

ELECTIONWATCH

COLOMBIA



Colombia Pre-Election Watch: May 2010 Presidential Election

Only four months ago there was a strong sense among Colombians, as well as among the international community, that President Alvaro Uribe would likely carry his presidency to an unprecedented third term, a step that would have necessitated amending the country's national constitution. Certainly within President Uribe's party, *Partido de la U*, there was strong support for a national referendum to drive such an amendment. And while general popular support for an Uribe third term measured less than the president's steady job-approval figures of approximately 75 percent, a majority of Colombians in 2009 favored the notion of an extended term limit for their president.

Certainly the phenomenon of extended presidential term limits is nothing new in Latin America. In Venezuela, Bolivia, Ecuador, Costa Rica and Nicaragua, presidential terms limits have been extended via referendum, redrawn constitutions, or in the case of Nicaragua, via a judicial nullification of existing constitutionally-mandated limitations. In all of these cases, there have been critical questions regarding democratic balance of power, and the strength (or lack thereof) of judicial, legislative and constitutional institutions intended to check and limit the power of the executive branch.

In Colombia, the push for an Uribe third term was strongly backed by his party supporters while the president himself remained ostensibly non-committal to the prospect of remaining in office. However, President Uribe certainly did not discourage his *Partido de la U* from conducting a 2009 petition drive for a third term referendum, one which their activists say obtained more than seven million signatures. As 2009 drew to a close, Colombians patiently waited to know how Colombia's Constitutional Court would evaluate the legality and constitutionality of that drive and the anticipated referendum, one which would have likely taken place close to the country's March 2010 congressional contests.

Throughout the Americas, anxiety and speculation grew over a potential third term, as many analysts wondered how this would ultimately reflect on the strength of Colombia's democratic institutions, and how Uribe would have differed, if at all, from autocratic populists in the region. In November 2009, the President of the Nicaraguan Supreme Court, Francisco Rosales defended Daniel Ortega's bold attempts to remain in power by citing the case of Colombia, essentially stating that "what is ok for Colombia and Uribe [should be] ok for Nicaragua." How Colombia's democratic institutions would be judged against the likes of Nicaragua, Venezuela and Bolivia would soon be known via the country's nine-member Constitutional Court.

On February 26, 2010, the court announced a stunning decision in which it declared the referendum-signature campaign unconstitutional, thereby defeating any chance of a term-limit amendment in the Colombian Congress. Alvaro Uribe immediately signaled his respect for that decision. Whether President Uribe wanted to remain in office became

inconsequential as Colombia's judicial system proved to be the strong, independent institution on which the country's governance and rule of law depended.

While many Colombian pundits, analysts and editorial boards have debated whether any leader besides Alvaro Uribe can continue driving that country towards peace, security, social stability and economic prosperity, the court rightfully showed that maintaining strong institutions outweighed those concerns.

The Campaign

On May 30 Colombians will vote for a successor to Alvaro Uribe. While the field of viable candidates is large, polling suggests that two candidates are far outrunning the rest of the pack: Former Bogota mayor Antanas Mockus of the Green Party, and former Defense Minister Juan Manuel Santos of the *Partido de la U*. Other significant candidates include former Ambassador (United Kingdom) Noemi Sanin of the Conservative Party, Rafael Pardo of the Liberal Party, Senator Gustavo Petro of the *Polo Democratico*, and former Senator Herman Vargas of *Cambio Radical*, a party once aligned with Uribe.

Recent polling indicates that both Mockus and Santos have support in the range of approximately 32 to 38 percent, while nearly all of the opinion studies show a statistical tie between the two candidates. It is likely that neither candidate will break the 50 percent vote threshold needed to avoid a run-off election, and will face each other on June 20. In head-to-head polling Mockus holds a five-point lead over Santos, although that gap has narrowed from double digits two weeks ago. Because several viable candidates remain in the race, more than 10 percent of the electorate consider themselves undecided for the run-off. This percentage of undecided voters could ultimately create 'spoilers' out of candidates Sanin and Vargas.

Mockus and Santos do not significantly differ on their security and national defense policies, although public opinion polls suggest that Santos, a former defense minister, is seen as more likely to follow President Uribe's successful security strategies, as well as his regional foreign relations approach. Their approaches towards the economy and market-friendly policies do not differ significantly, except on the issue of taxes. The former Bogota mayor and university professor, a trained mathematician, is also vowing to implement new tax codes which he says are more equitable, while increasing government revenue and social spending, and improving education.

Santos' platform centers on building the country's delicate infrastructure and creating jobs, especially through tourism. Additionally, he has vowed to fight corruption and improve education for the country's 44 million citizens. Santos' strength is his experience with security and, to many, the likelihood that he will continue carrying out the agenda of his predecessor, President Uribe.

Antanas Mockus has positioned himself in the campaign as the anti-establishment candidate, one that is poised to 'clean up' government corruption and close the dark chapter of the so-called "*para-politica*" scandals in Colombia. Mockus is a popular figure among the intellectual elite and draws strong support and enthusiasm, especially from the younger generation of voters. Over the course of the campaign, these youth have generated interest and momentum through innovative and spirited means - the challenge for Mockus will be to parlay this activity into strong youth turnout on Election Day. To his credit, Santos has also

utilized non-traditional campaign tactics, relying heavily on social media such as Facebook and Twitter.

In March, congressional elections were held throughout the country. Santos' *Partido de la U* were mainly viewed as the overall winners, capturing more than 25 percent of seats in the lower chamber and 25 percent of seats in the Senate. Santos, of course, is hoping that the momentum in those elections will carry with him on May 30 and, again, on June 20.

Many election analysts and observers noted several flaws in those elections, both during the campaign and on Election Day. Among the cited problems were allegations of widespread vote-buying, illicit financing and voter intimidation, as well as problems with the aggregation of tabulations and the distribution of results. While many of those issues are still being investigated, Colombian election officials are hoping to improve the system and campaign environment for May 30. Unlike several Latin American neighbors, Colombia welcomes international and domestic observations of its elections, and has openly confronted any criticism surrounding electoral management and administration. Especially if the races are as close as the polls predict, strong execution and close observation will be essential keys to a result which is honored by Colombians.

The next President of Colombia will soon be confronted with challenges related to para-politics, internal displacement, endemic corruption, coca eradication and counter-drug policy, para-military demobilization, and of course the ongoing counter-insurgency against the FARC (Revolutionary Armed Forces of Colombia) terrorist guerrillas. No matter who is victorious on May 30, however, Colombia has already demonstrated through these elections that it has come a long way from a near failed-state in the early 1990s, to a growing, diverse democracy which is built on a rule of law and a respect for institutions.

IRI in Colombia

The International Republican Institute (IRI) has worked in Colombia to strengthen political parties and democratic processes since January 2006. IRI's current program has four principal components: fostering issue-based and representative political parties; building the capacities of key constituent groups, such as Afro-Colombians, to influence politics and governance; strengthening the national congress's ability to more effectively represent constituents, and; promoting good governance at municipal and district levels.

IRI's work with Colombia's national congress promotes an emphasis on constituent services. With IRI support, Colombian senators and deputies are strengthening their capacity to develop legislative reforms and deliver that respond to citizens' needs.

Additionally, IRI has focused on strengthening constituent groups such as the Afro-Colombian Caucus. Afro-Colombians comprise perhaps as much one-quarter of the country's 45 million people, yet they remain among the most marginalized and vulnerable groups in society. To help Afro-Colombians gain a stronger voice in their government, IRI supports the Afro-Colombian Caucus in the National Congress and enables the legislators to present a unified voice for Afro-Colombian interests on the national stage to better represent this important constituency.

IRI also has a multifaceted good governance program that spans several regions of the

country. Working primarily at the municipal level, IRI advances the concepts of administrative organization, problem-solving policy development, governmental transparency, efficient service delivery and building closer connections with constituents.



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