



Freedom in the World - Colombia (2010)

Capital:
Bogota

Population:
44,400,000

Political Rights Score: 3 *

Civil Liberties Score: 4 *

Status: Partly Free

[Overview](#)

Political uncertainty increased in 2009 as President Alvaro Uribe's supporters took steps to allow him to seek a third term in 2010. A scandal involving government surveillance of civil society members, opposition politicians, and judges sharpened existing tensions between the president and the Supreme Court. Meanwhile, the significant security gains of recent years appeared to level off, as violence rose in some cities and rural zones. Relations with neighboring Venezuela continued to worsen amid recriminations over a U.S.-Colombian military accord and Caracas's alleged toleration of Colombian rebel activity on Venezuelan territory.

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.

Conservative candidate Andres Pastrana won the 1998 presidential election, and as part of the peace process he arranged for the leftist Revolutionary Armed Forces of Colombia (FARC) rebel group to occupy a so-called demilitarized zone in the south. However, in 2001 it became clear that the FARC was using its territory to coordinate military and criminal operations, and the government began a new offensive.

In the 2002 presidential election, Colombians chose Alvaro Uribe, a former provincial governor who ran as an independent and pledged to crush the rebels by military means. Soon after his inauguration, he decreed a state of emergency and created special combat zones in 27 municipalities in which the military was allowed to restrict civilian movement and conduct searches without a warrant. Right-wing paramilitary death squads, grouped together as the United Self-Defense Forces of

Colombia (AUC), also battled the guerrillas in both rural and urban areas, sometimes with the tolerance or covert complicity of government forces. However, the country continued to be racked by massacres, drug trafficking, and kidnappings. Uribe was praised for his diligent leadership and communications skills, but critics faulted him for his authoritarian bent and apparent lack of concern for human rights. The Constitutional Court in 2003 stripped him of the emergency powers he had assumed in 2002, and he triggered protests by proposing an amnesty that would grant paramilitaries reduced prison sentences or allow them to pay reparations in lieu of jail time.

Although by 2005 the leftist guerrillas had largely ceded control of major cities to the paramilitaries, the FARC and the smaller National Liberation Army (ELN) appeared determined to hold out in remote areas, using the narcotics trade and extortion for financial support. Moreover, social and human rights conditions in newly recaptured rural areas sometimes deteriorated further as paramilitaries replaced the guerrillas. In subsequent years, the government attempted to better integrate its military presence with social development in former conflict zones, with limited impact.

Debate continued over the paramilitaries' demobilization. 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.

In the run-up to the March 2006 legislative elections, the FARC and paramilitaries sometimes attacked local politicians and intimidated civilians. However, violence declined prior to the May presidential election, in which Uribe's prospects were bolstered by a growing economy and the perception of improved security. He was reelected with 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. In some cases the FARC moved into territory vacated by demobilized paramilitaries, while other areas were held by new factions that were at least partly composed of recalcitrant or recidivist members of the disbanded paramilitary groups. These organizations often mimicked the AUC, reportedly engaging in extortion, assassinations, and in some cases collaboration with security forces or guerrillas, although they lacked the AUC's unified command structure. While drug trafficking was their primary focus, they also frequently

directed aggression against social and human rights activists, particularly those advocating on behalf of victims of AUC crimes.

Top AUC leaders continued in 2007 and 2008 to testify about their crimes. In certain instances they refused to admit culpability, but others yielded valuable information on paramilitary operations and thousands of unsolved murders. 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, but rights groups feared that the transfers would truncate the confessions process, a concern validated in 2009 as testimony from some of the most important leaders ceased. 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 end of 2009, over 80 congressmen—including the president’s cousin, Mario Uribe—had been arrested, convicted, or were under investigation. The case stoked tensions between the president and the Supreme Court, which is tasked with investigating sitting lawmakers. Several dozen congressmen resigned to remove their cases from the court’s purview, but in 2009 the court ruled that it would retain jurisdiction over investigations of resigned congressmen.

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. Dozens of DAS employees were dismissed and 10 were charged. Nonetheless, signs of continued wiretapping were revealed in August. In September, Uribe announced that the DAS would be disbanded, with most of its functions absorbed by the police.

The DAS scandal added to the strains in the relationship between the president and the Supreme Court. Among other contributing factors, the administration lodged accusations of corruption within the court, the court rejected all attorney general candidates proposed by Uribe, and a series of court-led investigations focused on supposed exchanges of favors surrounding the passage of a 2004 constitutional amendment that had allowed Uribe’s reelection in 2006.

FARC activity appeared to increased somewhat in 2009, although signs of rebel weakness—including desertions, information leaks, and reports of paranoia-induced internal brutality—continued to emerge. The government had made major gains against the FARC in 2008, killing a top commander, Raul Reyes, in a March raid on a rebel camp across the Ecuadorean border and rescuing a group of high-profile FARC hostages in July. Also that year, another FARC leader, Ivan Rios, was

killed by one of his own guards, and the group's founder, Manuel Marulanda, died of natural causes. Six additional hostages were released in February 2009.

According to police figures, the country's overall homicide rate declined slightly in 2009, but murders increased in the country's three largest cities, Bogota, Medellin, and Cali. The sharp rise in Medellin reflected competition to fill a criminal power vacuum created by the extradition of paramilitary boss and drug kingpin Diego Murillo Bejarano.

Colombia's relations with its neighbors have been turbulent in recent years. Both Ecuador and Venezuela cut off diplomatic ties after Colombia's 2008 cross-border raid in Ecuador; many, though not all, ties with Ecuador were subsequently reestablished. In October 2009, the United States and Colombia signed a defense pact granting U.S. military personnel and aircraft increased access to seven Colombian bases. The agreement's broad language led Venezuelan president Hugo Chavez to denounce it in bellicose terms, prompting fears of a border conflict.

Political Rights and Civil Liberties

Colombia is an electoral democracy. The 2006 legislative elections, while an improvement over the 2002 contest, were marred by vote buying, district switching, opaque financing, paramilitary intimidation, and violence. The 2006 presidential election was comparatively peaceful, and the 2007 regional and local elections repeated some of the flaws of the congressional polls but marked an improvement over the last such elections in 2003.

The Congress is comprised 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 party-list system. The Chamber of Deputies consists of 166 members elected by party-list proportional representation in multimember districts.

President Alvaro Uribe's 2006 reelection came after a drawn-out constitutional amendment campaign to allow a second four-year presidential term. Starting in 2008, Uribe supporters collected enough petition signatures to launch a constitutional amendment referendum for a third term, but the effort was marred by serious doubts about its financing, the wording of the question to voters, and the procedures used to move the measure through Congress. The opposition boycotted the August and September 2009 votes in which progovernment legislators barely secured passage of the referendum law. Meanwhile, Uribe maintained a calculated ambiguity about his electoral intentions, adding to institutional uncertainty.

The traditional Liberal-Conservative partisan duopoly in Congress has in recent years been supplanted by a rough division between anti-Uribe forces on the left and pro-Uribe forces on the right. The shift was partly the result of 2003 reforms designed to open the system and contain the problem of party fragmentation.

Further political reform efforts in 2008 and 2009 proved contentious, especially the opposition's argument that seats vacated by lawmakers implicated in the parapolitics scandal should be left empty rather than filled by the next candidate on their party list. A bill passed in June 2009 included the "empty seat" provision for crimes tying politicians to armed groups but did not apply it to the parapolitics-linked legislators in the 2006–10 congressional term. The measure also provided a period during which current legislators could change parties without penalty, leading to a flurry of party-switching between July and September. Late in the year, several new parties formed as vehicles for members of the groups most implicated in the parapolitics scandal to maintain influence, in many cases by using relatives as proxy candidates.

Corruption occurs at multiple levels of public administration. In 2009, public attention focused on an agricultural subsidies program that benefited large landowners and suspected front men at the expense of poor rural farmers. Controversy also raged around the allegation that Uribe's two sons improperly profited from a zoning change affecting recently purchased property. Colombia was ranked 75 out of 180 countries surveyed in Transparency International's 2009 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; in 2009, material perpetrators—though not intellectual authors—were convicted in three murders. At least one reporter was killed in 2009 in connection with his work, and self-censorship remained common. The Uribe administration has repeatedly accused journalists of antigovernment bias or links to guerrillas. Journalist Hollman Morris, a target of particular executive opprobrium in 2009, was also among 16 reporters confirmed as subjects of DAS surveillance. Slander and defamation remain criminalized. 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, although 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 several thousand threatened human rights workers, trust in the program varies widely, and numerous activists have been murdered by all armed groups. Uribe's rhetorical hostility toward NGOs and the sometimes baseless legal cases brought against human rights defenders are on occasion interpreted as a green light to physically attack them, and threats against activists have increased in recent years. From 2006 to 2009, at least 20 victims' rights and land activists were killed;

advocates for the displaced face special risk as former paramilitaries seek to smother criticism of their ill-gotten assets.

Colombia is 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, with an impunity rate of over 95 percent. Labor leaders are frequently targeted by paramilitary groups, guerrillas, and narcotics traffickers. Although killings declined from 49 in 2008 to 39 in 2009, the issue continued to hold up ratification of a bilateral free-trade agreement by the U.S. Congress. In response, the government has worked with the International Labour Organization and formed a special unit of prosecutors that, starting in 2007, substantially increased prosecutions for assassinations of union members. More than 180 convictions have been secured since 2007, compared to 50 between 2000 and 2006. Nonetheless, most convictions have involved material rather than intellectual authors, 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.

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 considerably following AUC demobilization, but rights groups report toleration of the new paramilitary formations in some regions. Primary responsibility for combating them rests with the police, who are underresourced compared with the military and lack a presence in many rural areas where combatants are active.

In 2008, the army chief and several dozen other officers were fired over a scandal involving the systematic killing of civilians to fraudulently inflate guerrilla death tolls. More than 2,000 people may have been killed in this way, although the pace declined substantially in 2009. By year's end the attorney general's office was investigating over 2,000 security force members and had arrested several hundred.

All of the illegal armed groups systematically abuse human rights. FARC guerrillas regularly extort payments from businesspeople and intimidate suspected government informants. The increasing 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 obtaining economic reparations and prosecuting perpetrators. In June 2009, a victims' rights bill that would have increased reparations was shelved after congressmen were unable to agree on its terms. The

government insisted that the version preferred by victims was too expensive and improperly placed state violations on an equal footing with those of nonstate groups. Meanwhile, victims and rights groups expressed concern that demobilized paramilitaries had returned just a fraction of the millions of acres of land they had 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 contested by the various armed groups. Indigenous people are frequently targeted by all sides. Despite a January 2009 Constitutional Court ruling that extended guarantees of protection, murders of indigenous people increased significantly during the year, including several massacres of members of the Awa group by the FARC and other, unknown actors.

Afro-Colombians, who account for as much as 25 percent of the population, make up the largest sector of Colombia's nearly 4 million displaced people, and 80 percent of Afro-Colombians fall below the poverty line. In March 2009 the Inter-American Human Rights Commission reported ongoing, grievous violations of Afro-Colombians' legal rights. The displaced population as a whole suffers from social stigma, arbitrary arrest, and exploitation, as well as generalized poverty.

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 April 2008 and January 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. Almost 60 percent of the displaced population is female. 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.

**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.*