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LADB Staff

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Colombian Court Approves Referendum

by LADB Staff

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On July 10, the Corte Constitucional (CC) approved 15 of the 19 points proposed by Colombian President Alvaro Uribe Velez for a referendum by which the government wants to reduce the size of Congress, freeze public salaries, control spending, and make other reforms. He is counting on his strong 70% approval rating to carry the referendum.

Uribe first raised the possibility of a referendum when he took office Aug. 7, 2002, saying it would eliminate clientelism and corruption (see NotiSur, 2002-05-31). It was passed by Congress in December 2002, but needed approval by the CC. The government said it would hold the referendum either October 19 or 25. Many politicians, however, objected to another election so close to Oct. 26, when voters will choose 32 governors, 1,091 mayors, and more than 11,000 local officials.

On July 10, the president of the Consejo Electoral, Guillermo Reyes, said that 6.1 million people must vote in the referendum for it to be legal. He said Colombia has about 24 million eligible voters and popular consultations require the participation of 25% of that number. The Uribe administration has now begun the campaign to convince people to vote in the referendum against political corruption and for reducing the size of the state.

Uribe is counting on his strong support to win the voters' approval. Some 40% of Colombian voters will "definitely" or "probably" vote in the referendum, down from 59% eight months ago, according to a Gallup poll published in the July 13 issue of *Semana* magazine. The poll was taken July 10, just after the court gave final approval for the referendum to be held. The referendum will likely have 15 'yes-no' questions, including whether to freeze most government spending including salaries for state employees but excluding military spending and whether to cap pensions.

If these and other fiscal measures pass, the government says it will save 0.7% of GDP this year and 1.3% of GDP next year. The goal set with the International Monetary Fund (IMF) is to cut the public-sector fiscal deficit to 2.5% of GDP this year, from 3.6% in 2002.

A long and complicated text

More than half the voters must say yes to a specific question for it to pass. But in recent surveys, less than 5% of respondents said they had a good understanding of the issues. Colombia Report said that researchers found it took 27 minutes to thoroughly read the then 19-point referendum. Four less points will not significantly shorten the time required to go through the ballot.

The questions the court rejected included ones regarding penalization of small amounts of drugs, extending the terms of current mayors and governors (which end in December), eliminating city clerks, and being able to vote on all questions in the referendum in a block. Other questions that were approved included whether to abolish alternate lawmakers in the legislature and whether to

reduce the size of the Senate from 102 senators to 83 and the number of representatives from 166 to 136.

Foreign investors welcomed the CC decision to allow the vote on freezing public-sector wages. "The court's ruling was the most important hurdle for the referendum," said Luis Oganés with JP Morgan in New York. "Regarding the next step, the actual vote, the expectation is that the high popularity of Uribe will be enough to get it passed." Opposition groups such as trade unions, community organizations, and civil society groups are promoting an abstention campaign against the referendum.

On July 13, co-president of the Partido Liberal Piedad Córdoba said it "does not solve the problems of Colombians." She said that two of the questions eliminated by the court on penalizing small amounts of drugs and extending the term of regional and municipal officials were two that most interested voters. "In eliminating the questions that really engaged public opinion, the referendum is doomed to failure," Córdoba said.

Opposition Sen. Antonio Navarro Wolff of the Polo Democrático said that the "referendum ended up being converted into a neoliberal ploy to batter the popular classes in favor of the privileged." He said the text left by the court includes various articles billed as necessary to straighten out finances and eliminate corruption, "but they only serve to continue eliminating the few benefits that workers today have." Navarro Wolff mentioned the article that would freeze salaries of state workers, "which would bring greater poverty to the majority of Colombians."

Congress also attempts political reform

On June 17, Colombia's Congress, considered one of the country's most corrupt institutions, approved a political-reform bill to regulate political parties and limit campaign spending. The approval of the 15-point law was a defeat for the president, who wanted political reform done through the referendum. However, Uribe signed the measure into law on July 3, after differences between the Congress and the administration were resolved. Under the measure, political parties need at least 200,000 signatures to be legally registered.

Regarding campaign financing, it increased the amounts and percentages the state pays, as well as the amount of private funding allowed. It also made legislators more accountable to party discipline, and lawmakers who violate campaign-spending laws would be expelled. No elected officials can leave their position to run for another office. The new law also gives validity to blank votes. If there are so many blank votes that they are a simple majority, the election must be repeated.

The law also guarantees legal opposition parties and movements rights such as access to official information and documentation, and use of communications media. It authorizes parties to hold primaries to choose candidates, although they are not required to do so, and it prohibits citizens from belonging to more than one legally recognized party or movement.

One of the most controversial sections of the law stipulates that to maintain legal status, parties and movements must obtain 2% of the vote in an election.

-- End --