



EUROPEAN PARLIAMENT

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**DELEGATION TO OBSERVE THE ELECTIONS IN COLOMBIA
ON 28 MAY 2006**

Report by Mr Fernández Martín, Chairman of the delegation

25 to 29 May 2006

Annexes: Press release
 List of participants
 Programme

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I - INTRODUCTION

On 6 April 2006, the Conference of Presidents decided to send a delegation of seven MEPs, chosen by the d'Hondt system, in order to observe the presidential elections in Colombia.

The groups appointed the following Members: Fernando Fernández Martín (PPE-DE), Laima Andrikienė (PPE-DE), Zbigniew Zaleski (PPE-DE), Antonio Masip Hidalgo (PSE), Emilio Menéndez del Valle (PSE), Arūnas Degutis (ALDE) and Willy Meyer Pleite (GUE/NGL).

During the inaugural meeting of the delegation held on 3 May 2006, Mr Fernando Fernández Martín was appointed chairman.

During the delegation's preparatory meeting on 17 May 2006, the delegation members discussed and agreed a preliminary schedule of information meetings prior to the elections.

For the election day, it was decided to divide the members of the delegation into three groups, which would visit different areas. The cities chosen were Bogotá (two groups) and Medellín (one group).

An initial plan was agreed for the composition of the groups based on preferences expressed by the members, languages spoken and their experience in observing elections.

II. INTERNAL SITUATION IN COLOMBIA

The political situation in Colombia has been dominated by armed conflict for 40 years. This conflict has profound repercussions for political, economic and social life in the country. The following forces are currently involved in the conflict:

- FARC-EP: Revolutionary Armed Forces of Colombia.
- ELN: National Liberation Army.
- AUC: United Self-Defence Forces of Colombia (paramilitaries)

The funding for these forces comes from illegal sources such as drug trafficking kidnapping, extortion and the 'revolutionary tax'. They currently hold more than 3 000 kidnapped people, including former members of parliament and former governors, the former presidential candidate Ingrid Betancourt and dozens of police officers and soldiers.

One of the greatest difficulties in putting an end to these terrorist organisations lies in their huge financial resources, which enable them to pay their members large salaries and have the most modern military equipment.

The European Union has included the FARC (June 2002), the AUC (May 2002) and finally the ELN (April 2004) on the list of terrorist organisations.

Former President Andrés Pastrana, who won the 1998 elections, tried to hold peace talks with the guerrilla groups, according to a system establishing a 'demilitarised zone', which were real areas of similar size to a small European country in which peace talks were held, in which the State did not exercise its sovereignty and which the army did not enter.

When Andrés Pastrana saw that the negotiations were not producing practical results, and the kidnappings and terrorist activities were actually continuing, he decided to suspend the talks in February 2002. The only positive result was a humanitarian exchange of prisoners.

The Partido Conservador (Conservative Party) did not put forward a candidate for the 2002 presidential elections. The two main candidates both emerged from the ranks of the Partido Liberal (Liberal Party): Horacio Serpa, the party's leader, and Álvaro Uribe, an independent liberal dissident, noted for his demands for 'citizens' solidarity with the armed forces', who made re-establishing the authority of the state the central plank of his electoral platform.

Although the country had over three million unemployed, the economy played little part in the electoral debate, which was dominated once again by violence. The failure of President Pastrana's policy pushed Álvaro Uribe into first place, with his demands for a strong-arm solution. All the candidates knew that Álvaro Uribe was elected in the first round on 26 May 2002 with 53% of the votes for a four-year term, which began on 7 August 2002. According to international observers, voting proceeded without major disruptions, despite acts of sabotage and fighting between guerrillas and paramilitaries, who were responsible for around ten murders.

The independent candidate Álvaro Uribe was the first Colombian President ever to be elected in the first round, and he also broke with the traditional rotation of the presidency between the two main parties (Liberals and Conservatives). The European Union congratulated the new President on his taking office, and called on him to start talks with the armed groups once the necessary conditions had been met.

The main objective of the programme of President Uribe's Government during its first term was firstly to re-establish the authority of the state and the credibility of the institutions, as well as to intensify the fight against drugs and to take military action against the armed groups which thrive on illegal drug crops and drug trafficking, through what was called the 'democratic security' policy.

The first government decree adopted provided for the creation of a new property tax in order to fund increases in the size of the army and the police.

The Government has tried to promote a rapprochement with the three terrorist organisations, imposing as sole condition the ceasing of hostilities, and has not agreed to the creation of large demilitarised zones like the previous Government.

As part of his democratic security policy, President Uribe gained approval from the Congress in June 2005 for the Justice and Peace Law.

Human rights groups and some members of Congress have expressed their concern on many occasions regarding the Justice and Peace Law. So far around 30 000 paramilitaries have laid down their arms, including some of the most notorious commanders. Although their military structure is being dismantled, their criminal networks remain active in some parts of the country. There are, however, some objections to this law, which are being considered by the appropriate Colombian institutions. The Organisation of American States is responsible for checking whether the number of weapons handed over corresponds to the number of people being disarmed.

Eight appeals were lodged against this law before the Colombian Constitutional Court on the grounds that it was unconstitutional. In May 2006, in ruling C370, the Constitutional Court declared Law 975 of 2005 (Justice and Peace Law) to be enforceable, with modifications summarised in eight points. The Court also endorsed alternative sentencing and protects victims' rights. This decision means that now paramilitaries who wish to benefit from this law must issue a true and complete confession of their crimes and make actual reparations to their victims. The fundamental point is that those with serious convictions may not benefit from the law.

As far as the guerrillas are concerned, the Colombian Government's High Commissioner for Peace, Luis Carlos Restrepo, held talks with Francisco Galán, the spokesman for the National Liberation Army (ELN), the second extreme left-wing guerrilla group in Colombia, and they began exploratory talks in Havana on Friday 16 December 2005. The two men signed a joint statement expressing their desire to move forward with the peace process. The ELN declared a ceasefire during the electoral period. The FARC have not responded to any of the proposals made by the Government, especially the proposal to facilitate a humanitarian agreement for the release of kidnap victims.

At the end of his first term, support for President Álvaro Uribe remained high, and was estimated at around 70%.

The President succeeded in reforming the Constitution in order to be able to be re-elected for a second term in the elections on 28 May 2006.

During President Uribe's term of office, a reform of the electoral law was also approved, which would reduce the number of political parties from 60 to no more than 10.

As far as the economy is concerned, since the election of Álvaro Uribe as President in 2002, the military successes against the guerrillas and paramilitaries, the implementation of an economic recovery policy and the advantage of a favourable external climate have allowed Colombia to re-establish sustained growth, which is estimated at more than 4% in 2005, which is unprecedented since the financial crisis of 1998/99.

Owing to the rise in interest rates, this recovery has made public a reduction in the public debt to 40% of GDP in 2004 and the early repayment of various loans in currency taken out between 1998 and 2000 at very high interest rates. In 2005 exports increased by 27% in relation to 2004.

Colombia benefited greatly from the Community generalised system of preferences (GSP) (and from the special scheme for countries fighting drug trafficking) although recently the exclusion of coffee and bananas has reduced the relative importance of the GSP. Colombia is also a major supporter of regional integration and of free trade agreements with MERCOSUR and the EU and bilateral free trade agreements with the USA.

Unfortunately, the recent instability in the Andean Community (CAN) has not allowed negotiations to take place at present with the European Union regarding an Association Agreement. Colombia signed the Free Trade Agreement (FTA) with the United States on 27 February 2006. President Uribe will now have to convince the opposition and the Colombian people that in general terms the Treaty signed with the United States will benefit the country's economy, despite the concessions made on agricultural issues. In televised statements after the Treaty was signed, Álvaro Uribe promised that a specific programme aimed at farmers would minimise the possible negative consequences for agriculture. Some sectors of the economy, such as poultry, rice and maize producers, are strongly opposed to the FTA, as they fear that they will be ousted by subsidised US imports.

III. INSTITUTIONAL FRAMEWORK

1. Executive, legislative and judicial power

Colombia is virtually the only country in Latin America that has enjoyed relative constitutional stability throughout its history. In 1991, a Constituent Assembly adopted a new Constitution, replacing the previous one, which was a hundred years old. The main changes were intended to guarantee the representation of minority groups within the political system, modernise the judiciary and limit the powers of the executive by restricting possibilities for governing by decree.

In Colombia, the President is the Head of State and the Head of the Government. He is also the supreme administrative authority and the Supreme Commander of the Armed Forces. The President is elected for a four-year term and may be re-elected only once, in accordance with the constitutional reform established in Legislative Act 02 of 2004.

The legislative power is the Congress, which is made up of two houses:

- The Senate, which has 100 members elected by national constituencies, and 2 senators elected by the indigenous communities;
- The House of Representatives, elected by each department and the Capital District of Bogotá. In total, 166 representatives are currently elected to the House.

The senators and representatives in the House are elected by popular vote for 4 years. As well as the central authority there are 32 departments and more than 1 000 local authorities governed by governors and mayors respectively, who are elected for a four-year term. The Constitutional Court and the Supreme Court head a judiciary which enjoys considerable prestige, and which is seen as independent of the other state bodies.

2. Electoral Organisation

According to Article 120 of the Colombian Constitution:

‘The Electoral Organisation consists of the National Electoral Council, the National Civil Status Registry and of the other bodies established by the law. They are responsible for the organisation of elections, their direction and supervision, as well as matters relating to personal identification.’

2.1 National Electoral Council (CNE)

The CNE is the highest-ranking electoral body and the ultimate authority in charge of inspecting and overseeing the entire Electoral Organisation. It also sets policy on the electoral processes that are the basis for strengthening democracy. The CNE is made up of nine members, who are elected for 4 years and may be re-elected once only since the Political Reform (Legislative Act No. 01 of 2003)¹.

‘The task of the National Electoral Council as the supreme authority of Electoral Organisation is to regulate and monitor compliance with the Constitution and the law on electoral matters and democratic participation; for the protection of the rule of law by the people, guaranteeing citizens the conditions to exercise their electoral rights and strengthening democratic participation in the country, by applying and issuing regulatory mechanisms that will allow it.’

2.2 National Civil Status Registry

‘The task of the National Civil Status Registry is to be responsible for the organisation and transparency of the electoral process, the appropriateness and reliability of the counts and election results, to contribute to the strengthening of democracy through its neutrality and objectivity and to promote social participation that requires the expression of the will of the people through electoral-type systems in any form. Also, at every legal event at which the civil status of persons must be recorded, it must promote and ensure the registration of those events, that their information is made available to whomever legally requests it, certification is made using the appropriate instruments established by the legal provisions and that it is guaranteed to be fully reliable and secure.’

¹ The political reform introduced by Legislative Act No. 01 of 2003 determined that in future the National Electoral Council will be elected by the Congress of the Republic in plenary from lists put forward by the parties or alliances using the D’Hondt method.

The Registrar is elected for 4 years and may be re-elected once only since the Political Reform (Legislative Act No. 01 de 2003)¹.

2.3 Information on the presidential elections

The election of the President and Vice-President may not coincide with another election, in accordance with Article 262 of the Political Constitution: the elections to the Congress of the Republic are also conducted independently. However, the elections for Governor and Departmental Assemblies, Mayors, District and Municipal Councils and Local Administrative Boards are conducted on the same day.

In accordance with Article 190 of the Political Constitution, the candidate obtaining an absolute majority (half of the votes plus one) wins the election. If there is a second round, the two candidates with the most votes from the first round take part in it and whichever one achieves a simple majority of the votes is elected. This second round takes place three weeks after the first-round vote.

In the 2004 legislature there was a constitutional reform that allowed immediate re-election of a president in Colombia, which was approved by means of Legislative Act 02 of 2004, which referred its regulation to a statutory law, which was processed, and in accordance with this constitutional mandate the Congress of the Republic passed Law 99 on 24 November 2005, following checking by the Constitutional Court, which is known as the Law on Electoral Guarantees.

By ruling C-1153 of 11 November 2005, the Constitutional Court declared that the current Law 996 of 2005 was fundamentally enforceable (sic).

The incorporation of re-election into the Colombian constitutional order, along with the connotation that it can be immediate, has generated a particular and foreseeable polarisation of the political forces between the sectors belonging to the Government coalition and the opposition.

2.4 Voting in the Colombian electoral system

This is a personal act of political will through which suffrage is exercised. It is a right and duty of citizens, and is a mechanism by which the people can participate in exercising their sovereignty. The Political Constitution states that in all popular elections citizens vote secretly in individual booths installed at each polling station, with numbered ballot papers printed on paper providing secrecy.

People acquire citizenship at 18 years of age and lose this right when they renounce their nationality; it may be suspended by a legal decision in the cases determined by law. People who have had their citizenship suspended may request its restoration. (Article 98 P.C.).

¹ The political reform introduced by Legislative Act No. 01 of 2003, states that the National Civil Status Registrar shall now be appointed by the presiding judges of the High Courts, by means of a competition on merit that will be regulated by the Law.

Active members of the armed forces are excluded according to Article 219 of the Political Constitution; consequently, they may not exercise the right to vote, according to the tradition of Colombia and other Latin American countries.

Voting hours are always between 8.00 a.m. and 4.00 p.m.

IV. THE 2006 ELECTIONS

1. Congressional elections

In these elections, which were held on 12 March, there was a crushing victory by the coalition of six parties that supports President Álvaro Uribe. This coalition won 61 of the 102 seats in the Senate and 165 seats in the House of Representatives.

This was a major setback for the Liberal Party, whose percentage of the vote dropped to 17%, compared with a more substantial 31% in the 2002 legislative elections. Turnout was around 40%, which was lower than normal, mainly due to fear that the FARC might violently interrupt the electoral process on the day of the elections. Since the beginning of March the guerrilla group has increased the number of attacks with a view to the presidential elections in May in order to undermine President Álvaro Uribe's security policy.

2. Presidential elections

2.1. Candidates

On 18 October 2005, the Constitutional Court authorised the Head of State, Álvaro Uribe, to run as a candidate for a second term, which until then Colombian Presidents had not been allowed to do. Recently the Electoral Guarantees Law entered into force, which establishes the rules for electoral campaigns. The media have deemed the requirements for a 'balance of information' to prevent the candidate in power from abusing his position to be excessive. Radio and television stations will have to issue a weekly report to the National Electoral Council. The State will also fund 80% of electoral expenditure, while the remaining 20% must come from private funds. Moreover, candidates supported by parties that obtain more than 4% of the vote in congressional elections may personally receive up to 1.7 million dollars.

It was predicted that the opposition would conduct a tough campaign, as it is unprecedented for an elected president to run for re-election. The Partido Liberal and the Polo Democrático Alternativo decided to hold open primaries in order to elect their candidates for the presidential elections.

The candidate for the Partido Liberal was Horacio Serpa, a traditional centre-left politician elected by a large majority. Serpa had already run for election in 1998 and 2002. On both occasions he lost, first to Andrés Pastrana (in the second round) and then to Uribe. This party is experiencing internal divisions between the centre-right and centre-left politicians. Since June 2005 the party has been led by the former President César Gaviria (1990-1994), former Secretary General of the OAS.

On 6 December 2005, the Polo Democrático Independiente (Independent Democratic Pole) and the Alternativa Democrática (Democratic Alternative) joined together to form the Polo Democrático Alternativo. Its candidate for the presidential elections was Carlos Gaviria. He beat his opponent, Antonio Navarro, by 70 000 votes (out of 1 160 000), although both candidates had agreed in advance that they would support the winner.

Álvaro Uribe had support for his re-election from the Partido Conservador (Conservative Party) and other new political forces (Cambio Radical (Radical Change), Partido de la U and other liberal groups).

The other candidates were Antanas Mockus of the Alianza Social Indígena (Indigenous Social Alliance), Enrique Parejo of Reconstrucción Democrática Nacional (National Democratic Reconstruction) and Carlos Rincón of the Movimiento Comunal y Comunitario (Community and Communal Movement).

2.2 The candidates' manifestos

Álvaro Uribe Vélez

The president-candidate has a variety of proposals on various themes. First of all, regarding the armed conflict, he wants to improve urban security, reduce deaths by anti-personnel mines, try 100% of crimes committed by guerrilla groups, paramilitaries and drug traffickers and step up campaigns for the security of citizens that encourage the people to report crimes, cooperate with the legal system and have more trust in the police force, as well as fighting for human rights. Regarding the economy he wants to conclude trade agreements with the European Union and Central America, strengthen relations with Asia and attract more direct foreign investment. On poverty, he wants to bring stability to displaced families, give subsidies and allocate land. On individual freedoms he says that he agrees with the recognition of hereditary rights and access to social security for homosexual couples, but not with granting them the right to marry or to adopt children. Finally he hopes to improve justice, education and health.

Carlos Gaviria

Carlos Gaviria's manifesto is entitled *Construyamos democracia, no más desigualdad (Let's build democracy, no more inequality)*. It is divided into two parts: the fight against inequality and building democracy. Regarding the armed conflict, the candidate acknowledges that there is internal social and armed conflict in the country. He sees peace as a value that goes beyond overcoming the internal conflict, which should create the conditions to overcome the culture of violence and establish social ways and methods of reconciling differences. On the economy, he is opposed to the FTA and, if it is ratified, will do everything he can to counteract its damaging effects and seek a renegotiation. On social matters his idea is to promote national industry, support SMEs and protect community and cooperative work, by strengthening the national production mechanism and the internal market and restricting imports of

products made in Colombia. Carlos Gaviria also tends to dislike the idea of multilateral credit bodes.

Horacio Serpa

He is once again standing as presidential candidate for the Partido Liberal (for the third time). He has reiterated his commitment to putting forward a government that will take into account the rights of minorities. Horacio Serpa does not think that the FTA, which is pending approval in the Colombian and United States congresses, is good for the country. He does not support extraditing members of armed groups that are outside the law who are in the process of negotiating with the Government. He is sure that the figures given by the National Government on the reintegration into society of members of armed groups that are outside the law are exaggerated. At the end of his term he would double the minimum wage, which he says is possible, but it depends on the economy. Regarding the armed conflict, Serpa says: 'I have the political will for a humanitarian agreement. On the day after I am elected President, I will start working with the international community, the Colombian authorities and the FARC in order to return people's loved ones who are currently in captivity.' The candidate also highlights job creation and developing health and education.

Antanas Mockus

The candidate for the Movimiento de la Alianza Social Indígena created a transverse manifesto. Each of the points involves respect for human rights, the presence of the State throughout the national territory, justice and the protection of democracy and the Constitution. Regarding the economy, Mockus wants to build a state that is capable of complying with and ensuring compliance with the law, asserting rights and duties, ensuring that public property and services are provided, and collecting fair taxes. On social matters, he wants greater productivity and thus greater wealth and more opportunities for wealth to be better distributed. In turn, greater fairness will increase capacity for consumption. Finally, the candidate considers that what should unite Colombians the most is that agreement on limits, options and procedures that is called the Constitution. It is the best agreement reached to date. And it is a developing agreement.

Enrique Parejo

Parejo's proposal is focused on fighting corruption, which he believes is the cause of a large proportion of the country's problems. The second may be poverty. Regarding the armed conflict, the candidate says: 'My government will act to secure peace, through dialogue with the armed insurgent groups. But it will not negotiate on impunity or a soft attitude to atrocities. Those responsible should suffer the toughest sentences.'

Carlos Rincón

Carlos Arturo Rincón's manifesto is entitled *Plan de Convivencia Democrática Nacional (Plan for National Democratic Coexistence)* and deals with two fundamental issues: peace and economic recovery. It proposes drawing up a new Constitution. This is related to his position on the armed conflict, as according to

Rincón, the basis for solving the conflict is a new Constitution drawn up by the representatives of all the Colombian classes. There should first be an unconditional release of all of those kidnapped in order to take part in this project. On the economy, in order to promote growth the FTA should be approved.

2.3 Meetings with the candidates

Meeting with Carlos Gaviria

The European Parliament delegation met the Polo Democrático candidate, Dr. Carlos Gaviria, on the morning of Friday 26 May.

During the meeting, at which the MEPs Fernando Fernández, Willy Meyer, Zbigniew Zaleski, Antonio Masip and Laima Andrikiene participated, the subjects of the electoral system and the FTA were discussed.

Mr Carlos Gaviria and Mr Samuel Moreno answered the questions put by the members of the delegation. They said that the Colombian electoral system was fragile and very vulnerable and that the presence of international observers would be a deterrent for any possible fraud. Dr Gaviria criticised the attitude of the AUC, who were inciting people to vote for Álvaro Uribe, and the lies about his own candidacy that were circulating on the Internet. The Polo Democrático candidate also referred to the deliberate exclusion of teachers as election officers, the need for witnesses to be present during the election and the possibility of moving polling stations that were in unsafe areas. Dr Gaviria also regretted the fact that the Polo Democrático did not have any representatives in the electoral bodies: the CNE and the Registry, and said he was prepared to accept the election results unless there was massive fraud. Regarding the FTA signed with the USA, the Polo Democrático candidate described the agreement as asymmetric, favouring American interests to the detriment of Colombian interests. For example, Colombian agriculture would not be able to compete with subsidised American agriculture. There would also be considerable repercussions on the health and education sectors.

Meeting with Álvaro Uribe

The European Parliament ad hoc delegation and all the international observers were received at an audience with the President of the Republic, Dr Álvaro Uribe and Ms Carolina Barco, Minister for Foreign Relations, on the afternoon of 26 May at Casa de Nariño.

At this meeting where there were more than one hundred guests, the President-candidate answered the questions and comments put to him by some of the international observers.

President Uribe welcomed the presence of the international observers, who were witnesses to the election and Colombian democracy.

Meeting with Antanas Mockus

The European Parliament delegation met Antanas Mockus at lunchtime on 27 May. He referred to the fact that the current presidential elections were an entirely new

event, as a result of the political reform that had changed the rules. He also talked about the importance of the media, which had not always respected the law regarding equal publicity time and the need to increase income from taxation, which was necessary in order to provide a more generous budget for education and culture, which were fundamental sectors. Finally, the Alianza Social Indígena candidate did not rule out the possibility of electoral fraud and said that the very favourable macroeconomic indicators could explain a possible victory by the candidate-President Álvaro Uribe.

Mr Antanas Mockus answered the questions put by the MEPs Fernando Fernández, Laima Andrikiienė and Arūnas Degutis.

Meeting with Horacio Serpa

The delegation held a meeting with the candidate Horacio Serpa on the evening of Saturday 27 May. The Partido Liberal candidate pointed out that in Colombia there had been frequent abuses of power, but recently this situation had changed through a new law. Álvaro Uribe was therefore following the tradition of Colombian autocratic government, by running to succeed himself. Dr. Horacio Serpa referred to the evils afflicting Colombian society: the guerrillas, paramilitaries and drug trafficking. Although they are not present in urban areas, the guerrillas and paramilitaries had an influence over rural areas. The leadership of the FARC, according to Horacio Serpa, was an armed political movement whose objective was to take power. The anachronism of there being a guerrilla army like this in Colombia in the 21st century was the result of the very considerable resources from drug trafficking. Security, which was the stronghold of the Uribe Government, was only visible in the media because the FARC, according to Serpa, were stronger than ever, and drug trafficking was thriving. He therefore believed that the only solution to the problem of the guerrillas was a political one. Regarding the paramilitaries, those who associated themselves with the peace process should not be extradited to the USA. Finally, Horacio Serpa said that he was confident of winning second place, taking into account the support for the Partido Liberal in the country. He also said that he would support any candidate opposing Álvaro Uribe in the second round and recognise the election results.

Dr Horacio Serpa thus answered the questions put by the MEPs Fernando Fernández, Emilio Menéndez del Valle, Willy Meyer and Zbigniew Zaleski.

2.4 Meetings with the electoral authorities

National Electoral Council (CNE)

The ad hoc European Parliament delegation met the Chair of the National Electoral Council, Dr Clelia América Sánchez de Alfonso and Dr Antonio Lizarazo, a judge and member of the CNE, on the morning of Friday 26 May. The CNE has 9 members, five of whom are nominated by the Partido Liberal, two by the Partido Conservador and two by minority parties, in accordance with their parliamentary representation.

The Chair of the CNE thanked the European delegation for its presence, which she considered to be very important. She then talked about the specific characteristics of these elections, in which illegal armed groups were exerting pressure on the electorate, and in which for the first time in the country's history, the current President was allowed to stand for immediate re-election. The electoral authority in Colombia was independent of all other authorities. Its bodies were the CNE and the Registry. The CNE regulated and ensured compliance with the Constitution and electoral law. It was also responsible for the overall monitoring of political parties, distributing space in the media and penalising any violations.

Finally, the CNE Chair said that the budget for the electoral campaign was 480 million pesos and that there was a possibility of funding for candidates who receive a minimum of 4% of the vote. Dr Clelia América Sánchez and Dr Antonio Lizarazo answered the questions put by the MEPs Fernando Fernández, Zbigniew Zaleski, Antonio Masip, Willy Meyer and Laima Andrikienė, on the register of electors, the electoral officers, moving polling stations and voting hours. In order to vote people must be on the register of electors and be registered at the polling station.

According to Dr Clelia Sánchez, the election officers were selected by the Registry through an electronic draw that took into account the lists sent by the parties, companies, universities, colleges and schools. Moving polling stations was a political measure aimed at protecting the right to vote in more dangerous areas. The length of voting time – eight hours – was laid down in the Constitution. The ad hoc EP delegation was interested in the problem of moving polling stations in some rural areas of the country, which had been criticised by Mr Gaviria, the Polo Democrático candidate. This problem was resolved to everyone's satisfaction.

National Civil Status Registry

The ad hoc European Parliament delegation met the Registrar, Dr Almabeatriz Rengifo at lunchtime on Friday 26 May. The Registrar welcomed the European Parliament delegation and explained the workings of her institution, which had technical responsibility for the electoral process. The Registry has 3 000 officers for a potential electorate of 26 731 700, of whom 318 000 are resident abroad. There would be 56 257 polling stations, 746 of which would be abroad.

Dr Rengifo answered the questions put by the MEPs Fernando Fernández, Willy Meyer, Antonio Masip and Arūnas Degutis. The army was also prepared to protect the security of 98% of the electoral territory. As the verification and modernisation of citizenship documents by electronic digitalisation would not be completed until 2009, there were currently three types of documents, which were equally valid. The State's budgetary difficulties meant that there could not be a higher budget for the presidential elections. The Registry had encouraged the electorate to vote through advertising in the media and granting benefits to potential electors. Regarding the selection of election officials, Dr Rengifo said that it was done by electronic draw and it was therefore not possible to ensure that there were officials at each polling station representing all of the political parties.

Finally, regarding moving polling stations, she said that the process was subject to certain legal requirements and was a result of the complex legal situation in the country.

2.5 Meetings with representatives of civil society

Political analysts

On the morning of Saturday 27 May, the European Parliament delegation attended a working breakfast with two well-known political analysts: Dr Elisabetta Ungar and Dr León Valencia. Dr Elisabetta Ungar highlighted the special characteristics of the May 2006 election campaign. In her opinion:

- for the first time there was the possibility of immediate re-election and the consequent change in the rules;
- there had not yet been a clear rejection by President Álvaro Uribe of the anti-democratic groups;
- the electoral campaign suffered from the absence of President Uribe from a televised debate;

She therefore proposed:

- that a new electoral code should be drawn up, taking into account the provisions of the 1991 Constitution;
- that the Law on the Parties in Congress should be adopted;
- that new regulations for Congress should be adopted;
- that the members of the CNE and the Registrar should be elected by Congress;
- that initiatives should be promoted to strengthen the political parties, so that they could regain the confidence of citizens and prevent them from abstaining;
- that there should be rigorous preparation for the 2007 elections to ensure that they were transparent and democratic.

Dr León Valencia discussed the special characteristics of the May 2006 elections:

- the fact that the possibility of an immediate re-election was entirely new;
- the possibility that the Colombian left could finally come out of marginalisation;
- the possibility that the Partido Liberal, which had been the majority party for 70 years, would be left as the third political force.

Dr Valencia pointed out that the Partido Liberal and the Partido Conservador had alternated in power for 50 years. This system had gone into crisis and become gradually worse with the appearance of guerrilla groups with a range of ideologies, the presence of drug trafficking cartels and finally the creation of the United Self Defence Forces of Colombia and other paramilitary groups.

According to Dr Valencia, what made President Álvaro Uribe worthy of merit was his contribution to the existence of a legal and democratic leftwing parliamentary opposition that could play an important role in reducing Colombian political violence. The popularity of President Uribe was therefore a result of the following:

- the success of the democratic security policy;
- the current economic growth;
- the success of his foreign policy.

Dr Valencia thought that there were some aspects of the President's policy that were less clear:

- his action towards paramilitaries;
- his attitude to re-election mechanisms.

Dr Elisabetta Ungar and Dr León Valencia answered the questions put by the MEPs Fernando Fernández, Willy Meyer, Antonio Masip, Laima Andrikienė, Emilio Menéndez del Valle and Zbigniew Zaleski.

Meeting with the Colombian Electoral Observation Mission (EOM)

The delegation then held a meeting with Ms Alejandra Barrios, Director of the Colombian EOM and with Mr Armando Noboa, who gave out the electoral observation forms and explained how they should be completed.

2.6 Meeting with non-Colombian bodies

Dinner/Briefing with the ambassadors from the Member States in Colombia and the Head of the European Commission Delegation to Colombia and Ecuador, Mr Adrianus Koetsenruijter.

The European Parliament delegation took part in a working dinner with the above people. During the debate the following aspects were discussed:

- the discrepancy in the opinion polls;
- peace and security in the campaign;
- the absence of the subject of hostages held by guerrillas in the campaign;
- the lack of a televised debate with all the candidates and the role of the media during the election campaign;
- the benefits granted to citizens who were going to exercise their right to vote;
- abstentions in the 2006 legislative elections;
- fraud uncovered in the 2002 elections.

Meeting with Mr Santiago Murray, Head of the OAS Observation Mission

The European Parliament delegation held a meeting with Mr Santiago Murray, who explained to the members the objectives of the OAS mission, stressing that the current political climate in Colombia was very different to that in 2002.

Ms Yudid Lobos (OAS) referred to the need for the objectives of the OAS observation mission and of the European Parliament delegation mission to complement each other.

3. Election day

The elections were held on Sunday 28 May 2006.

The members of the delegation who stayed in Bogotá divided into two groups in order to cover as many polling stations as possible. One group was made up of the MEPs Fernando Fernández (Chair) and Zbigniew Zaleski while another team was made up of Emilio Menéndez del Valle and Willy Meyer. The two groups decided to focus on the working class neighbourhoods in the south of the capital. Both groups began at the '20 de julio' polling station and then followed different schedules. The first group visited polling stations in Kennedy, El Galán and Corferias, while the second visited some in Tunjuelito, Bosa (30 de Mayo) and Soacha.

The voting proceeded normally. Turnout was 45.34% - 2% down on the general average in the presidential elections over the last 60 years (52.65%)

There were no significant acts of violence during the elections, in contrast to the previous elections in 2002.

The members who were in Bogotá observed that the design of the polling stations did not entirely guarantee secret voting. It also appears that the rotation of election officials was not effective, because the same people had been officials for years. Finally, the delegation noted that there were no witnesses from the parties during the majority of the day. The parties should send witnesses from the start of voting and not only before the ballot boxes were opened.

Three members of the European Parliament delegation, Ms Laima Andrikiienė, Mr Antonio Masip and Mr Arūnas Degutis, travelled to Medellín on the afternoon of 27 May to meet representatives of the Colombian Electoral Observation Mission and to observe the voting in three different places (two in Medellín and one in Santa Fe de Antioquia). The members were present when voting was opened on Sunday 28 May at eight o'clock in the morning at the Palacio de las Exposiciones.

There they met the Mayor of Medellín, Mr Sergio Fajardo. They talked to the people who were organising the counting of the votes. The members had the opportunity to meet the Governor of Antioquia, Mr Aníbal Gaviria Correa, and to express their concern regarding the number of people who were not able to vote because they were not on the register of electors.

They also highlighted the difficult conditions in the polling stations. They noted the absence of representatives from the political parties (observers) but welcomed the number of enthusiastic voters coming to the polls.

In Santa Fe they met the Mayoress, Ms Angela Janeth Rivera, and observed voting at a polling station.

The European Parliament delegation wishes to point out that the MEPs were able to enjoy a calm atmosphere, which contrasted with the climate of violence that has reigned in the region for decades and deeply affected the lives of local populations. They also congratulated the Colombian electoral authorities, and especially Dr

Almabeatriz Rengifo, the National Civil Status Registrar, on the fact that two hours after the polling stations closed, Colombians were able to find out the result of the provisional count through the media and a website with 98% of the total votes counted.

At the invitation of the Chair of the National Civil Status Registry, the ad hoc EP delegation attended the official presentation of the results of the provisional count, along with the Chair, the Attorney General, Dr Edgardo Maya Villazón, the Chair of the OAS Electoral Observation Mission, Mr Santiago Murray. The Chairman of the European Parliament Electoral Observation Mission read a press release, which is annexed to this report.

4. Election results

ELECTORAL ORGANISATION
NATIONAL CIVIL STATUS REGISTRY
REPUBLIC OF COLOMBIA

PRESIDENTIAL ELECTIONS
28 MAY 2006

NATIONAL JOURNAL # 32 - 28/05/2006 23:27:00					
PRESIDENT					
POLLING STATIONS SET UP	56 258		TOTAL VOTES PER CANDIDATE	11 607 672	98.05%
POLLING STATIONS PROCESSED	56 181	99.86%	TOTAL BLANK VOTES	230 749	1.95%
ELECTORATE	26 731 700		TOTAL VALID VOTES	11 838 421	
TOTAL VOTES	12 058 788		TOTAL VOID VOTES	136 326	
TURNOUT	45.34%		TOTAL UNMARKED BALLOT PAPERS	84 041	

VOTES FOR CANDIDATES			
Name of candidate	Party	Votes Received	% share (Votes for candidate / valid votes)
ÁLVARO URIBE VELEZ	PRIMERO COLOMBIA	7 363 421	62.20%
CARLOS GAVIRIA DÍAZ	POLO DEMOCRATICO ALTERNATIVO	2 609 412	22.04%
HORACIO SERPA URIBE	PARTIDO LIBERAL COLOMBIANO	1 401 173	11.84%
ANTANAS MOCKUS SIVICKAS	MOVIMIENTO ALIANZA SOCIAL INDIGENA	146 540	1.24%
ENRIQUE PAREJO GONZALEZ	MOVIMIENTO RECONSTRUCCION DEMOCRATICA NACIONAL	44 610	0.38%
ÁLVARO LEYVA DURAN	MOVIMIENTO NACIONAL DE RECONCILIACION	22 039	0.19%
CARLOS ARTURO RINCON BARRETO	MOVIMIENTO COMUNAL Y COMUNITARIO DE COLOMBIA	20 477	0.17%

V. CONCLUSIONS¹

President Álvaro Uribe received the most votes in Colombia's history with more than 7 million votes, winning in 30 of the country's 32 departments, and 62% of the vote. He also became the first president to be immediately re-elected by popular direct vote in the history of the country. Turnout was slightly down on the 2002 presidential elections.

Colombia's two traditional parties, which shared power for more than a century, went to the polls in crisis and the ballot boxes confirmed their predicted demise. The identity of the Partido Conservador was diluted by the coalition of six political organisations that supported the re-election of Álvaro Uribe under the name Primero Colombia. A much greater demise was that of the Partido Liberal, whose candidate Horacio Serpa was relegated to third place, with 11.84%, the worst result in the party's history.

The demise of the traditional parties not only favoured Álvaro Uribe but also Carlos Gaviria, the candidate for Polo Democrático, who was supported by 22.4% of the voters.

President Álvaro Uribe's victory, which was immediately recognised by the other candidates, was the beginning of a new term of office that would bring considerable challenges;

- reducing poverty;
- implementing a peace strategy with the FARC and securing the release of hostages;
- the social reintegration of those who had been demobilised;
- the adoption of the tax reform;
- the reform of the Electoral Code to bring it in line with both the 1991 Constitution and subsequent reforms;
- the promotion of regional integration (CAN and the South American Community of Nations);
- establishing balanced relations with the country's Andean neighbours, the United States and the European Union.

In this context, and on the basis of the common values that unite Colombia and Europe, the Colombian people can count on the firm support of the European Union in general, and of the European Parliament in particular, especially in the progress of negotiations for an Association Agreement between the CAN and the EU.

The European Parliament delegation for electoral observation in Colombia would like to thank the Colombian authorities, the representatives of civil society who were contacted and the European Union delegation in Bogotá for their magnificent welcome and support. We would especially like to express our gratitude and recognition to the European Union delegation in Bogotá and the staff who work there, without whose efforts and cooperation we could not have achieved our objectives.

¹ See Annex I

**PRESS RELEASE FROM THE EUROPEAN PARLIAMENT'S
DELEGATION OF OBSERVERS ON THE ELECTIONS IN
COLOMBIA ON 28 MAY 2006**

The European Parliament, an institution that represents more than 455 million citizens in the 25 European Union Member States, wished to be present at these elections:

1. firstly, in order to demonstrate its solidarity with the Colombian people who, in difficult circumstances, have renounced violence, and have used their vote to show their support for democratic principles;
2. secondly, to congratulate it for the example of maturity and civic courage that it has set today, in that the peaceful will of the people showed respect for political pluralism and for differences of opinion between the various candidates;
3. to congratulate the candidate and President-elect Doctor Álvaro Uribe Vélez, who has obtained the trust and support of the majority of his fellow citizens. We wish him success on his future path and on the road to peace that Colombia needs;
4. to express its recognition of all of the democratic political forces that have contributed to these elections for respecting the rules, and of the legitimate authorities in the country for their organisation;
5. to call once again for the illegal armed groups to order an immediate end to hostilities, to release all kidnapped persons and to show their will to achieve peace in the country.
6. The European Parliament hopes that the President-elect, with the support of Colombians, will be able to achieve peace and reconciliation as quickly as possible. In this context, and on the basis of our common values, he will be able to count on the firm support of the European Union in general and the European Parliament in particular, especially in the progress of the negotiations to achieve an Association Agreement between the Andean Community (CAN) and the EU.

Bogotá, D.C. 28 May 2006

EUROPEAN PARLIAMENT

<http://www.europarl.eu.int>

AD HOC DELEGATION TO OBSERVE THE ELECTIONS IN COLOMBIA

Sunday 28 May 2006

List of Participants

Members of the Delegation

	Name	Surname	Political Group	Country
Mr	Fernando	FERNÁNDEZ MARTÍN , Chair of the Delegation • Committee on Development, Member	PPE-DE	Spain

Ms	Laima Liucija	ANDRIKIENĖ • Committee on Budgets, Member	PPE-DE PPE-DE	Lithuania
Mr	Zbigniew	ZALESKI • Committee on International Trade, Member	PPE-DE	Poland
Mr	Antonio	MASIP HIDALGO • Committee on Civil Liberties, Justice and Home Affairs, Member	PSE	Spain
Mr	Emilio	MENÉNDEZ del VALLE • Committee on Foreign Affairs, Member	PSE	Spain
Mr	Arūnas	DEGUTIS • Committee on Transport and Tourism, Member	ALDE	Lithuania
Mr	Willy	MEYER PLEITE • Committee on Foreign Affairs, Member • Committee on Fisheries, Member • Committee on Petitions, Member • Committee of Inquiry into the Collapse of the Equitable Life Assurance Society, Member	GUE/NGL	Spain

Political Groups of the Delegation Members

PPE-DE: Group of the European People's Party (Christian Democrats) and European Democrats

PSE: Socialist Group in the European Parliament

ALDE: Group of the Alliance of Liberals and Democrats for Europe

Verts/ALE: Group of the Greens / European Free Alliance
GUE/NGL: Confederal Group of the European United Left - Nordic Green Left

Secretariat of the Delegation

Mr	Pedro	NEVES	Principal Administrator, responsible for the Secretariat
Mr	Geoff	HARRIS	Head of the Human Rights Unit
Mr	Raymond	HERDIES	Principal Assistant

Secretaries of the Political Groups

Mr	Juan	SALAFRANCA	PPE-DE
Mr			PSE

Interpreters

Mr	Enrique	QUIJANO	ES/EN Team leader
Mr	Francis	COLE	EN/ES
Mr	Karl	McLAUGHLIN	EN/ES

EUROPEAN PARLIAMENT

SCHEDULE FOR THE AD-HOC ELECTORAL OBSERVATION MISSION TO COLOMBIA

25 - 29 May 2006

Thursday 25 May 2006	Europe / Bogotá
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- 15:25** **Arrival at El Dorado airport, Bogotá and transfer to VIP lounge**
 Welcome by the Head of the EC Delegation to Colombia and Ecuador,
 Mr Koetsenruijter
- Delegation transfers to and settles in at
- HOTEL HACIENDA ROYAL**
 Calle 114 No. 6ª-02
 Tel. (57-1) 6578950 / Fax (57-1) 6578914
- 19:30** **Dinner/Briefing with Ambassadors from the Member States in**
Colombia and the Head
of the European Commission Delegation
- 21:30** **to Colombia and Ecuador, Mr Adrianus Koetsenruijter**
 Location: Hotel Hacienda Royal – Salón Dominique’s

Friday 26 May 2006	Bogotá
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- 8:15** **Leave Hotel Hacienda Royal**
- 9:00** **Meeting with presidential candidate Carlos Gaviria, Polo**
Democrático
- 9:45** **Alternativo (PDA)**
 Contact: María Fernanda Rojas (311-5148868) / María Jacinta
 3232740 Ext 106
 Location: Campaign Headquarters - Cr. 16 No. 37-11
- 10:30** **Meeting with Ms Clelia América Sánchez de Alfonso, Chair**
12:00 **of the National Electoral Council, and other CNE judges**
 Contact: Yuceire Moreno (316 3097730 / 2202880 ext 1641)
 Location: CAN (Av. El Dorado No. 46-20, Piso 6)
- 12:00** **Meeting with Ms Almabeatriz Rengifo, National Civil Status**
Registrar
- 13:30** Contact: Cecilia González Tel 2207688
 Location: CAN (Av. El Dorado No. 46-20, Piso 5)

- 14:00** **Lunch at Casa Vieja attended by Ms Alejandra Barrios,**
15:30 **Director of the National Electoral Observation Mission**
Location: Av. Jiménez No. 3-63
Marta Jiménez (6103601 / 3426752)
- 16:30** **Meeting with Mr Santiago Murray, the Head of OAS Mission**
17:15 Contact: Yudid Lobos (311 4806065)
Location: Hotel Tequendama (Third Floor)
- 18:00** **Audience with Mr Álvaro Uribe Vélez, President of the Republic**
and
19:00 **Ms Carolina Barco, Minister for Foreign Relations + all the**
international observers
Contact: Yolanda Riaño – MRE Protocol Office (5627628 /29)
Location: Casa de Nariño
- Dinner** **Free: For internal discussions in the Delegation / other**
eventualities

Saturday 27 May 2006	Bogotá
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- 8:30** **Breakfast with two recognised political analysts** (Elisabeth
10:00 Ungar (Candidate manifestos – comparisons) and León Valencia
(tensions and trends – political situation)
Contact: eungar@uniandes.edu.co (3394949 ext 2614) / León Valencia
Location: Hotel Hacienda Royal – Salón Dominique’s
- 10:00** **Internal Delegation meeting**
- 10:45** **Meeting with the Colombian Electoral Observation Mission to**
hand out observation forms and
11:15 **explain how to fill them in**
Contact: Alejandra Barrios (300 2069020)
Location: Hotel Hacienda Royal – Salón Dominique’s
- 12:00** **Meeting with Dr Antanas Mockus, Presidential candidate**
13:00 Contact: Adriana Córdoba (2447199 /300 5641448)
Location: Headquarters Calle 70ª No. 12-58/56
- 13:15** **Lunch provided by Mr Sabas Pretel de la Vega, Minister of**
15:00 **the Interior and Justice accompanied by Deputy Minister Angarita**
and Mr Volmar Pérez Ortiz, Ombudsman
Contact: Nestor Franco 310 7724418
Location: Challet Suizo – Park Way
- 15:40** **3 members of the Delegation go to Medellín**
16:35 AV 9318 – Arrival at Rio Negro airport

Meeting with the CNE in Antioquia and the Mayor's Office in Medellín – agenda to be drawn up by the CNE (Contact Juan Carlos Torres, Personnel Manager, Departmental Office in Antioquia – 310 3963446)

HOTEL POBLADO PLAZA

Carrera 43 A # 4 Sur - 75

Tel (574) 268 55 55 Fax (574) 614 74 34

Contact: Angela Silva, Marketing and Sales (315 3311199)

ventas@hotelpoblado plaza.com

20:30 Meeting with presidential candidate Horacio Serpa, Partido
21:30 Liberal
Contact: Andrés Villamizar (300 2129908)
Location: Hotel Hacienda Royal

Sunday 28 May 2006

Bogotá

Option I

7:20 Leave Hotel Hacienda Royal for start of elections (part of Delegation)

8:00 Start of elections
Location Plaza Bolívar
Organised by National Electoral Council (CNE) / Yuceire Moreno (316 3097730 / 312 449 2758)

8:30 Tour of various polling stations (working class areas)

- **20 de Julio polling station**
- **Two polling stations in Kennedy**
- **El Galán polling station**

12h10 Corferias polling station

13:15 Lunch at Mamas Restaurant and meeting with whole Delegation
Location: Parque de la 93

16:15 Arrival in Bogotá from Medellín of 3 members of the Delegation
17:05 AV 9319 – join other members of the Delegation

17:00 MEP Menéndez del Valle leaves Colombia
17:25 MEP Zaleski leaves Colombia

17:30 Visit to the headquarters of the Electoral Organisation to observe transmission of results / Organised by the CNE

18:00 Evaluation Meeting with the judges of the National Electoral Council

18:30 **Presentation to the media of the EP Joint Declaration with the National Civil Status Registry and the OAS Mission**
Location: Electoral Organisation auditorium (casual dress)

20:00 **Press meetings and statements**
Location: Electoral Organisation

Option II

8:00 **Delegation leaves to visit polling stations**

12:30

- **20 de Julio polling station**
- **Tunjuelito polling station**
- **Bosa (30 de Mayo) polling station**
- **Soacha polling station**

13:00 **Lunch at Mamas Restaurant and meeting with whole Delegation**
Location: Parque de la 93

16:15 **Arrival in Bogotá from Medellín of 3 members of the Delegation**
17:05 AV 9319 – join other members of the Delegation

17:00 **MEP Menéndez del Valle leaves Colombia**
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18:30 **Presentation to the media of the EP Joint Declaration with the National Civil Status Registry and the OAS Mission**
Location: Electoral Organisation auditorium (casual dress)

20:00 **Press meetings and statements**
Location: Electoral Organisation

Monday 29 May 2006

Bogotá

10:00 **Meeting with other international electoral observation missions**
12:00 **from civil society, political parties + OAS EOM + CAPEL + Leaders of Colombian Electoral Observation Mission**
Contact: Alejandra Barrios (300 2069020)
Location: Hotel Hacienda Royal – Salón Dominique's

Conversation with press / interviews

14:30 Leave Hotel Hacienda Royal for airport

**17:00 Leave for Europe
IB 6740**