



Freedom in the World - Colombia (2011)

Capital: Bogota

Population:
45,065,000

Political Rights Score: 3 *

Civil Liberties Score: 4 *

Status: Partly Free

Overview

After the Constitutional Court barred President Álvaro Uribe from pursuing a third term, Colombians elected former defense minister Juan Manuel Santos as president in July 2010. Once in office, Santos established a "national unity" coalition and pursued conciliatory policies that created friction with hard-line Uribe supporters. One sensitive issue was an ongoing scandal involving government wiretapping of civil society members, opposition politicians, and judges; the surveillance appeared to decline sharply, but tensions over investigative processes grew sharper. In another shift, relations with neighboring Venezuela improved considerably. Many regions continued to suffer from guerrilla and criminal violence despite the military's September killing of Mono Jojoy, a feared guerrilla leader.

Colombia is an electoral democracy. The 2010 legislative elections, while less violent than previous campaigns, were marred by vote buying, opaque financing, and intimidation in some areas, particularly former paramilitary strongholds. The 2010 presidential election was relatively peaceful, and the 2007 regional and local elections repeated some of the flaws of the 2006 congressional polls but marked an improvement over the last such elections in 2003.

The Congress is composed of the Senate and the Chamber of Representatives, with all seats up for election every four years. Of the Senate's 102 members, two are chosen by indigenous communities and 100 by the nation at large using a closed-list system. The Chamber of Representatives consists of 166 members elected by closed-list proportional representation in multimember districts.

The traditional Liberal-Conservative partisan duopoly in Congress has in recent years been supplanted by a rough division between left-leaning forces opposed to outgoing president Álvaro Uribe and pro-Uribe forces on the right. Newly elected president Juan Manuel Santos's National Unity coalition has muffled but not completely replaced this division. Party fragmentation remains a problem, and several new parties formed in late 2009 to serve as vehicles for those implicated in the parapolitics scandal, who in many cases used relatives as proxy candidates. Such parties were fairly successful in the 2010 congressional elections.

Corruption occurs at multiple levels of public administration. A series of scandals involving a range of government agencies emerged late in the Uribe administration and accelerated after Santos took office. The alleged malfeasance affected an agricultural subsidies program, an agency handling confiscated assets, a fund used to assist kidnapping victims, the prison authority, and the customs agency, among others. In a November 2010 poll, nearly half of all businesses surveyed stated that bribes were necessary to obtain government contracts, and a procurement scandal in Bogota grew throughout the year, threatening the mayor's hold on office. Colombia was ranked 78 out of 178 countries surveyed in Transparency International's 2010 Corruption Perceptions Index.

The constitution guarantees freedom of expression, and opposition viewpoints are commonly expressed. However, crime and conflict make it difficult for journalists to conduct their work. Dozens of journalists have been murdered since the mid-1990s, many for reporting on drug trafficking and corruption. Most of the cases remain unsolved, though in 2010 perpetrators were convicted in two murders. Two reporters were killed during the year, and self-censorship remained common. The Uribe administration repeatedly accused journalists of antigovernment bias or links to guerrillas, and over a dozen reporters were confirmed as subjects of DAS surveillance. In February 2010 the weekly newsmagazine *Cambio*, published by Colombia's newspaper of record, *El*

Tiempo, was shuttered. The owners cited weak finances, but top editors pointed to government pressure over stories that were unflattering to the Uribe administration. Slander and defamation remain criminal offenses. The government does not limit or block access to the internet or censor websites.

The constitution provides for freedom of religion, and the government generally respects this right in practice. The authorities also uphold academic freedom, and university debates are often vigorous, though armed groups maintain a presence on many campuses to generate political support and intimidate opponents.

Constitutional rights regarding freedoms of assembly and association are restricted in practice by violence. Although the government provides extensive protection to hundreds of threatened human rights workers, trust in the program varies widely, and numerous activists have been murdered, mostly by paramilitaries and the successor groups. Uribe's rhetorical hostility toward NGOs and human rights defenders was on occasion interpreted as an invitation to physically attack them. While the Santos administration adopted a far more conciliatory and respectful tone, violations continued to occur. Victims' and land rights activists face are especially threatened by former paramilitaries seeking to smother criticism of their ill-gotten assets. At least eight were killed in 2010, including prominent advocates for displaced people and several indigenous activists.

Colombians considered the world's most dangerous country for organized labor. More than 2,600 union activists and leaders have been killed over the last two decades. Labor leaders are frequently targeted by all of Colombia's illegal armed groups. Although killings have declined from their early-2000s peak, murders rose from 39 in 2009 to 51 in 2010, and the issue continued to hold up ratification of a bilateral free-trade agreement by the U.S. Congress. A special unit of prosecutors has substantially increased prosecutions for assassinations of union members since 2007. More than 250 convictions have been secured since that year, compared with 50 between 2000 and 2006. Nonetheless, most convictions have not touched those who ordered the killings, and the impunity rate remains above 90 percent.

The justice system remains compromised by corruption and extortion. The Constitutional Court and Supreme Court have, on multiple occasions, demonstrated independence from the executive. Lower courts are more susceptible to political and criminal influence, and both judges and prosecutors confront serious risks when investigating powerful figures.

Many soldiers operating in Colombia's complex security environment work under limited civilian oversight. The government has in recent years increased human rights training and investigated a greater number of military personnel for grave human rights abuses. Collaboration between security forces and illegal armed groups declined following AUC demobilization, but rights groups report toleration of the roughly 6,000-strong paramilitary successor groups in some regions. Primary responsibility for combating them rests with the police, who lack the resources of the military and are largely absent from many rural areas where the groups are active.

The systematic killing of civilians to fraudulently inflate guerrilla death tolls has declined enormously since a 2008 scandal over the practice led to the firing of dozens of senior army officers. More than 2,000 people may have been killed in this way, and thousands of security personnel were under investigation by the end of 2010, with hundreds of convictions obtained in the military system but far fewer in civilian courts. Jurisdiction over human rights violations is a sensitive issue; in June 2010, a civilian court stoked the Uribe administration's outrage by imposing a 30-year prison sentence on former army colonel Alfonso Plazas for the disappearance of 11 suspected rebels following the 1985 siege of the Palace of Justice.

All of the illegal armed groups systematically abuse human rights. While violence has declined since the early 2000s, massacres rose substantially in 2010, and nearly 500 police and soldiers were killed during the year. FARC guerrillas regularly extort payments from businesspeople and engage in forced recruitment, including of minors. The use of landmines has added to casualties among both civilians and the military. Impunity is rampant for all criminals, and victims of human rights abuses often express frustration with the government's level of commitment to providing reparations and prosecuting perpetrators. Victims and rights groups note that demobilized paramilitaries have returned just a fraction of the millions of acres of land they seized while ostensibly fighting the guerrillas.

Colombia's more than 1.7 million indigenous inhabitants live on more than 34 million hectares

granted to them by the government, often in resource-rich, strategic regions that are increasingly contested by the various armed groups. Indigenous people are frequently targeted by all sides. Murders of indigenous people declined somewhat in 2010 after a spike in 2009, but threats and territorial pressure remained so common that the Office of the UN High Commissioner for Refugees warned in August that many groups face extinction.

Afro-Colombians, who account for as much as 25 percent of the population, make up the largest sector of Colombia's at least 4 million displaced people, and 80 percent of Afro-Colombians fall below the poverty line. The displaced population as a whole suffers from social stigma, arbitrary arrest, and exploitation, as well as generalized poverty. In October 2010, the country's most prominent Afro-Colombian politician, Piedad Córdoba, was expelled from the Senate for alleged collaboration with the FARC. The charge was hotly contested by rights groups, which defended her highly publicized efforts to negotiate the liberation of FARC hostages.

Homosexuals face active discrimination, but in 2007 the Constitutional Court ruled that homosexual couples must be made eligible for various benefits, which were expanded in 2008 and 2009.

Child labor is a serious problem in Colombia, as are child recruitment into illegal armed groups and related sexual abuse. Sexual harassment, violence against women, and the trafficking of women for sexual exploitation remain major concerns. A December 2010 Oxfam report indicated that conflict-related rapes had led to over 26,000 pregnancies between 2001 and 2009. The country's active abortion-rights movement has challenged restrictive laws, and in 2006 a Constitutional Court ruling allowed abortion in cases of rape or incest, or to protect the mother's life.

Following independence from Spain in 1819, Gran Colombia broke into what became Venezuela, Ecuador, and modern Colombia. The 1903 secession of Panama, engineered by the United States, left Colombia with its present boundaries. A civil war between Liberals and Conservatives, known as La Violencia, erupted in 1948 and resulted in some 200,000 deaths before subsiding after 1953. From 1958 to 1974, the two parties alternated in the presidency under the terms of a 1957 coalition pact (the National Front) aimed at ending civil strife. Colombia has since been marked by corrupt politics as well as by left-wing guerrilla insurgencies, right-wing paramilitary violence, the emergence of vicious drug cartels, and human rights abuses committed by all sides.

A peace process between the government and the leftist Revolutionary Armed Forces of Colombia (FARC) rebel group unraveled in 2001, and Álvaro Uribe, a former provincial governor who ran as an independent, won the 2002 presidential election after pledging to crush the rebels by military means. Right-wing paramilitary death squads, grouped together as the United Self-Defense Forces of Colombia (AUC), also battled the guerrillas, sometimes with the tolerance or covert complicity of government forces.

Although by 2005 the leftist guerrillas had largely ceded control of major cities to the paramilitaries, they appeared determined to hold out in remote areas, using the narcotics trade and extortion for financial support. Moreover, social and human rights conditions sometimes deteriorated further where paramilitaries replaced the guerrillas.

Debate continued over a plan to demobilize and grant a partial amnesty to the paramilitaries. Human rights groups claimed that the Justice and Peace Law, adopted in June 2005, failed to ensure the permanent dismantling of paramilitary organizations and did not allow adequate time for their many crimes to be investigated. The government denied that the law encouraged impunity—combatants could be required to spend between five and eight years in prison—and noted that it did not apply to drug-related offenses. In May 2006, the Constitutional Court struck down certain elements of the law and mandated full confessions, the seizure of illicitly acquired assets, and the provision of reparations to victims. Meanwhile, bolstered by a growing economy and the perception of improved security, Uribe won a second term in that month's presidential election, taking 62 percent of the vote, fully 40 points ahead of his closest rival.

By late 2006, more than 30,000 paramilitaries had formally demobilized. However, human rights groups reported subsequent problems with civilian reintegration, violence against former combatants, a lack of resources for investigations, nonparticipation in the justice and peace process, and delays in reparation payments and physical protection for victims. Territory vacated by demobilized groups was often occupied by the FARC or by new factions that were at least partly composed of recalcitrant or recidivist paramilitaries. These "successor groups" lacked the AUC's

command structure but maintained its patterns of land theft, assassinations, and in some cases collaboration with security forces or guerrillas. A focus on drug trafficking was complemented by aggression—including both targeted killings and massacres—directed against social and human rights activists in order to maintain patterns of local control established during the AUC era.

In April 2008, 14 paramilitary chiefs were extradited to the United States, where they faced long prison sentences for drug trafficking. The Colombian government argued that this would break their ongoing control over drug distribution networks. However, rights groups feared that the transfers would truncate the confessions process, which—despite frequent frustration—had yielded valuable information on paramilitary operations and tens of thousands of unsolved murders. Most extradited leaders ceased cooperation, and in August 2009 the Colombian Supreme Court prohibited further extraditions of former paramilitary leaders still involved in the justice and peace process.

Observers also raised concerns that the extraditions effectively removed potential witnesses in the ongoing “parapolitics” scandal, which linked scores of politicians to paramilitaries. By the close of the 2006–2010 Congress, over 90 legislators had been arrested, convicted, or placed under investigation.

Meanwhile, in February 2009, evidence emerged of a massive telephone, e-mail, and personal surveillance operation initiated in 2003 by Colombia’s intelligence agency, the Administrative Security Department (DAS). Among its targets were journalists, nongovernmental organization (NGO) workers, politicians, and Supreme Court justices. Although the closure of the DAS was announced in September 2009, it remained in operation as of the end of 2010. The dimensions of the scandal grew in early 2010 as the extent of the DAS’s political activities became clear. An expanding series of related investigations led to four convictions and the suspension of several of Uribe’s close advisers.

The DAS scandal added to existing strains in the relationship between the president and the Supreme Court, which was less acquiescent than the Congress regarding Uribe’s accrual of power. Other contributing factors included the administration’s dubious accusations of corruption within the court, the court’s rejection of all attorney general candidates proposed by Uribe, its parapolitics-related probe of the president’s cousin Mario Uribe, and a series of court-led investigations surrounding the passage of a 2004 constitutional amendment that had allowed Uribe’s reelection in 2006. These controversies continued in 2010, but the focus shifted to the Constitutional Court, which was charged with assessing Uribe’s effort to stand for a third term in 2010. Uribe supporters had already gathered signatures for a constitutional referendum, gained congressional approval, and received the prosecutor general’s blessing. However, in March 2010—just weeks before congressional elections—the Constitutional Court found not only that a third term would conflict with constitutional checks-and-balances requirements, but that multiple regulations and procedural rules had been violated during the signature-gathering and referendum-approval process.

In the March congressional elections, Uribe allies won a substantial majority of seats in both chambers. Former defense minister Juan Manuel Santos, who benefited from his association with the Uribe administration’s security achievements, overcame an ideologically diverse array of opponents in the first round of the presidential poll in May, taking 47 percent of the vote. Former Bogota mayor Antanas Mockus, running under the banner of the newly founded Green Party, mounted a spirited challenge, winning 22 percent. However, most of the other candidates endorsed Santos in the June runoff, and he won the contest easily, with 69 percent.

Soon after taking office in August, the Santos administration made clear that its priorities and tone would differ substantially from those of the previous government. Several cabinet ministers who had opposed a third term for Uribe were selected for important posts, and ambitious bills, including contentious victim-reparation and land-reform laws that had been opposition priorities but had stalled under Uribe, were put before Congress. In November the government resolved a standoff between the Supreme Court and the executive by submitting a new list of nominees for attorney general. In addition, Santos and his ministers repeatedly emphasized respect for civil society groups and willingness to cooperate on their goals, a stark contrast to the Uribe administration’s stigmatization of NGOs and opposition activists.

In September 2010, the Santos administration registered its first dramatic military success against the FARC when a bombing killed Mono Jojoy, arguably the group’s most feared commander. The

killing followed a series of deaths of top FARC leaders—whether from government attacks, internal disputes, or natural causes—that began in 2008. Meanwhile, the positive trend in urban security established earlier in Uribe’s tenure continued to waver in 2010, after a significant increase in 2008.

In the international arena, Santos emphasized détente with Ecuador and Venezuela, which had cut off diplomatic ties after a 2008 cross-border raid in which Colombian forces targeted a FARC camp in Ecuador. Venezuela had also objected to a 2009 defense pact that granted U.S. military personnel and aircraft increased access to seven Colombian bases. During the second half of 2010, Santos met with the presidents of both Ecuador and Venezuela, reestablishing diplomatic and commercial ties with each.

Political Rights and Civil Liberties

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**Countries are ranked on a scale of 1-7, with 1 representing the highest level of freedom and 7 representing the lowest level of freedom. Click [here](#) for a full explanation of Freedom in the World methodology.*