



FREEDOM IN THE WORLD 2022

Colombia

PARTLY FREE

64
/100

<u>Political Rights</u>	29 /40
<u>Civil Liberties</u>	35 /60

LAST YEAR'S SCORE & STATUS

65 /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 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.

Key Developments in 2021

- With over 5 million cases and approximately 130,000 deaths reported by the government by the end of 2021, Colombia remained severely afflicted by the COVID-19 pandemic, with cases and deaths peaking in mid-2021.
- 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 resulting from insufficient resources and political will, along with the continued rearming of some former rebels, prompted concern about the pact's durability.
- A wave of protests powered by numerous grievances against the government swept the country between April and June, resulting in dozens of dead protesters, widespread property damage, and numerous accusations of human rights abuses, including by the authorities.
- A multiyear wave of lethal attacks against human rights defenders and other social activists continued throughout 2021. Scores of activists were murdered, many from marginalized Indigenous and Afro-Colombian communities. The perpetrators of such crimes generally enjoyed impunity.

Political Rights

A. Electoral Process

A1 0-4 pts

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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.

No candidate garnered an outright majority in the first round of the 2018 election; following a polarized runoff campaign, President Iván Duque of the right-wing Democratic Center (CD) party 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.

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. For the 2022 elections, the Chamber of Representatives will consist of 188 members: 161 are 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 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. In advance of the 2022 elections, 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.

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 has maintained a fragile working majority during most its term. The FARC—whose leaders changed the party’s name to Commons (Comunes) in January 2021—reorganized as a political party in 2017, but has made negligible electoral advances.

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 many 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 2021 jockeying mounted among the numerous candidates in the 2022 elections, most of whom joined coalitions representing the right, left, or center.

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, so-called "dissident" FARC members, and criminal gangs has continued to impair the ability of citizens in some areas 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

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.

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, and Vice President Marta Lucía Ramírez is a woman. 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.

In October 2019, Green Alliance and former senator 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. 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.

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, while also drawing attention to the role of corruption in campaign finance. Whistleblowers lack sufficient legal protection, and a proposed legislative remedy failed to pass Congress in 2021. Following revelations of large-scale graft scheme involving contracts for rural internet access, close Duque adviser and Minister of Communications and Information Technology Karen Abudinen resigned in September 2021, and several members of Congress were placed under investigation.

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. In 2021 transparency watchdogs continued to note shortcomings in government data regarding disbursement and oversight of COVID-19-related emergency spending, which had spawned numerous graft allegations in 2020.

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 in retaliation for their work. The government has prosecuted several notorious cases of murdered journalists in recent years, but convictions are rare. Local press watchdog Foundation for Press Freedom

registered hundreds of threats and attacks—more than half of which were attributed to police and soldiers—linked to the protest wave that began in April. Free expression groups including the Committee to Protect Journalists (CPJ) also harshly criticized the government for a March attempt to undermine an Inter-American Court of Human Rights case involving state responsibility for the 2000 kidnapping, sexual assault, and torture of journalist Jineth Bedoya; in October the Court issued a ruling that confirmed state responsibility.

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. In May 2021, media watchdog groups criticized an online “cyberpatrol” campaign organized by the Ministry of Defense that labeled scores of social media posts regarding police behavior during the national strike “fake news” and “digital terrorism.”

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.

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?	1/4
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Although provided for in the constitution, freedom of assembly is restricted in practice by violence. In recent years a series of large-scale protests have erupted, including a wave that swept the country between April and June 2021 and became known as the national strike. Sparked by a tax reform viewed as regressive, the protests grew to encompass a range of grievances, including economic despair and police brutality. Most protests were peaceful, but in several cities protesters destroyed property and erected blockades that disrupted supplies of essential goods and services. The police responded with what domestic and international rights observers characterized as serious human rights abuses, particularly in Cali, the epicenter of the protests. The local office of the UN High Commissioner for Human Rights tallied at least 44 protesters killed, with at least 28 of those deaths attributed to the police, while Human Rights Watch (HRW) registered hundreds of other rights violations, including assaults, sexual violence, and scores of arbitrary detentions. Two police officers also died, and hundreds were injured. The government acknowledged abuses and prosecutors opened numerous investigations into police abuses, but officials also repeatedly used terms like “terrorism” to portray protesters, blamed the unrest on armed infiltrators, and downplayed the scale of rights violations. In December 2021, Congress approved the Citizen Security Law, which human rights advocates claimed could exacerbate unjust treatment of protesters.

Score Change: The score declined from 2 to 1 because security forces responded to protests between April and June with severe violence that resulted in significant

human rights abuses, including killings, sexual assaults, and numerous arbitrary detentions.

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 thousands of threatened human rights workers, trust in the service varies widely. 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.

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. Local human rights group Indepaz registered 171 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 three decades, Colombia's illegal armed groups have killed thousands of union activists and leaders. Killings have declined substantially from their peak in the early 2000s, though 22 trade unionists were murdered between April 2020 and March 2021, 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 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. In March 2021, a former Supreme Court chief justice was convicted of corruption and sentenced to 19 years in prison.

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. Critics of the peace accord, led by former president Álvaro Uribe, have repeatedly called for shutting down the JEP, though in August 2021 Uribe shifted, proposing a general amnesty for crimes by both state and nonstate actors. In August 2020, 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; proceedings continued throughout 2021.

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, have become 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 two key transitional justice bodies, 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. In 2021, the JEP issued its first indictments: eight former FARC members were charged with kidnapping in January, and 10 soldiers, including several senior officers, were indicted for extrajudicial executions 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, including removal of the police from the Ministry of Defense. In December 2021 Congress passed a reform package strengthening police disciplinary structures, but rights groups described the changes as insufficient.

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. In February 2021 the JEP released a report stating that the systematic killing of civilians to fraudulently inflate guerrilla death tolls had resulted in as many as 6,400 murders by the military between 2002 and 2008, nearly tripling previous official figures. Such killings plummeted after the scandal was exposed, but 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. A general conflict fragmentation and intensification has affected some areas, illustrated by a significant rise in the number of people affected by mass displacement—over 64,000 victims in the first 10 months of 2021, according to the United Nations. Massacres, defined as incidents in which three or more people are murdered, have also risen, with local NGO Indepaz registering 96 massacres during the year. Though the acreage under cultivation has stabilized, coca production has reached historic highs in recent years. In October 2021, authorities arrested Colombia’s most notorious drug trafficker, Dario Antonio Úsuga (alias “Otoniel”), but many analysts suggested it would do little to upset the thriving cocaine production chain. Impunity for crime in general is rampant, and prison conditions remain harsh.

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 as of October 2021; several of the most prominent dissidents were killed during internecine fighting in Venezuela during the year. Although observers characterize reintegration of ex-combatants as partially successful, as of October 2021 the UN Verification Mission reported that 296 demobilized FARC members had been killed since the peace agreement. Prospects for an accord between the government and ELN rebels remained poor throughout the year amid ongoing violence on both sides of the Colombia-Venezuela border.

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 national homicide rate rose nearly 20 percent in the first nine months of 2021, with a particularly sharp spike in Cali, the center of the national strike.

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 Afro-Colombians' income fell significantly amid the economic disruption linked to COVID-19. Areas with concentrated Afro-Colombian populations continue to suffer vastly disproportionate levels of abuse by guerrillas, security forces, and criminal groups, and in 2021 UN officials 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 2021, 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, and Indigenous groups encountered racism and violent attacks while participating in the national strike in Cali in May.

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

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, 21 LGBT+ people were murdered in the first 5 months of 2021.

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 as public opinion toward migrants hardened amid the economic disruption inflicted by the COVID-19 pandemic. International relief agencies praised a February 2021 government announcement that Venezuelan migrants would be granted long-term

temporary protection status, though stigmatization and lack of access to services, including COVID-19 vaccines, remained problems during the year.

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?

2/4

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 in 2020 by a strict official lockdown and the even harsher unofficial lockdown imposed by illegal armed groups. Though restrictions eased in 2021, the United Nations reported tens of thousands of Colombians were subjected to movement restrictions by armed groups. In addition, blockades associated with the national strike inflicted serious disruption to mobility in some areas, particularly around Cali.

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 continues to move slowly, with the Duque administration demonstrating limited 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

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 women continue to face criminal charges for abortion. A prominent case involving the constitutionality of criminal penalties for abortion remained under review at the court at the end of 2021.

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 crop-substitution programs.





On Colombia

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Country Facts

Global Freedom Score

64/100 **Partly Free**

Internet Freedom Score

65/100 **Partly Free**

Other Years

2021

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1850 M St. NW Floor 11
Washington, DC 20036
(202) 296-5101

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info@freedomhouse.org

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press@freedomhouse.org