

Colombia - Human Rights Scorecard ¹

Colombia, officially the Republic of Colombia, is a country located in South America. It gained independence from Spain in 1819. It is now the fourth largest economy in Latin America. The Colombian government recently reached a peace and reconciliation plan with insurgent groups to end a 50 year war – an asymmetric low-intensity armed conflict that began in the 1960s involving government forces, left-wing guerrilla groups and right-wing paramilitary groups.

Official languages: Spanish

Ethnic groups: Mestizo and White 86%, Black (includes Mulatto) 10.6%, Amerindian 3.4%, Roma 0.01%

Government: Unitary presidential constitutional republic

- President: Juan Manuel Santos

- Vice President: Germán Vargas Lleras

Death penalty: Abolitionist

Population: 47.2 million

Life expectancy: 75.7 years

Under-5 mortality: 14.1 per 1000

Adult literacy: 94.7 percent



Section 1: Respect for the Integrity of the Person

Respect for the integrity of the individual is the most fundamental of human rights groupings. It guarantees protection of the person to ensure the right to life, and freedom from torture. It also prevents arbitrary detention, and disappearances, and ensures the right to a free and fair trial when accused.

Freedom from arbitrary or unlawful deprivation of life



Largely disrespected ²

There have been several reports of security forces arbitrarily or unlawfully killing citizens in connection to the internal armed conflict during the year.

Freedom from disappearance



Largely disrespected ³

There are many reports of forced disappearances by security forces during the half-century conflict between the Colombian government and guerrilla groups.

Freedom from torture and other cruel, inhuman or degrading treatment or punishment



Largely disrespected ⁴

Although the law prohibits subjecting individuals to torture or other cruel, inhuman, or degrading treatment or punishment, there are credible reports of authorities mistreating or torturing detainees.

Freedom from arbitrary arrest or detention



Largely disrespected ⁵

Although the law prohibit arbitrary arrest or detention, there are dozens of reports of Colombian authorities detaining citizens arbitrarily.

Freedom from denial of fair public trial



Respected ⁶

The law provides the right to an independent judiciary, and the government generally respects judicial independence.

Freedom from arbitrary interference with privacy, family, home or correspondence



Largely disrespected ⁷

The law prohibits interference with privacy, but government authorities engage in the illegal interception mail, e-mails, and also conduct the illegal monitoring of telephone calls.

Section 2: Respect for Civil Liberties

Civil liberties are a basic category of internationally recognized human rights. They include the freedoms of expression, assembly, association, education, and religion. These are inalienable rights which should not be breached by government, and should ensure the rights of all, including women and minority groups.

Freedom of speech and press (*Reporters Without Borders Press Freedom Index*)⁸



Score: 44.11, Rank: 134/ 180 – Highly controlled, limited or intimidated⁹

The law grants the freedom of speech and press, but there are many incidents of violence and harassment against journalists, many of whom have been violently killed. The government also influences the press through its advertising budgets.

Freedom from academic censorship



Respected¹⁰

There are not reports of the Colombian government restricting academic freedom.

Freedom of peaceful assembly and association



Partially respected¹¹

The law allows for the freedom of peaceful assembly and association, but there are laws making it illegal to participate in groups that rebel against the government, or that are accused of espousing violence, or carrying out acts of violence.

Freedom of religion



Respected¹²

The constitution provides for freedom of religion and the right to profess one's religious beliefs. The government generally respects these freedoms.

Protection of refugees and stateless persons



Partially respected¹³

The law provides for the granting of asylum or refugee status. However, since 2009, Colombia has only approved a small number of the 1410 applications for refugee status.

Overall protection of civil liberties (*FreedomHouse Civil Liberties Index*)^{14 15}



4/ 7 – Partially free¹⁶

Despite laws protecting the freedom of speech and press, many journalists are killed for reporting on drug trafficking and corruption. In addition, the government largely fails to protect threatened human rights workers.

Section 3: Respect for Political Rights

Political rights ensure all members of society are able to influence the political process. The assessment of political rights includes an examination of the electoral process and the selection of representatives, the political empowerment of the general public, the tolerance of dissent, the accountability of government, etc..

Overall protection of political rights (*FreedomHouse Political Rights Index*)¹⁷



3/ 7 – Partially free¹⁸

The 2014 legislative and presidential elections were relatively peaceful, although the former was plagued by accusations of fraud, vote buying, and connections with criminals. Corruption scandals have emerged in recent years within an array of federal government agencies.

Section 4: Corruption and Lack of Transparency in Government

The civil, political, economic and social rights exercised within a country are often modulated by the degree of transparency and freedom from corruption. Various international metrics assess transparency and corruption, including the OECD anti-bribery convention, the Bribe Payers Index, and the Open Budget Index.

Transparency and freedom from corruption (*Transparency International Corruption Perceptions Index*)¹⁹



Score: 37%, Rank: 83 / 168 – Highly corrupt²⁰

Corruption is high in multiple levels of public administration, largely due the influence of drug-trafficking revenue.

Section 5: Governmental Response to Criticism

This section deals specifically with the response heads of state have to civil society or international human rights reports.

Governmental attitudes vis-à-vis independent investigations of alleged human rights violations



Partially respected²¹

International and domestic human rights organizations operate with little restriction from the government. However, some activists feel like the government does not take threats of violence against NGOs seriously.

Section 6: Discrimination and Societal Abuses

Legal and social discriminatory practices related to sex, race, creed or sexual orientation, are violations of human rights. Countries with strong civil liberty traditions should have a fair legal system that ensures the rule of law, allows free economic activity, and ensures equality of opportunity for all.

Rights of women (World Economic Forum Gender Gap Index)²²



Score: 71%, Rank: 53 / 142 – Somewhat unequal rights²³

Women's participation in the labour force and educational attainment are in need of improvement. In addition, women in Colombia face systematic sexual violence by illegal armed groups.

Rights of Children (KidsRights Index Overall Score)²⁴



Score: 81%, Rank: 60/ 165 – Protected²⁵

Children's rights are generally protected under Colombian law, although child abuse and sexual exploitation of children remain serious problems.

Rights of persons with disabilities



Largely disrespected²⁶

Persons with physical and mental disabilities are protected from discrimination under the law. Individuals with sensory or intellectual disabilities are not granted equal rights in employment, education, air travel and other transportation, access to health care and other government services.

Rights of national/racial/ethnic minorities (e.g. discrimination, Islamophobia, anti-Semitism etc.)



Largely disrespected²⁷

Afro-Colombians and indigenous groups face significant social and economic discrimination. The Jewish community also reports cases of anti-Semitism on social media sites.

Freedom from abuse and discrimination based on sexual orientation or gender identity



Largely disrespected^{28 29}

There are reports of police abuse against individuals due to sexual orientation or gender identity. Transgender individuals report being discriminated against by health-care providers and police officers.

Section 7: Workers' Rights

Workers' rights are a group of legal rights relating to labour relations between workers and their employers. At their core are things like the ability to negotiate pay, benefits, terms of employment, and safe working conditions. These rights often devolve from the right to unionize and access to collective bargaining.

Rights to freedom of association and to collective bargaining



Partially respected³⁰

The law provides the rights for workers, except police, military personnel, and other categories of workers, to form and participate in unions, organize legal strikes and bargain collectively. However, the government does not properly address violence against unions and workers.

Freedom from forced or compulsory labour



Largely disrespected³¹

Colombian law prohibits all forms of forced or compulsory labour, but the government does not effectively enforce the law. Afro-Colombians, indigenous Colombians, and members of other marginalized groups are at the highest risk of forced labour.

Freedom from forced labour for children, and a minimum age of employment



Largely disrespected³²

The law sets the minimum age of employment at 15 for nonhazardous work and 18 for hazardous work. However, the informal and illicit sectors still employ children as young as five, many of whom do not receive payment.

Right to acceptable conditions of work



Respected³³

The law provides for workers' occupational safety and health in the formal sector. In instances of violations, authorities generally protected employees in these situations.

Right to employment



10.5% - High unemployment³⁴

The unemployment rate in Colombia is high but is expected to decrease in the upcoming years.

¹ A hybrid human rights and freedoms model, leveraging both legal principles and intuitive classifications, has been used for this human rights assessment. The CJPME Foundation has sought to integrate as many independent sources and metrics into its summary analysis as possible. In many cases, for qualitative material pertaining to the respect for a particular right in a country, the CJPME Foundation has drawn on material from Human Rights Watch and the US State Department country reports. Human Rights Watch (HRW) publishes a World Report which assesses the respect for human rights in each country. HRW uses a methodology of local reporting and interviewing, combined with research and analysis to assess the level of respect of human rights. The U.S State Department keeps an updated publication on the state of human rights internationally. Their system of research and accountability draws from the research of official US State Department officials, as well as local civil-society and international human rights organizations.

² "Country Reports on Human Rights Practices for 2015 Colombia." U.S Department of State. January 1, 2016. Accessed November 17, 2016.

<http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#wrapper>.

³ Ibid. U.S Department of State. For purposes of the present analysis, a "disappearance" is different than simple arbitrary detention because a "disappearance" is considered permanent.

⁴ Ibid. U.S Department of State.

⁵ Ibid. U.S Department of State.

⁶ Ibid. U.S Department of State.

⁷ Ibid. U.S Department of State.

⁸ The Press Freedom Index published by Reporters Without Borders ranks the level of freedom of information in 180 countries. This is determined through the polling of local NGOs and freedom of expression civil society organizations across the globe. This index is also determined by local correspondents and follow-up work done on reports of infringement to press freedom where ever it takes place. Their methodology looks at six different indicators: 1) Media pluralism, 2) Media independence, 3) Media atmosphere and self-censorship, 4) the Law around media, 5) Media transparency, and 6) Media infrastructure. The score from these six indicators is combined with a rating for the violence against journalists in the country to create an overall score. The CJPME Foundation classifies the Press Freedom Index as follows: 0 – 14.99 (16 countries), Largely free, diverse and independent; 15 – 24.99 (37 countries), Mostly free, diverse and independent; 25 – 29.99 (31 countries), Partially free, diverse and independent; 30 – 39.99 (39 countries), Partially controlled, limited or intimidated; 40 & higher (57 countries), Highly controlled, limited or intimidated.

⁹ "World Press Freedom Index." Reporters Without Borders: For Freedom of Information. January 1, 2016. Accessed November 17, 2016.

<https://rsf.org/en/colombia>

¹⁰ "Country Reports on Human Rights Practices for 2015 Colombia." U.S Department of State. January 1, 2016. Accessed November 17, 2016.

<http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2015&dliid=253027#wrapper>.

¹¹ Ibid. U.S Department of State.

¹² "Colombia." International Religious Freedom Report for 2015 Colombia. January 1, 2016. Accessed November 17, 2016.

<http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm#wrapper>.

¹³ "Colombia." World Report 2014: Colombia. January 1, 2015. Accessed November 17, 2016. <http://www.hrw.org/world-report/2016/country-chapters/colombia>.

¹⁴ Freedom House is an internationally recognized NGO based in the U.S which documents and rates the quality of democratic practice in a given country. Freedom House splits its grading system between the two areas of civil and political rights in a country. On each scale, the Freedom House rating is 1-2.5 (free), 3-5.5 (partly free) and 6-7 (not free).

¹⁵ Freedom House's Civil Liberties index measures things such as a) freedom of expression and belief, b) associational and organizational rights, c) the rule of law, and d) personal autonomy and individual rights. Freedom House rates countries as 1-2.5 (free), 3-5.5 (partly free) and 6-7 (not free). Accessed Nov. 17, 2016

https://www.freedomhouse.org/report/freedom-world-2014/methodology#_VldwWzHF98F

¹⁶ "Colombia." Freedom in the World 2016: Colombia. January 1, 2016. Accessed November 17, 2016. <https://freedomhouse.org/report/freedom-world/2016/colombia>.

¹⁷ See footnote about the Freedom House organization above. The Freedom House Political Rights assessment looks at a) the electoral process, b) political pluralism and participation, and c) the functioning of government. Accessed November 17, 2016 https://www.freedomhouse.org/report/freedom-world-2014/methodology#_VldwWzHF98F

¹⁸ "Colombia." Freedom in the World 2016: Colombia. January 1, 2016. Accessed November 17, 2016. <https://freedomhouse.org/report/freedom-world/2014/colombia-0#.VIHLzGG9e8>.

¹⁹ Transparency International (TI) publishes a "Corruption Perceptions Index" annually, which is based on independent research and polling. The main categories of corruption are broken down within the index to provide particulars on issues including things such as perceptions of corruption, control of corruption, and financial secrecy. A country receives a score on 100; the higher the score, the less corrupt the society. The CJPME foundation has classified them into categories as follows:

80-100 (11 countries): Very limited corruption; 60-79 (27 countries): Limited corruption; 40-59 (41 countries): Some corruption; 20-39 (80 countries): Highly corrupt; 0-19 (15 countries): Extremely corrupt

²⁰ "Colombia." Corruption by Country. January 1, 2015. Accessed November 17, 2016. <http://www.transparency.org/country>.

²¹ "Country Reports on Human Rights Practices for 2013 Colombia." U.S Department of State. January 1, 2015. Accessed November 17, 2016. <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#wrapper>.

²² This metric is based on the World Economic Forum's Gender Gap Index. 0.00 denotes inequality between the sexes, and 1.00 denotes fully equality between the sexes. This index looks at four subdomains: economic participation and opportunity; educational attainment; health and survival; and political empowerment. Each country is given a percentage score; the higher the percentage, the better the protections. The CJPME Foundation classed the percentages as follows: 80-100% (5 countries): Almost equal rights; 70-79% (60 countries): Somewhat unequal rights; 0-69% (77 countries): Very unequal rights

²³ "Colombia." World Economic Forum. January 1, 2014. Accessed November 17, 2016. <http://reports.weforum.org/global-gender-gap-report-2014/economies/#economy=ZMB>.

²⁴ This metric is based on the KidsRights Index Overall Score. This index has five subdomains: life expectancy and maternal mortality; health; education; protection; and child rights environment. Each country is given a percentage score; the higher the percentage, the better the protections. KidsRights classes the countries according to these percentages, and the CJPME Foundation has given each class a term as follows: 70-100% (77 countries): Protected; 60-70% (29 countries): Somewhat protected; 45-50% (33 countries): Slightly vulnerable; 30-45% (12 countries): Highly vulnerable; Lower than 30% (11 countries): Extremely vulnerable

²⁵ "The KidsRights Index: Overall Ranking." The KidsRights Index. Accessed November 17, 2016. <http://www.kidsrightsindex.org/>

²⁶ "Country Reports on Human Rights Practices for 2015 Colombia." U.S Department of State. January 1, 2013. Accessed November 17, 2016. <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#wrapper>.

²⁷ Ibid. U.S Department of State.

²⁸ "ILGA World Map." International Lesbian Gay and Intersex Association. January 1, 2015. Accessed November 17, 2016. <http://ilga.org/>. See also Ibid. U.S Department of State.

²⁹ ILGA, the International, Lesbian, Gay, Bisexual, Trans and Intersex Association, was founded in 1978 on the principle of highlighting state sponsored homophobia where it exists around the world. ILGA annually publishes a map with an accompanying report on sexual and gender based harassment, which focuses on both the legal and non-legal acts of state sponsored discrimination.

³⁰ "Country Reports on Human Rights Practices for 2015 Colombia." U.S Department of State. January 1, 2016. Accessed November 17, 2016. <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#wrapper>.

³¹ Ibid. U.S Department of State.

³² Ibid. U.S Department of State.

³³ Ibid. U.S Department of State. See also a well-done Wikipedia comparison of wage, income and work week metrics across countries at http://en.wikipedia.org/wiki/List_of_minimum_wages_by_country

³⁴ "Global Employment Trends." International Labour Organization. January 1, 2013. Accessed November 17, 2016. http://www.ilo.org/global/research/global-reports/global-employment-trends/2014/WCMS_233936/lang--en/index.htm.