



PRELIMINARY STATEMENT

Well-organised election day benefits from key improvements and outweighs mistrust

Bogotá, 31 May 2022

This preliminary statement of the EU election observation mission (EU EOM) is delivered before the completion of the entire electoral process. Critical stages remain, including the tabulation of official results and the adjudication of petitions. The EU EOM is now only in a position to comment on observation undertaken to date. The mission will also observe the second round of the Presidential Election. After the completion of the process, the EU EOM will publish a final report, including full analysis and possible recommendations for electoral reform.

Summary

- The first round of the Colombian presidential election took place on 29 May, and provisional results indicate that of the six candidacies, the two presidential tickets who will compete in the second round are Gustavo Petro and Francia Márquez (*Pacto Histórico*), who obtained 40,3 per cent of the vote, and Rodolfo Hernández and Marelen Castillo (*Liga de Gobernantes Anticorrupción*), with 28,1 per cent. Turn-out reached 54,9 per cent, similar to that of the last presidential election.
- Election day was peaceful and calm for the most part, and EU EOM observers reported positively on the transparency, good organisation and implementation of procedures throughout the voting day. Poll workers also carried out closing and counting procedures in a transparent and orderly manner. Party representatives were present in almost all polling stations observed at closing, and in all observed cases, they were able to attend without restrictions, and take photographs of the completed results forms. The *Registraduría* piloted new measures to facilitate access to results forms for parties unable to deploy a representative in each polling station, and these were successfully implemented, in addition to the publication, online, of virtually all results forms early on election night.
- The first round of the presidential election took place in a context of growing public mistrust in the electoral process, as a result of errors in the unofficial, preliminary legislative results as well as narratives of potential fraud by political actors from both the left and the right, at different stages of the general elections. However, transparency measures ensured full traceability of polling station results throughout the legislative elections' official aggregation process, a point insufficiently explained by the *Registraduría*.
- In light of the above-mentioned shortcomings, the *Registraduría* prepared a number of improvements, not least double data entry and systematic validation steps for results processing. A new selection of polling staff and improvements in the training programme were also carried out, and, importantly, the *Registraduría* sought consensus with political parties

This preliminary statement is available in English and Spanish but only the English version is official.

on election materials and procedures, including the design of polling station results forms and mechanisms for registering party representatives. The *Registraduría* maintained high levels of organisation and professionalism in their preparations for the vote, both at national level and in the country's departments and municipalities.

- The longstanding automatic registration system and the *Registraduría*'s efforts to remove entries for deceased citizens ensure a generally inclusive and accurate Voter Register. In a positive contrast to the legislative elections, only a relatively small number of electoral address updates were unsuccessful for administrative reasons, thanks to several measures taken by the *Registraduría*. In addition, the *Registraduría* ensured multiple options for citizens seeking information on where they are registered to vote, increased the capacity of the dedicated website and providing several other sources of information, including in person and through the distribution of databases which could be consulted offline.
- The legal framework for elections in Colombia provides an adequate basis for holding democratic elections. However, its dispersal across numerous instruments renders it complex, sometimes to the point of undermining legal certainty. In addition, some shortcomings and gaps persist, in fields such as registration of candidacies and oversight of campaign finance. More than a year after Congress approved the new Election Law, the Constitutional Court declared it unconstitutional on procedural grounds. As a result, a number of foreseeably positive developments included in the draft law are on hold.
- In general, the campaign environment was peaceful and pluralistic and in most of the country, candidates and voters were able to freely organise and attend public events. However, the armed shutdown imposed by the *Clan del Golfo* armed group between 4 and 8 May severely affected public order, limiting campaign activities and curtailing citizens' freedom of movement in parts of the north-west. Ongoing violence by and between illegal armed groups continued to affect numerous, mostly rural communities, resulting in the displacement of a significant number of people.
- In May, the *Procuraduría* temporarily suspended four elected mayors for allegedly participating in the presidential campaign. It is questionable whether the Colombian Constitution's prohibition on public servants' involvement in election campaigns applies to elected officials, which would clearly not meet international standards on political participation. Furthermore, the removal, albeit temporary, of an elected official by an administrative authority and not by a competent judge was declared in breach of the American Convention on Human Rights by a 2020 Inter-American Court of Human Rights binding judgment against Colombia. In contrast, no sanction was applied to the commander of the armed forces, who, openly violating the Constitution, made public statements against one of the candidates.
- On 5 May the Constitutional Court struck down the suspension of the clause of the *Ley de Garantías* that prohibits public contracting in the four months prior to presidential elections. Although the Court's ruling prohibited public contracting for the remainder of the election period, contracts already in place remained valid, which may have contributed to an uneven playing field. Due to the timing of the court ruling – six months after the law was passed and

just three weeks before the election – the measure, intended to prevent the government from using contracts as incentives in the pre-electoral period, was effectively suspended for most of the campaign period.

- Freedom of expression and media freedoms were generally respected, with most media covering the electoral process without major limitations. However, 22 radio stations in the north-west region were forced to interrupt broadcasting for several days due to the armed shutdown imposed by the Clan del Golfo at the beginning of May. In general, national media was pluralistic and provided extensive coverage of the process. EU EOM media monitoring results indicate that Gustavo Petro was the candidate who received the largest amount of coverage in negative tones.
- EU EOM monitoring of the presidential candidates' Facebook and Twitter accounts found that together, Gustavo Petro, Rodolfo Hernández and Federico "Fico" Gutiérrez accounted for 92 per cent of interactions with users: Petro 44 per cent, Hernández 26 per cent, and Gutiérrez 22 per cent. No instances of hate speech were observed in candidates' posts, and very few in users' responses. However, Francia Márquez was the subject of more hate speech than other candidates by social media users. Almost all criticism from contenders was directed at Gustavo Petro. The candidate investing the most in Facebook advertising was "Fico" Gutiérrez, followed at a distance by Gustavo Petro.

The European Union Election Observation Mission has been present in Colombia since 25 January following an invitation from the Consejo Nacional Electoral and the Registraduría Nacional del Estado Civil. The Mission is led by Chief Observer Javi López, Member of the European Parliament (Spain). The EU EOM deployed 120 observers from 25 EU Member States, Norway and Switzerland across the country to assess the entire electoral process against international obligations and commitments for democratic elections as well as the laws of Colombia. On 29 May, they observed in 472 polling stations in 26 departamentos. A delegation from the European Parliament, headed by Izaskun Bilbao Barandica, MEP, also joined the mission and endorses this Statement.

The EU EOM is independent in its findings and conclusions and adheres to the Declaration of Principles for International Election Observation signed at the United Nations in October 2005.

Preliminary Findings

Background

Colombians voted on 29 May, to determine which of the six candidates would advance to the 19 June runoff. The three winners of the 13 March inter-party consultations - Gustavo Petro of *Pacto Histórico*, Federico Gutiérrez of *Equipo por Colombia*, and Sergio Fajardo of the *Centro Esperanza* coalition - were joined on the ballot by three other candidates: Rodolfo Hernández of the citizens' group *Liga de Gobernantes Anticorrupción*, John Milton Rodríguez of *Colombia Justa Libres!*, and Enrique Gómez Martínez of *Salvación Nacional*. Luis Pérez of the citizens' group *Colombia Piensa en Grande*, and Ingrid Betancourt of the *Verde Oxígeno* party, who appeared on the ballot, withdrew from the race on 5 May and 20 May, respectively.

Legal Framework

The legal framework for elections in Colombia enshrines fundamental political rights and freedoms, generally guaranteeing the right to political participation without unreasonable institutional and legal barriers, and establishing effective mechanisms for their protection. Elections are framed by the 1991 Constitution, the 1986 Election Law and the 2011 Law on political parties and electoral processes. Presidential elections are, in addition, specifically provided-for by Law 996/2005, known as the *Ley de Garantías*. The Constitution prohibits election to more than one four-year presidential mandate and establishes a two-round system requiring an absolute majority to win.¹

Although the legal framework provides an adequate basis for holding democratic elections, its dispersal across numerous instruments² renders it complex, sometimes to the point of undermining legal certainty. In addition, some shortcomings and gaps persist, in fields such as registration of candidacies and oversight of campaign finance.

On 21 April, after more than a year of awaiting judicial review as a condition of entering into force, the new Election Law, approved by Congress in December 2020, was declared unconstitutional by the Constitutional Court on procedural grounds.³ As a result of the court's decision, the main election code remains one that pre-dates the Constitution. In addition, a number of positive developments included in the draft law are on hold, such as increasing the gender quota for Congress elections, regulating violence against women in politics, providing deadlines for the candidate registration process, extending the voting day and simplifying the selection process for polling station staff.

Electoral Administration

Errors in the preliminary results for the 13 March elections to the Senate weakened an already fragile public trust in the election process, in the wake of differences between the preliminary results (*preconteo*) and final, official results. These mainly affected the *Pacto Histórico*, as the votes the coalition had obtained in some 20 per cent of polling stations were not adequately communicated in the *preconteo*'s telephone transmissions, at least partly due to the inadequate design of E-14 polling station results forms for these particularly complex legislative elections. Although similar problems arose at the outset of the official Senate results aggregation (*escrutinio*), errors in this more lengthy process were less frequent and were in general corrected.⁴

This gave rise to allegations of fraud, spearheaded by former presidents Álvaro Uribe and Andrés Pastrana. Former president Pastrana had cast doubt on the electoral software in previous months.

¹ Article 197 of the 1991 Constitution was reformed in 2004 to allow re-election, and reformed in 2015 to prohibit it once again.

² For example, campaign finance is regulated in 9 laws, 3 decrees, 5 CNE resolutions and 9 CNE legal concepts.

³ Six magistrates voted in favour and three against the Court's decision. The three magistrates who were against, formulated dissenting opinions.

⁴ Final results for the Senate will only be announced after the CNE evaluates all complaints received. The EU EOM 18/02/2022 statement on the preliminary and the official results aggregation process can be found here: <https://twitter.com/moeuecolombia22/status/1504889965313986565>

Until late 2021, the *Pacto Histórico* had also questioned the electoral software, and by the legislative elections, mistrust increased and spread across the political spectrum. The *Registraduría*'s standing was also made particularly vulnerable by its failure to communicate sufficient information to the public about the specific safeguards and transparency measures built into the electoral process in general and the results process in particular. Nonetheless, a majority of parties rejected the call for a fresh legislative election count, asserting that although imperfect, the *escrutinio* process did not indicate fraud, and did allow for corrections where necessary.

Focus on the software overshadowed the fact that measures prepared by the *Registraduría* did ensure transparency of the legislative election results: these included the publication of all E-14 polling station results forms, and access to the successive aggregation result forms, as well as the provision, to political parties, of exploitable results data entered in the *comisiones escrutadoras*. These transparency measures ensure that results can be traced from polling station to national results.

In view of the presidential election, the *Registraduría* undertook a comprehensive review of the legislative election process and introduced several improvements, not least double data entry and systematic validation steps for results processing, as well as designing a clearer E14 polling station results form - by definition simpler for the presidential election - in order to limit errors and facilitate swifter corrections where necessary.

To the same end, the *Registraduría* also reviewed its training programme and support materials for polling station staff. Despite polling staff's generally good performance during the extremely complex legislative elections, for the purposes of public confidence, a new selection was carried out, which gave due weight to previous electoral experience. The system for selecting polling staff provided for by law was carried out transparently, however it is poorly regulated, excessively complex and prone to arousing suspicions across the political spectrum.

Importantly, in the lead-up to the presidential election, the *Registraduría* hosted meetings with political parties to generate consensus on election materials and procedures, including the results forms and the timeframe and system for registering party representatives. The *Registraduría* also shared more information with political parties, and, to some degree, with the public.

The *Registraduría* maintained high levels of organisation and professionalism in their preparations for the vote throughout the country. Equally, the *Registraduría* continued to provide the EU EOM with requested information and documentation, and to grant meetings with operational staff as well as direct observation of electoral activities, both at national level and in the departments and municipalities.

Voter Register

The longstanding automatic registration system and the *Registraduría*'s efforts to remove entries for deceased citizens together ensure a generally inclusive and accurate Voter Register (VR). Primarily due to citizens turning 18, the Voter Register for the presidential election saw an increase of 182,338 people since the legislative elections, and rose to 39 002 239 people. Changes to the VR for the presidential election were possible between 14 January and 29 March, and during that

time over 1.7 million people updated their electoral residence (*inscripción de cédula*). While in the lead-up to the legislative elections, a significant proportion of address changes were not successful, primarily because citizens experienced difficulties with the new online platform⁵, for the presidential election only a relatively small number of electoral address updates were unsuccessful for administrative reasons, thanks to several measures taken by the Registraduría. Contrary to the legislative elections, the vast majority of *inscripciones de cédula* for the presidential election were carried out in person, either in Registraduría offices or at the mobile information and registration kiosks deployed in town centres.

Following the temporary crash of the website designed for citizens to consult where they are registered to vote on 13 March election day, the Registraduría not only significantly increased the website's capacity but also multiplied the sources of this information, creating a second website, maintaining the *Infovotantes* phone application and outreach kiosks, and also widely distributing a copiable CD, including to political parties, which enabled consultations to be made offline.

Candidate Registration

Eight presidential candidates were registered by parties, movements, or citizen groups and these were joined by the three candidates who emerged from the inter-party consultations on 13 March. Of the eleven registered presidential candidates, three withdrew shortly after their registration and two after the ballot papers had been printed.⁶ Six presidential tickets eventually ran in the 29 May election.

As is the case for candidates to Congress, legislation on presidential candidate eligibility does not impose unreasonable restrictions on the right to stand, with the notable exception of the Constitution's permanent disqualification of candidates who have committed intentional crimes, regardless of the severity of the offence or length of the sentence.⁷ Permanent ineligibility on these grounds is disproportionate and does not meet Colombia's commitments in relation to the right to stand.

No law establishes deadlines for either submission or resolution of petitions challenging candidates' eligibility, which is inconsistent with the provision that parties or movements may replace disqualified candidates if the decision is taken at least a month before the election. Of the eight petitions challenging candidates' eligibility filed with the CNE, only one was resolved within a timeframe allowing candidate replacement. Six were resolved in the week prior to the elections, and another, challenging Rodolfo Hernández's candidacy, was still pending by election day. No presidential candidate was disqualified.

⁵ The online platform for changing electoral address was launched in early 2021, when COVID-related restrictions were still impacting access to in-person services. Its first implementation, in the 10 months prior to 14 January 2022, evidenced difficulties related to citizens having to send photographs confirming their identity, which contributed to 715 343 processes not completing. Another 138,111 applications foundered due to providing a shared email address. In all, some 30% of *inscripciones de cédula* were unsuccessful prior to the legislative elections, whereas prior to the presidential elections, less than 5% of applications were unsuccessful.

⁶ Luis Emilio Pérez withdrew on 11 May, Ingrid Betancourt on 20 May.

⁷ Articles 197 and 179.1 of the 1991 Constitution establish that candidates who have been convicted by court judgment to imprisonment *at any time*, except for political and non-intentional crimes, cannot be elected as President. Demobilized ex FARC members have been exempted by The Peace Accords.

Campaign Environment

In general, the campaign environment was peaceful and pluralistic and in most of the country, candidates and voters were able to freely organise and attend public events. However, the armed shutdown imposed by the *Clan del Golfo* armed group between 4 and 8 May severely affected public order, limiting campaign activities and curtailing citizens' freedom of movement in 11 departments in the north-west of the country. Ongoing violence by and between illegal armed groups continued to affect numerous, mostly rural communities, resulting in repeated displacements for significant numbers of people.⁸ On 2 May, Gustavo Petro's campaign team reported a plot to assassinate the candidate, and decided to cancel several campaign events.

National and municipal regulations on campaign materials in public spaces were generally respected. Although the CNE issued a circular on 21 April calling on all municipalities to issue regulations on campaign advertising, not all local councils complied. Where regulations were in place, sanctions for reported violations – mostly concerning the amount of outdoor advertising, observed in many departments– were also inconsistent.

On 10 May, the *Procuraduría* ordered a disciplinary investigation and the temporary suspension of two elected mayors for allegedly participating in the presidential campaign, followed by the suspension of two other mayors on 19 May. In light of the rights conferred by the Colombian Constitution as well as international standards for democratic elections, it is questionable that the prohibition on public servants' involvement in election campaigns applies to elected officials, which would clearly not meet international standards on political participation. Furthermore, the removal, albeit temporary, of an elected official by an administrative authority and not by a competent judge in criminal proceedings was declared in breach of Art. 23 of the American Convention on Human Rights by a 2020 Inter-American Court of Human Rights binding judgment against Colombia.⁹ In contrast, no sanction was applied to the commander of the armed forces who, breaching Art. 219. of the Constitution and a decades-long tradition, made public statements against one of the candidates.

While candidates were free to express their views without limitations on the public stage, there were several indications that some citizens were pressured or coerced into attending. The EU EOM observed 72 campaign events in 27 departments and found that in at least 14 per cent of cases, and only during campaign events for the *Equipo por Colombia* candidate – some public servants had been pressured to attend by local governments. More frequently, instances of participants being paid to attend such events were reported. During the campaign period, several high-profile business owners published messages warning employees not to vote for Petro.

Campaign Finance

The mixed system of campaign financing enables candidates to combine private sources – typically bank loans and private donations – with State funding, which may be provided as both advance

⁸ According to UNOCHA (17 May), nearly 80,000 people were displaced in Colombia from January to April, 2022.

⁹ Case Petro Urrego Vs. Colombia: https://www.corteidh.or.cr/docs/casos/articulos/seriec_406_esp.pdf

payments and reimbursements. Reimbursements of campaign costs, proportionate to votes obtained, are contingent on obtaining at least 4 percent of the vote. In practice, conditions for receiving advance payments and the implications of accepting them constitute both an excessive burden and a disincentive, and for these reasons no presidential candidate received advances on State campaign funding.¹⁰ Presidential candidates nominated by parties whose legal status was recently reinstated particularly highlighted that the CNE did not adapt its administrative requirements for advance payments, which depend in part on results obtained in previous elections.¹¹

On 5 May the Constitutional Court struck down the suspension of the clause of the *Ley de Garantías* that prohibits public contracting in the four months prior to presidential elections.¹² Although the Court's ruling prohibited public contracting for the remainder of the election period, contracts already in place remained valid, which may have contributed to an uneven playing field. Due to the timing of the court ruling – six months after the law was passed and just three weeks before the election – the measure, intended to prevent the administration from using contracts as incentives in the pre-electoral period, was effectively suspended for most of the campaign period.

The CNE lacks sufficient human, technical and financial resources to practice effective control of campaign financing. Public control of campaign finances is also insufficient; the amounts of funds received and spent reported by candidates to the *Cuentas Claras* platform contradicted the reality observed by the EU EOM, investigative journalists and local CSOs.¹³ EU EOM observers reported that several regional campaign teams openly stated they omitted significant cost items from reports, and several business owners' associations were actively campaigning while admittedly disregarding reporting obligations.

Media

Freedom of expression and media freedoms were generally respected throughout the campaign, and most media were able to cover the electoral process without major limitations. However, the EU EOM confirmed that 22 radio stations in Antioquia, Sucre and Córdoba departments were forced to interrupt broadcasts for five days after being threatened or intimidated by members of the *Clan del Golfo*, which imposed an armed shutdown at the beginning of May in several parts of the country. Similarly, EU observers reported freedom limitations for local journalists in Cauca, Valle del Cauca, Caquetá, Meta and Guaviare, due to the hostile environment produced by illegal armed groups active in these areas.

¹⁰ Reimbursements are calculated by a CNE-determined formula, which attributes monetary value to each vote obtained. Where candidates have received advance payments, the monetary value of each vote obtained is less than half of its value had they not received advances.

¹¹ Verde Oxígeno and Salvación Nacional, whose legal status was revived by Constitutional Court in December 2021, did not participate in the most recent general elections.

¹² The Constitutional Court found that it was unconstitutional to modify the *Ley de Garantías* – a statutory law framing presidential elections – through the approval of the ordinary Budget Law of 2022. Congress had voted the suspension on 19 October 2021.

¹³ According to EU EOM monitoring, while Federico Gutiérrez had the highest number of TV spots, his social media spending was over three times higher than Petro's, and his billboards outnumbered those of all his rivals combined, he had reported spending less than half of that reported by Gustavo Petro as of 26 May. Petro's reported numbers did not change in the last two weeks of the campaign.

National media was generally pluralistic and provided extensive information on the electoral process to citizens, including broadcasting of studio interviews and debates with presidential and vice-presidential candidates, as well as electoral pedagogy. In addition, 29 TV channels (four national, eight regional and 17 local channels, covering both public and private stations) broadcast candidates' free-of-charge electoral spots from 7 of April to 26 of May, as provided for by law.

Campaign activities and messages by Gustavo Petro, Federico Gutiérrez, Sergio Fajardo and Rodolfo Hernández dominated media attention throughout the process. EU EOM media monitoring¹⁴ results reveal that, during the analysed period, most of the monitored private media made a reasonably balanced allocation of airtime and space among the different candidates, in proportion to their political weight. However, the monitoring also evidenced that Gustavo Petro was the candidate who received the greatest amount of coverage in a negative tone on TV (5.4 per cent of his coverage), radio (13.9 per cent) and newspapers (9.5 per cent). Public media monitored by the EU EOM provided more limited coverage of the elections than private ones but did not show evidence of bias towards a specific candidate.

Regarding paid-for electoral propaganda in the media, EU EOM media monitoring evidenced that Federico Gutiérrez was the candidate with the greatest number of spots on TV (36.7 per cent of all the candidates' spots), closely followed by Gustavo Petro (33.3 per cent) and Sergio Fajardo (14.7 per cent), while on the radio, the candidate registering the greatest amount of electoral propaganda was Fajardo (37 per cent of all candidate spots), followed by Petro (34.8 per cent) and Gutiérrez (27 per cent).

Social media

EU EOM monitoring of the presidential candidates' Facebook and Twitter accounts found that together, Gustavo Petro, Rodolfo Hernández and Federico "Fico" Gutiérrez accounted for 92 per cent of interactions with users: Petro 44 per cent, Hernández 26 per cent, and Gutiérrez 22 per cent. Forty-two per cent of candidates' posts concerned their political platform and on average, candidates dedicated just 4 per cent of their posts to confronting their adversaries, among which no instances of hate speech were observed in candidates' posts, and very few in users' responses. However, Francia Márquez was the subject of more hate speech by Twitter users than other candidates.¹⁵ Almost all criticism from contenders was directed at Gustavo Petro. Analysis of the social network Twitter found that at least 17 per cent of the profiles interacting with presidential candidates' accounts displayed characteristics consistent with bots.¹⁶ Of these, 45 per cent interacted in favour of the left, 38 per cent in favour of the right and just 2 per cent in favour of the centre.

¹⁴ EU EOM media monitoring for the presidential election took place between 20 April and 28 May. Analysed media included Señal Colombia, Canal 1, Caracol TV, RCN TV, Radio Nacional de Colombia, Caracol Radio, RCN Radio, Blu Radio, La W, La FM, *El Tiempo* and *El Espectador*.

¹⁵ EU EOM analysed hate speech through a representative sample of a universe of 4 million tweets posted between March 13 and May 21.

¹⁶ The EU EOM monitoring unit collected interactions with the sample of candidates between January 29 and May 20 and processed the users with Botometer, a bot detector developed by Indiana University, selecting those with a probability greater or equal than 80 per cent of being bots and then checked and labelled them manually.

Candidates are obliged to report all campaign spending to the CNE, including online. In Colombia, Facebook's Ad Library is fully available,¹⁷ and displays comparatively modest spending on online ads, compared to traditional media. According to the Ad Library, in the past month the candidate investing the most in Facebook advertising was “Fico” Gutiérrez (250,000 EUR), followed at a distance by Gustavo Petro (78,000 EUR), John Milton Rodríguez (21,000 EUR) and Sergio Fajardo (18,000 EUR). In addition, the EU EOM detected at least 15 Facebook pages publishing smear campaigns against candidates (mainly Gustavo Petro) totalling an estimated 65,000 EUR.

Since mid-March, fact-checkers operating in Colombia¹⁸ have reported 78 disinformation posts related to the presidential elections. Of these, 59 per cent targeted Gustavo Petro, 20 per cent Federico Gutiérrez and 12 per cent Francia Márquez, Petro's vice-presidential candidate.

Women's participation

None of the presidential candidates are women, and three of the six vice-presidential candidates were women, all of them Afro-Colombian.

The EU EOM found that women attended campaign events in equal proportion to men. There were women speakers at 38 per cent of observed campaign events on average. Specifically, women were among the speakers at 49 per cent of Pacto Histórico campaign events; 40 per cent of *Equipo por Colombia*'s events; 23 per cent of Centro Esperanza events and in 12 per cent of the campaign events held by the *Liga de Gobernantes Anticorrupción*.

Participation of People with Disabilities (PWD)

The *Registraduría* issued several resolutions and circulars aimed to ensure the right of persons with disabilities to cast their vote independently. EU EOM observers reported that 78 per cent of polling centres were accessible to people with reduced mobility and in 84 per cent the layout of the polling stations allowed for was adequate. Visually impaired voters were offered ballots in Braille in most observed cases.

Election day

Election day was peaceful for the most part, but the Mission laments the death of Nelly Bedolla, a poll worker in Vista Hermosa, in the Meta, killed while carrying out her duties at the end of the day, in an attack by an armed group which also injured a soldier.

Polling stations opened on time and with the necessary materials and poll workers in all observed cases, and EU EOM observers reported positively on the transparency, good organisation and implementation of procedures throughout the voting day. In particular, there was greater access to information for voters regarding which was their polling station, contributing to a calm and orderly environment in voting centres. Party representatives were present in 70 per cent of polling stations visited: the *Pacto Histórico* was present in 51 per cent, *Equipo por Colombia* in 29 per cent, and the *Liga de Gobernantes Anticorrupción* in 6 per cent of observed polling stations.

¹⁷ <https://www.facebook.com/ads/library/> (April 23 - May 22, 2022).

¹⁸ ColombiaCheck, La Silla Vacía and AFP Factual.

EU EOM observers evaluated closing and counting procedures as transparent and orderly. In a majority of cases, polling staff made reference to the new checklists provided to guide them through counting procedures and the correct completion of results forms. Votes were correctly attributed, due priority was given to the clear intention of the voter, and results were correctly consigned to E-14 results forms. Party representatives were present in almost all polling stations observed, with *Pacto Histórico* representatives in 80 per cent and *Equipo por Colombia* present in just over 50 per cent of polling stations visited. In all observed cases, party representatives were able to observe without restrictions, and take photographs of the completed results forms.

The *Registraduría* introduced further measures to make it easier for party representatives to take pictures of the E-14 forms from numerous polling stations: the first was to invite party representatives to see all forms from voting centres after transmission of preliminary results. This was successfully implemented in half of observed stations, while in other cases party representatives did not wait this long. The second extra measure was to post polling stations results forms at the location of the *comisiones escrutadoras*, where official results are aggregated. This was implemented in almost all observed *comisiones escrutadoras*. These new pilot measures were in addition to the publication of E-14 forms on the Registraduría website: by 8pm, scans of over 96 per cent of all polling station results forms were online.

An electronic version of this Preliminary Statement is available on the Mission website
(<http://www.moeuecolombia2022.eu>).

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