

Press Statement

February 15, 2010
Bogota, Colombia

International Pre-Electoral Observation Mission

The International Pre-Electoral Observation Mission is an effort led by Global Exchange, a U.S. NGO with the participation of professionals, analysts and citizens of more than seven countries including the U.S., Canada, Germany, UK and Mexico.

The mission is led by a group of persons with experience in electoral observation in more than eleven countries. From February 3 until the present a group of twenty-two persons visited Colombia. This group divided itself into four teams that visited various municipalities in Antioquia, Córdoba, Valle del Cauca y Santander Departments.

The objective of the mission was to compile from the various sectors that form part of the electoral process, civil society and governmental institutions their concerns and analysis on the forthcoming March elections. These opinions were collected within a country context whereby internal displacement, violence and the presence of armed actors persists.

The mission engaged in an extensive on the ground work schedule and investigation process from February third until the fourteenth. Its members met with governmental authorities in charge of electoral matters, the National Electoral Council, the National Registry for Civil Status, local Personerías, officials from the regional Prosecutors and Human Rights Ombudsman's offices and Mayoral and State Governors' offices. Additionally, the mission met with representatives and candidates from the political parties, political analysts, Afro-Colombian and Indigenous, LGBT and youth organizations, human rights defenders, the media, IDP organizations, victims of human rights abuses and trade unionists.

The mission's final report will be available on March seventh prior to Colombia's Congressional elections. The goal is for the report to serve as a catalyst for the electoral authorities and civil society to investigate and take steps to minimize the electoral risks found in the report prior to the conclusion of the 2010 electoral cycle.

The international mission relied upon the support of the Electoral Observation Mission (MOE), at the national and regional level. It is worth noting that the MOE has done the important work of identifying and systematizing electoral risks since 2006. As an independent entity and working in conjunction with MOE, our purpose is to strengthen democracy and generate conditions so that citizens can fully exercise their political rights in Colombia.

Our mission would like to share some preliminary findings that we found as a group and that came to our attention during the various visits we undertook to the different regions:

Human Rights Violations Are an Electoral Risk

The protection of human rights, as well as effective justice in such cases are key to ensuring that voters can fully participate in a democracy in a transparent, free and informed manner. The mission would like to express alarm over the human rights situation in the country and the grave violations of these rights on the part of

legal and illegal armed groups and narco-traffickers to life in Antioquia, Santander, Córdoba and Valle del Cauca. In our visits, we found that levels of violence remain high especially among vulnerable populations including youth, women, Afro-Colombians, Indigenous, internally displaced, LGBT and poor persons. In addition to selective assassinations, the mission was informed by diverse sources that a new modality of forced disappearances has taken hold in order to not influence the official murder statistics. This violence and impunity in these cases greatly prevent citizens from trusting the authorities. It leads many voters to decide not to participate in the electoral process.

In certain regions like Barrancabermeja and Buenaventura, the mission was informed that despite an increase in police and military personnel on the ground, that citizen confidence in the authorities has not been achieved and that despite their presence homicides continue to take place. In the case of youth, indigenous and afro-descendants this is explained by the stigmatization that such groups receive from multiple sides and their being branded as “undesirables.” This stigmatization leads to a climate where in some cases steps are not taken to clarify crimes committed against such persons.

In various regions of the country, civil society organizations insist that the groups that demobilized continue to act against the civilian population. They note that an open strategy exists on the part of these groups to persecute leaders of Afro-Colombians, indigenous, rural farmers, trade unionists and human rights defenders and their organizations. Persons interviewed denounced cases of selective assassinations, extrajudicial executions and forced disappearances among the leaders of these groups.

In areas visited, officials claim that the paramilitary groups have demobilized and that they no longer exist. They state that such groups’ remaining structures are mainly fed by narco-trafficking and that such structures are not fully formed. Also they state that violence perpetrated by such structures is isolated. The civilian population in the same regions report concerns about these groups’ presence and territorial control. The analysis made by civilians regarding criminal groups in process of consolidation, is shared by some officials who work on these issues who preferred to remain anonymous for fear of possible reprisal for reporting this point of view.

Internal displacement and confinement (persons unable to freely move from their territories due to restrictions imposed by the legal and illegal armed groups) are two situations that the groups found in all regions visited. Some of the local authorities expressed concern by how slow the national government was in recognizing the status of many internally displaced citizens and their lack of attention to this population. In addition to becoming internally displaced, many of these persons are faced with stigmatization and having to confront many institutional obstacles to their rights to protection, humanitarian assistance and access to public services. Many interviewed noted that the period granted for the internally displaced to register their identity documents so that they could vote was too short.

Fear and Freedom of Expression

As a general constant fear is present in all spheres of Colombian society and serves as a factor that clearly inhibits Colombia’s free voting process and the ability to have open debates concerning the elections. Persons interviewed reported fear of reprisals if they voted for certain candidates, fear of transiting freely in certain geographical areas and fear of implementing opposition campaigns.

Furthermore, fear is greatly felt on the part of the media and affects their profession and their ability to freely inform the general public. Independent journalists brought attention to the mission the fact that they receive threats against their lives and many pressures when they report on electoral crimes.

On the other hand, the political affinity that some media has with certain political parties leads many who work for those entities to self-censure. This leads to unequal coverage of the campaigns.

Electoral Crimes and Lack of Implementation of the Law of Guarantees

The participation in political campaigning on the part of public officials is a concern that was expressed by the different sectors interviewed. Political parties point out that there is open participation in campaigning for candidates on the part of Mayors, Governors and Council Members. This goes beyond simple political affinity and the mission heard claims of the public administration paying teams to support certain candidates and advisors to candidates following *Órdenes de Prestación de Servicios*.

All of the political parties consulted informed the mission that “other” parties or candidates were involved in buying votes, an electoral crime that forms part of the penal code in Colombian law. This practice is so frequent that citizens casually call it “tula millonaria” or TLC (tiles, bricks or cement) referring to when voters are paid for their votes with items.

In order to check if citizens voted for a determined candidate those who commit electoral fraud use methods such as carbon paper to verify where the ballot was marked, another method known as the carousel, cell phones and digital cameras.

According to community leaders and beneficiaries of the social programs run by the Colombian Agency for Social Action (Acción Social) candidates for the House and Senate have participated in meetings with beneficiaries where beneficiaries were informed that if they do not vote for them or the parties that support the national government that the subsidies they receive from the President’s office will be terminated. The mission finds it highly problematic reports of a lack of distance between the President’s office and the programs that are designated to help internally displaced and vulnerable populations in the country.

Distance between Citizens’ Reality and Actions Taken by Officials

The mission notes that there exist normative advances that would permit the strengthening of the electoral processes. However, there exists a huge distance between the views of the local populations and those of their authorities. While many persons and all the political parties informed us that the practice of buying votes with cash and utilizing other practices exist to restrict voters ability to decide freely on their vote exists. The local authorities state that they have not received any complaints of electoral fraud.

This situation signals to the mission that there exists a huge gap between the formal aspects of the society found in Colombian institutions and the daily reality of the general public. It also shows the lack of confidence that civilians have in their authorities which then translates into impediments to the official reporting of electoral crimes.

We found it troubling that many persons affirm that the principal reason as to why they do not report crimes is due to fear and impunity. Democracy is not limited to elections but to the confidence that exists between

citizens and their officials. This is built upon clear rules of engagement, transparency, impartiality and coherence between the mandates of the institutions and its practices.

Final Considerations

The international pre-electoral observation mission considers the tradition of participation in Colombia to be very important. It noticed in different parts of the country that Colombians have a strong capacity of citizens to organize and work toward collective civic actions in areas of defense and promotion of human rights. Also it noted a lot of citizen participation in projects and various issues. However, the persistent distrust in the electoral process and lack of basic guarantees in civic education and election monitoring is evident.

As such the mission considers that the work done by various citizen groups in terms of electoral observation that forms part of political processes that wish to change corrupt practices require the participation of more sectors and action on the part of the authorities.

The mission considers it vitally important that authorities take steps against electoral crimes. In particular, it should act in the “testaferratos electorales” where political structures that are seriously questioned due to illegal wrongdoings are finding ways to continue to operate by changing the names of political parties or supporting candidacies of their family members. While such practices are not illegal, they generate a create sense of illegitimacy in the democratic process and open up the opportunity that the Congress elected could be investigated and subject to the legal procedures that greatly affected the legitimacy and credibility of the actual legislature.

The final report will include our full recommendations and observations. The mission, however, would like to preliminarily highlight the need on the part of governmental authorities to strengthen the work of regulating, applying and monitoring of electoral norms. Authorities report a lack of resources to be able to implement their mandates. In any event, it is urgently important that steps are taken to eliminate the possibility of fraud and coercion of voters.

The strengthening of democracy and the construction of electoral processes that reap the rewards of having full confidence from its citizenry are only possible to the extent that Colombian society opens spaces for dialogue, transparency and an end to impunity in exchange for practices the current practices of exclusion, concentration of wealth and power. The current gaps in Colombian democracy range from gaining effective control of the elections themselves to resolving much deeper problems in this society including the internal armed conflict, violence, intimidation, discrimination and corruption.

The mission wishes to thank all of the civil society leaders, citizens, officials and local authorities for their support of our activities and the strong commitment for democracy that many sectors of Colombia have despite situations that make vulnerable the full exercise of liberty and fundamental human rights possible. For all the persons who guard hope that it is possible to bring about the changes that our societies need, we give you our solidarity. We believe like those persons that all change requires time and a joint decisive long term effort both our parts to achieve change. This is the important work that thousands of Colombians are already undertaking in their country.

Thank you.