations of repression by state security forces.

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

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The president is directly elected to a four-year term. As part of a series of 2015 constitutional amendments, immediate 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. However, corruption, crime, social services, and the ongoing crisis in neighboring Venezuela were also prominent themes during the campaign. No candidate garnered an outright majority in the May 2018 first round; following a polarized runoff campaign, Duque defeated left-wing former Bogotá mayor Gustavo Petro with 54 percent of the vote, which was held that June. 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, which were held in October 2019, are generally characterized by greater opacity and more frequent violence than national elections. In 2019, the Colombian Electoral Observation Mission (MOE) documented at least 108 attacks on candidates, including 7 murders, an increase from 2015. The MOE also criticized opaque campaign finance and candidate-selection mechanisms, and vote buying, but applauded improvements in election-day voter security from coercion by armed groups. 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 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

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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.

In September 2019 Aída Merlano, elected to the Senate in 2018, was convicted of vote buying and sentenced to 15 years in prison, but she escaped custody in October and remained a fugitive at year's end.

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?

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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 relatively balanced mix of parties—some of which remain focused on leading personalities—from the left, right, and center. Nonetheless, this balance, coupled with intraparty splits, left Duque without a stable majority in either legislative chamber.

The FARC, whose acronym now stands for Common Alternative Revolutionary Force, officially reorganized as a political party in 2017 and was allowed to participate in the 2018 elections. While its candidates faced threats and attacks, 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 is 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, demonstrating the viability of a broader range of candidates for high-level office. Similarly, a number of candidates from outside traditional parties were able to win regional-level races in 2019.

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.

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B4 0-4 pts

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

3/4

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.

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.

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 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.

C2 0-4 pts

Are safeguards against official corruption strong and effective?

2/4
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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 against two senators and multiple former legislators and bureaucrats. The November 2018 death of Jorge Enrique Pizano, a key witness in the Odebrecht investigation, followed three days later by the poisoning death of his son, remained mysterious throughout 2019. Scrutiny of regional politicians by the national attorney general and inspector general has increased, and multiple officials, especially regional politicians, were suspended or faced corruption or other malfeasance charges during the year.

C3 0-4 pts

Does the government operate with openness and transparency?	3/4
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Government information is generally available to the public, though information related to military and security affairs can be difficult to access. Congress maintains an online platform on which legislators can voluntarily publish financial disclosures. 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 and combat corruption. Although support for the measures was nearly unanimous, turnout narrowly failed to reach the one-third of registered voters necessary for the outcome to be binding.

Civil Liberties

D. Freedom of Expression and Belief

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D1 0-4 pts

Are there free and independent media?	2/4
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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. Dozens of journalists have been murdered since the mid-1990s, many of them targeted for reporting on drug trafficking and corruption. The government has prosecuted several notorious cases of murdered journalists in recent years, but convictions are rare, and the statute of limitations has expired for many cases. Local press watchdog Foundation for Press Freedom registered 491 attacks on press freedom during the year, including two murders and 44 attacks linked to the regional elections as well as dozens of violations during the late-year protests.

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.

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. In October 2018, tens of thousands of university students initiated the first major protests of the Duque administration, demanding increased funding for higher education. An agreement on greater education investment was reached in December, but a variety of grievances

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prompted students to be among the most active protesters during the large-scale mobilizations in November and December 2019.

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. Dramatic protests in Bogotá and other cities, along with multiple accompanying incidents of vandalism and looting, transfixed the nation in November and December 2019. Although labor and pension reforms sparked the movement, protesters expressed a litany of grievances with government policies. The riot police, already known for moving aggressively to break up marches, were subject to numerous allegations of rights abuses, and the death of a 19-year old protester struck by a police-fired projectile became a rallying cry for protesters. The government responded to the unrest, blaming subversives and foreign provocateurs, but also entered into a national “conversation” with representatives of various social movements.

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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, 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 hundreds of threatened human rights workers, trust in the service varies widely. Hundreds of activists have been murdered in recent years, mostly by the criminal organizations that succeeded right-wing paramilitary groups following a government-backed demobilization process in 2005.

Although the Duque administration has reiterated its respect for civil society groups, and in August 2018 signed an agreement committing the government to developing more effective protection policies, violations against activists have continued at a high level. We Are Defenders, a coalition of local and international rights groups, registered 59 murders of human rights defenders between January and June 2019; while this represented a decline from the 77 deaths during the same period the previous year, threats against activists rose by 75 percent. Land rights and victims' rights campaigners in particular are threatened by former paramilitaries and other local actors seeking to deflect attention from assets acquired during the conflict and to halt the implementation of rural development programs.

E3 0-4 pts

Is there freedom for trade unions and similar professional or labor organizations?	2/4
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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 34 unionists were murdered in 2018, according to the most recent available statistics. A special prosecutorial unit has substantially increased prosecutions for such assassinations since 2007, but few investigations have targeted those who ordered the killings.

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F. Rule of Law

F1 0-4 pts

Is there an independent judiciary?	3/4
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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 Supreme Court justices that emerged in 2017 severely damaged the high court's credibility.

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. In March 2019 Duque stoked controversy by vetoing key elements of the law regulating the JEP, but the effort was rejected in both Congress and by the Constitutional Court. Tensions in 2019 were also sharp in relation to the Supreme Court cases against Uribe for bribery and witness tampering, an investigation Uribe has repeatedly referred to as persecution.

F2 0-4 pts

Does due process prevail in civil and criminal matters?	2/4
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Due process protections remain weak, and trial processes move very slowly. However, in recent years the government has been able to assert state control over more territory, bringing basic due process rights to more people. The prosecutorial service is relatively professional, and long-delayed changes to the criminal procedure code that were intended to ameliorate extended pretrial detention took effect in 2017. The two key transitional justice bodies, the JEP and the Truth Commission, began operations in 2018; by late 2019 they had received testimony from thousands of people and amassed enormous volumes of evidence. However, uncertainty remains about the extent to which the bodies would 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 sometimes accused of colluding with criminals, 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 May 2019 the *New York Times* reported that the military was again emphasizing body counts, with a corresponding rise in extrajudicial executions. The military was buffeted by several additional scandals, including corruption allegations that led to the firings of five high-ranking generals and the revelation that an August bombing of a FARC encampment had killed eight minors. The accumulated controversies resulted in the forced resignation of defense minister Guillermo Botero in November and army chief Nicacio Martínez in December.

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. 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. In October 2019 the Supreme Court received testimony from Uribe in a closed hearing; aside

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from bribery and witness tampering, the former president also faces numerous other investigations, including his ties to murderous paramilitaries.

A steady trickle of former FARC combatants have returned to clandestine life, in some cases joining the estimated 2,000 to 2,500 “dissidents” who had shunned the peace process in favor of criminal or insurgent activity. In August 2019, former second-in-command Iván Márquez and two other high-ranking FARC members officially announced their return to insurgency, alleging government failure to abide by the accord’s terms. Although observers characterize reintegration as the most successful aspect of the transition, more than 150 demobilized FARC members have been killed. Prospects for an accord between the government and the ELN grew more remote in 2019 following a January suicide car bombing of the police academy in Bogotá that left 21 people dead, for which the ELN accepted responsibility.

Despite these problems, violence overall has significantly subsided since the early 2000s. In 2017, the homicide rate declined to its lowest point in four decades—roughly 24 per 100,000 people—and the number of conflict-related victims plummeted as a result of the peace process. However, the national homicide rate rose slightly in 2018, 25 per 100,000 people, and appeared stable in the first half of 2019.

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.

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Areas with concentrated Afro-Colombian populations continue to suffer from abuses by leftist guerrillas, security forces, and paramilitary successors.

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 2019, indigenous communities in the departments of Chocó, Cauca, Valle de Cauca, and Nariño suffered increasing violence and displacement perpetrated by the ELN, former FARC members, and paramilitary successors.

Women face employment discrimination and sexual harassment in the workplace, as well as gender-based violence. LGBT+ people suffer societal discrimination and abuse, and there are also high levels of impunity for crimes committed against them. According to a 2018 report by a consortium of international monitors, implementation of gender-related elements of the peace accords has lagged significantly.

More than a million Venezuelan migrants have entered Colombia since 2017, and the government has offered work permits and access to services to those who register. The influx created increasing strain in 2019, especially following the November protest eruption, but the government continued efforts at accommodation, including by guaranteeing Colombian citizenship for children of Venezuelans born in Colombia. ELN members and FARC dissidents operate from Venezuelan territory, resulting in additional tensions; in October the head of Colombia's military intelligence was forced to resign after Duque addressed the UN while wielding a report alleging Venezuelan collusion that turned out to include false information.

G. Personal Autonomy and Individual Rights

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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 has 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.

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
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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, protection from domestic violence, and control over appearance?	3/4
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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 ^{TOP} them. The court had legalized adoptions by same-sex couples in 2015. 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. Gender-based violence in Colombia has included thousands of rapes associated with the civil conflict, with perpetrators generally enjoying impunity. Several of the cases focused on by the JEP in 2019 could result in accountability for conflict-related sexual violence.

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 has declined but not ended since the peace accord. 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.



On Colombia

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Country Facts

Global Freedom Score

66/100 Partly Free

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Internet Freedom Score

67/100 Partly Free

Other Years

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