



International Foundation
for Electoral Systems

Election FAQs: Colombia

Congressional Elections

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Americas

International Foundation for Electoral Systems

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Election Snapshot

- Election Day: March 13, 2022
- Registered voters: 38,819,901
- Polling stations: 12,512
- Physical distancing: required as per Health Ministry guidelines
- Seats:
 - Senate - 108 seats
 - Chamber of Representatives - 171 seats
 - Victims of the conflict - 16 seats

When is Election Day?

On March 13, 2022, Colombia will hold its congressional elections. In accordance with Resolution 2098 (March 12, 2021) of the National Civil Registry (*Registraduría Nacional del Estado Civil*, RNEC), polls will be open from 8:00 a.m. until 4:00 p.m.¹ The RNEC has arranged for 12,512 voting centers across Colombia, which include 112,009 individual voting.² A breakdown of voting centers and stands by department can be accessed [here](#).

Who is eligible to vote in these elections?

Voting in Colombia is considered a right but is not a requirement. The Constitution guarantees the right to vote to every Colombian citizen over the age of 18 who has registered his or her national identification document.³ Exceptions are members of security forces (military and police) and individuals convicted of felonies.⁴ The number of citizens expected to vote in these elections is 38,819,901⁵ (20,031,855 women and 18,788,046 men).

Why are these elections important and different from past elections?

Colombia's election management bodies have made efforts to refine and improve the election process to increase the transparency and inclusivity of the 2022 Congressional elections. Across national media, these elections have been framed as an important check in establishing political controls on leadership for the creation of laws that benefit all citizens. Some novelties in this electoral cycle include:

- **Digital identification**

In these elections, Colombians with smartphone devices will have the option to use the ID cards on their devices to vote. To do so, citizens must connect to the internet and download an application from the National Civil Registry. Using the app, citizens must complete a security check via facial recognition. This new system is meant to allow quick access to services while

¹ <https://registraduria.gov.co/Resolucion-2098-del-12-de-marzo-de-2021.html>

² <https://www.registraduria.gov.co/Cuantos-puestos-y-mesas-de-22620.html>

³ <https://www.registraduria.gov.co/-Historia-del-voto-en-Colombia-.html>

⁴ <https://congresovisible.uniandes.edu.co/democracia/participacion/derechoalvoto/>

⁵ <https://www.rcnradio.com/politica/elecciones-2022-listo-censo-electoral-para-votaciones-congreso>

avoiding unnecessary procedures. The digital ID is not mandatory for these elections; citizens can still use their physical ID card to vote.⁶

- **Border centers (*Puestos de Frontera*)**

Due to the break in diplomatic relations between Colombia and Venezuela, it has not been possible to install voting centers in Venezuelan consulates. During this election, the border with Venezuela will be opened temporarily to allow any of the 195,523 individuals living in Venezuela and eligible to vote in Colombia to enter the country to do so. Five new voting stations for Colombian residents of Venezuela have been designated in the departments of La Guajira, Norte de Santander, Arauca and Guainía.⁷

- **Vote counting software (*Software de Escrutinio*)**

Vote counting software for the national count was rented in previous elections. However, this year, the software was designed by and purchased from Spanish technology company Indra Sistemas, S.A.⁸ The National Civil Registry owns the software, and the National Electoral Council will operate it from a secure data center in Colombia. While Indra software has been used in all national Colombian elections since 2002, this is the first time the Colombian government will own and operate it.⁹

- **Special transitory peace constituencies (*Curules de Paz*)**

The final peace agreement established 16 Special Transitory Peace Constituencies to represent victims of the armed conflict throughout the country. Each constituency will elect one seat in the House of Representatives.¹⁰ The representatives will take part in Colombia's democratic process and help consolidate post-conflict peace by expanding political representation for Colombians affected by the conflict, with special emphasis on Colombians in historically marginalized areas such as rural communities.¹¹ To run for these seats, a candidate must:¹²

- Be a Colombian citizen;
- Be a victim of the conflict in accordance with the transitional and exceptional Legislative Act 02 of 2021;
- Be 25 years or older on the day of the congressional elections; and

⁶ <https://www.registraduria.gov.co/?page=cedula-digital#:~:text=Los%20colombianos%20que%20cuenten%20con,totalmente%20digital%20en%20su%20smartphone.>

⁷ https://caracol.com.co/radio/2022/01/26/politica/1643184298_009998.html

⁸ Indra is a leading global information technology company contracted by the Colombian election management body to design the vote counting software that will be used for the legislative and presidential elections in 2022.

⁹ <https://www.indracompany.com/es/noticia/indra-avanza-proceso-entrega-software-escrutinio-elecciones-2022-colombia-sera-propiedad>

¹⁰ <https://www.unidadvictimas.gov.co/especiales/16curules/index.html>

¹¹ <https://www.infobae.com/america/colombia/2021/08/26/lo-que-debe-saber-de-las-16-curules-de-paz-quien-puede-participar-de-que-zonas-y-por-cuantos-periodos/>

¹² <https://www.unidadvictimas.gov.co/especiales/16curules/index.html>

- Have been born in one of the municipalities linked to below or have resided there for at least three years prior to the election of the constituency.
 - In the case of victims of forced displacement, demonstrate or express the intention to return, be in the process of returning or have lived at least three consecutive years at any time in one of these municipalities.

The 16 new constituencies were formed after identifying the areas most affected by the conflict, according to criteria such as level of poverty, unmet basic needs, weakness of administrative institutions, presence of illicit crops and others. One person will be elected from each constituency. A full list of the 16 constituencies can be found [here](#).

Is out-of-country voting allowed? If so, what does this process look like?

Out-of-country voting is allowed and will take place for one full week, from March 7 through March 13, 2022. Colombians who wish to vote abroad must be part of the electoral roll of Colombians abroad. This consists of 1) Colombian citizens whose ID (*cédula*) is registered in any voting post abroad and 2) all Colombian citizens who, upon turning 18 years old after 2005, processed their citizenship cards for the first time in a consulate and have never been registered elsewhere.¹³ Voting will take place at the embassy or consulate where each voter is registered, with either an ID or passport used to vote.

Who are citizens voting for on Election Day?

In these elections, citizens will elect all members of Congress, comprising the Senate and the Chamber of Representatives. Voters will also designate coalitions' presidential candidates in internal party consultations.

- **Senate (108 seats)**

The Colombian senate consists of 108 seats, 100 of which will be elected in a single nationwide ballot and five seats that will be assigned automatically to the *Comunes* (formerly the Revolutionary Armed Forces of Colombia, FARC) political party.¹⁴ Additionally, two seats are available to Indigenous communities, which can be elected through a separate ballot. The last available seat will go to the runner-up in the presidential election.¹⁵

- **The Chamber of Representatives (172 seats)**

¹³ <https://www.registraduria.gov.co/-Colombianos-en-el-Exterior,3752-.html#:~:text=Los%20colombianos%20que%20viven%20en,de%20alg%C3%BAAn%20candidato%20en%20particular>.

¹⁴ The FARC political party was created following the signing of the Peace Agreement and the demobilization of the guerilla group.

¹⁵ <https://www.semana.com/nacion/articulo/que-se-elige-en-las-elecciones-del-13-de-marzo-de-2022/202205/>

The Chamber of Representatives consists of 172 seats based on territorial circumscriptions,¹⁶ with each department having its own ballot. Those ballots have several special circumscriptions and are available to voters upon request:

- Afro-Colombian Communities' Special Circumscription (two seats);
 - Indigenous Communities' Special Circumscription (one seat);
 - Comunes (five seats);
 - Special Seats for Peace (16 seats, ballot available only in 167 conflict-affected municipalities; candidates for those seats cannot belong to any existing political party); and
 - For out-of-country voting, voters can request the International Circumscription Ballot to the Chamber of Representatives (one seat).
- **Internal party consultations (*Consultas Populares Interpartidistas*)**

During the election, voters will also be able to participate in the presidential primaries. Voters may vote for only one of the three *consultas*, or coalitions. These primaries will identify each coalition's candidate for the presidential election. Voters will request the ballot of their preference for the progressive Historic Pact (*Pacto Histórico*) coalition, center-right Team for Colombia (*Equipo por Colombia*) or the centrist Hope Center Coalition (*Coalición Centro Esperanza*).

What are the election management bodies? What are their powers and responsibilities?

Article 120 of the Colombian Constitution establishes Colombia's Election Management Bodies: The National Civil Registry (RNEC) and the National Electoral Council (CNE).¹⁷

- **National Electoral Council**

The [CNE](#) is responsible for general oversight of the elections. It oversees recognizing the legal status of political organizations, distributing funding for campaigns, ruling on irregularities during the electoral process and declaring the outcomes of electoral processes.¹⁸ The CNE is made up of nine magistrates who are elected by the Colombian Congress for four-year terms. Magistrates mirror the percentage of representation of parties in Congress. As part of the peace agreement between the Colombian government and the Revolutionary Armed Forces of Colombia (FARC), a tenth magistrate was appointed in 2017, serving as a delegate from the demobilized group.¹⁹

¹⁶ Specific electoral administrative units, with established territorial boundaries. Each territorial circumscription has two representatives, plus an additional representative per each 365,000 inhabitants or fraction over 182,500 in excess of the first 365,000.

¹⁷ <https://www.constitucioncolombia.com/titulo-5/capitulo-1/articulo-120>

¹⁸ <https://www.cne.gov.co/la-entidad/acerca-del-cne>

¹⁹ <https://www.cne.gov.co/la-entidad/magistrados/2-institucional/82-pablo-julio-cruz-ocampo>

- **National Registry of the Civil State**

The RNEC is responsible for the technical and operational dimension of the electoral process in Colombia. Among its other responsibilities, the RNEC oversees the organization of electoral and citizen participation processes, carries out national civil registration policies, updates the voter roll and oversees the vote count and result dissemination process.²⁰ The RNEC is headed by the National Registrar, who is selected for a four-year term by the Supreme Court, the State Council and the Constitutional Court through a merit-based process.²¹ The current National Registrar, Alexander Vega, was appointed in 2019.

What is the legal framework for conducting the elections?

Elections in Colombia are regulated by the country's 1991 Political Constitution and 1986 Electoral Code.

Title 9 of the Constitution explicitly addresses voting and electoral processes, as well as the roles and responsibilities of electoral authorities. Under this title, the Constitution establishes the National Electoral Council (CNE) and the National Civil Registry (RNEC) and stipulates relevant regulations for political participation and electoral activities in Colombia.

The current Electoral Code was adopted on Aug. 1, 1986, through Presidential Decree 2241. It outlines technical and operational standards for electoral processes and determines the roles and responsibilities of the RNEC and the CNE. Over time, the code has been modified on numerous occasions through laws, presidential decrees and court rulings.²² A reformed code, approved in the Senate in 2021, is currently being challenged in the Supreme Court. The current code remains in effect until a new version is approved by the Supreme Court and signed by the president.

Who is eligible to run as a candidate?

In Colombia, candidate requirements vary depending on the chamber and circumscription for which a given candidate is running.^{23, 24}

- **Congress:** All candidates who run for a seat in Congress must have been born as a Colombian, hold Colombian citizenship and be at least 30 years old when elected.²⁵
 - o **Indigenous Communities' Special Circumscription:** Candidates must have held a traditional position of authority in their communities or have led an Indigenous organization that is verifiable by the Ministry of the Interior.²⁶

²⁰ <https://www.registraduria.gov.co/-Funciones-de-la-Registraduria,3672-.html>

²¹ <https://www.corteconstitucional.gov.co/registrador/preguntas.php>

²² <https://www.alcaldiabogota.gov.co/sisjur/normas/Norma1.jsp?i=11750>

²³ <https://www.constitucioncolombia.com/titulo-6/capitulo-4>

²⁴ <https://www.funcionpublica.gov.co/eva/gestornormativo/norma.php?i=4157>

²⁵ Art. 172 Constitucion Politica

²⁶ <https://www.constitucioncolombia.com/titulo-6/capitulo-4> Art. 171

- **House of Representatives:** All candidates who run for seats in the House of Representatives must hold Colombian citizenship and be at least 25 years old when elected.²⁷
 - **Afro-Colombian Special Circumscription:** Candidates must be members of an Afro-Colombian community and must be backed by an organization recognized by the Ministry of the Interior.²⁸
 - **Indigenous Communities' Special Circumscription:** Candidates must have held a traditional position of authority in their communities or have led an Indigenous organization, verifiable by the Ministry of the Interior.²⁹
 - **International Circumscription:** Candidates must run as members of a political organization recognized by the CNE, and they must provide proof of their residence abroad for at least five years prior to the electoral process.³⁰
 - **Special Seats for Peace:** Candidates must have been born or lived in one of the 16 circumscriptions during the three years prior to the election, and they must qualify as victims of the armed conflict as defined by Legislative Act 02 of 2021.³¹

How is the election management body protecting the elections and voters from COVID-19?

On June 16, 2020, Colombia's Health Ministry issued Resolution 958, which outlines the biosecurity protocol to be adopted by the National Civil Registry (RNEC) for electoral processes during the COVID-19 pandemic. Measures include guaranteeing social distancing during election day; providing accessible hand-washing stations; enforcing the use of masks at voting stands and other relevant facilities; setting up temperature checks at access points; arranging for disinfection, cleaning schedules and waste disposal procedures; and prohibiting the consumption of food in inside areas at the voting places.

Moreover, the resolution provides detailed instructions to RNEC staff, Election Day personnel, observers and voters that clearly outline the steps to be taken to mitigate COVID-19 risks in their respective roles. The full resolution can be found [here](#).

What is the election management body doing to ensure transparency in the electoral process?

The National Civil Registry launched the 2022 Elections Guarantee Plan (*Plan de Garantías Elecciones 2022*) as part of its efforts to ensure the transparency of the electoral process. The plan encompasses the participation of international observers, the swearing in of members of

²⁷ Article 177, *Constitucion Política*.

²⁸ <https://www.funcionpublica.gov.co/eva/gestornormativo/norma.php?i=4157> Chapter III.

²⁹ <https://www.funcionpublica.gov.co/eva/gestornormativo/norma.php?i=4157> Chapter II.

³⁰ <https://www.funcionpublica.gov.co/eva/gestornormativo/norma.php?i=4157> Chapter V.

³¹ <https://www.unidadvictimas.gov.co/especiales/16curules/index.html>

the Electoral Guarantee Tribunal, an updated electoral roll, the ability to use digital IDs in over 20,000 voting stands and a simplified ballot design.^{32,33}

How will the election management body ensure the physical safety of voters and a peaceful electoral process?

The National Civil Registry (RNEC) has produced education materials outlining security recommendations for candidates,³⁴ as well as training designed for members of the armed forces that will accompany the electoral process. These materials are publicly available through the RNEC's Integral Electoral Training System.³⁵

Moreover, there is broad coordination between the executive branch and Colombia's National Police to ensure the safety of candidates. The government has pledged \$1.3 billion Colombian pesos to ensure that at-risk candidates can rely on a robust protection scheme, facilitated by the police and the National Protection Unit.³⁶

Are there reserved seats for women? What is the gender balance within the candidate list?

Current legislation sets a minimum gender balance among candidates. Law 581 of 2000 and Law 1475 of 2011, which amend the Electoral Code, mandate that, in departments with five or more seats, at least 30 percent of candidates on the ballot must be women. In 2022, a record 40.4 percent of candidates for seats in the House of Representatives and 38.5 percent of candidates for seats in the Senate are women.³⁷

What provisions are in place that support the equal rights of women, persons with disabilities and other marginalized groups?

The Electoral Code and its related court rulings and legislation directly address several constituencies that are often underrepresented and excluded from political processes. This body of electoral law lays out rights and protections based on ethnicity, gender and ability, among other demographic categories that are key to the Colombian historical and political context.

Special voting circumscriptions are reserved for representatives of marginalized groups and victims of armed conflict in both legislative chambers.³⁸ These are as follows:

- **House of Representatives**
 - Two circumscriptions for Afro-Colombian communities;

³² <https://www.elnuevosiglo.com.co/articulos/02-04-2022-asi-funcionaran-las-garantias-electorales-para-los-comicios>

³³ <https://www.elheraldo.co/politica/la-registraduria-presento-el-plan-de-garantias-electorales-884399>

³⁴ <https://www.registraduria.gov.co/Recomendaciones-de-seguridad-para-candidatos.html>

³⁵ <https://www.registraduria.gov.co/sites/-Sistema-Integral-de-Capacitacion-Electoral/>

³⁶ <https://www.eltiempo.com/politica/partidos-politicos/gobierno-pone-en-marcha-plan-para-blindar-a-los-candidatos-en-elecciones-641731>

³⁷ <https://www.co.undp.org/content/colombia/es/home/-sabias-que-/40--de-candidaturas-al-congreso-de-la-republica-son-mujeres--per.html>

³⁸ <https://www.elespectador.com/politica/cosas-que-debe-saber-para-votar-al-congreso-y-las-consultas/>

- One circumscription for Indigenous communities;
- One circumscription for Colombian communities living abroad;
- Five circumscriptions for the *Comunes* party, formerly the Common Alternative Revolutionary Force and successor to the former Revolutionary Armed Forces of Colombia (FARC); and
- Sixteen circumscriptions for victims of armed conflict (*Curules de Paz*).
- **Senate**
 - Two circumscriptions for Indigenous communities; and
 - Five circumscriptions for the *Comunes* party.

Current legislation sets a minimum gender balance among candidates. Law 581 of 2000 and Law 1475 of 2011, which amend the Electoral Code, mandate that in departments with five or more seats, at least 30 percent of candidates on the ballot must be women. In 2022, a record 40.4 percent of candidates for seats in the House of Representatives and 38.5 percent of candidates for seats in the Senate are women.³⁹

Electoral law allots protections that secure voting rights regardless of physical ability. Article 16 of Law 163 of 1994 guarantees the right for any Colombian to enter the voting booth accompanied by a person of their choice for reasons of disability, health or old age.⁴⁰ A 2003 Constitutional Court ruling determined that braille ballots must also be made available for voters with visual impairments.⁴¹

How will voting on Election Day work?

Registered voters are advised to arrive at their assigned polling places early on March 13, with their national ID. Voters can check their assigned polling location on the National Civil Registry's website.⁴² Voting begins at 8:00 a.m. and ends at 4:00 p.m. Upon entering the voting booth, each voter will receive one ballot for the Senate and another for the House of Representatives; the ballots are specific to each region. Voters will mark their choices according to directions and place their ballots into the ballot box. If a voter makes a mistake while filling out the ballot, he or she may request a new ballot from a poll juror. All voters receive a certificate that entitles them to a half-day of paid leave from their place of work, among other benefits.^{43,44}

Who can observe during Election Day? How can they get accreditation?

Multiple groups, both nationally and internationally, will exercise observational roles during the 2022 Congressional elections. Individuals, civil society groups and specialized election organizations from around Colombia and the world will observe in different capacities to help

³⁹ <https://www.co.undp.org/content/colombia/es/home-sabias-que-/40--de-candidaturas-al-congreso-de-la-republica-son-mujeres--per.html>

⁴⁰ <https://www.funcionpublica.gov.co/eva/gestornormativo/norma.php?i=37781>

⁴¹ <https://www.corteconstitucional.gov.co/relatoria/2003/T-487-03.htm>

⁴² <https://eleccioncolombia.registraduria.gov.co>

⁴³ https://colombia.as.com/colombia/2022/01/15/actualidad/1642262263_457091.html

⁴⁴ <https://www.eltiempo.com/politica/partidos-politicos/5-pasos-a-seguir-para-votar-en-las-elecciones-legislativas-de-2022-624452>

ensure the free exercise of voting rights and evaluate the quality of the election. **Their roles and credentials are equal to any observer, however, depending on their expertise approach, observers can have access to different information.**

In the case of national observation, election witnesses (*testigos electorales*) are observers appointed by and representing political parties, political movements, National Electoral Council (CNE)-recognized election observation groups and other significant civic groups that register candidates for party and government positions. According to Article 121 of the Colombian Electoral Code, each of these groups has the right to appoint an observer to each polling place and recount center to oversee vote counting and recounting processes and to report any irregularities to the CNE. The CNE conducts background checks on appointed election witnesses before issuing their credentials, which municipal register officials verify on Election Day. Election witnesses can also request an immediate recount by the poll jurors at their respective polling places.⁴⁵

The Electoral Observation Mission (*Misión de Observación Electoral*, MOE) is a national collective of local civil society organizations that trains and deploys citizen volunteers to observe outside of polling places. MOE volunteers have observed all national elections since 2006, helping record Election Day statistics and irregularities to create election quality measures in cooperation with the Inter-American Institute for Human Rights–Center for Electoral Promotion and Assistance.^{46,47}

Three international missions are also accredited to observe the elections: the European Union (EU), Organization of American States (OAS) and Inter-American Union of Electoral Organizations. The International Institute for Democracy and Electoral Assistance and the National Democratic Institute have also confirmed their participation and were awaiting credentials as of Feb. 24, 2022. Additionally, 85 representatives of labor unions from around the Americas will observe the elections on an invitation from Colombian labor unions, the Central Union of Workers and the Confederation of Workers of Colombia; the CNE has yet to approve their credentials as of March 7, 2022.^{48, 49}

How will votes be counted?

Votes are first counted to estimate each race's results as part of Colombia's Preliminary Results Transmission System for the Congressional elections. Title 7 of the Electoral Code establishes that poll jurors quickly tally the ballots at each polling place immediately after the polls close and

⁴⁵ <https://www.registraduria.gov.co/-Testigos-electorales,1097-.html>

⁴⁶ <https://www.datoselectorales.org/observacion-electoral/>

⁴⁷ <https://www.moe.org.co/observacion-electoral/observacion-eleccion-de-autoridades-nacionales/>

⁴⁸ <https://www.eltiempo.com/elecciones-2022/actualidad-electoral/registrador-nacional-habla-sobre-las-elecciones-a-congreso-en-2022-652948>

⁴⁹ <https://www.infobae.com/america/colombia/2022/02/17/mas-de-85-sindicatos-internacionales-llegaran-a-colombia-para-vigilar-las-elecciones/>

then announce these preliminary results to the media and the public. These results are purely informative and do not have legal value.⁵⁰

Next, local scrutinizing commissions made up of judges, public notaries and registrars, which operate at the district, municipal and auxiliary level, count and inspect the tally counts at the voting centers. Law 1475 of 2011 requires these local scrutinizing commissions to be present at their respective sites at 3:30 p.m. on Election Day and to begin their work as soon as they receive the poll jurors' electoral tally sheets.⁵¹ They also perform initial recounts per polling booth when needed.⁵² Once the local scrutinizing commissions complete their counts, inspection and recounts, they pass the scrutinized tally sheets to a representative of the National Civil Registry (RNEC) to digitize. These forms are signed by poll jurors and published on the RNEC's website so all candidates and citizens can track the results from each polling station in real time.^{53, 54} The RNEC expects to announce the results of the initial scrutiny online and through the media starting on Election Night into the Monday and Tuesday following Election Day. It will first tally and announce the results for the internal party consultations, next for the Senate and then for the House of Representatives, before finishing with the remaining circumscriptions.^{55, 56}

The next step in producing official results falls to the general scrutinizing commissions, composed of qualified delegates of the National Electoral Council (CNE), who verify the results of the quick counts and local scrutiny at the department level according to Chapter 4 of the Electoral Code. Article 43 of Law 1475 of 2011 indicates that these general scrutinizing commissions begin their work at 9:00 a.m. on the Tuesday following Election Day.⁵⁷ Besides verifying the results of the first counts and scrutiny based on completed tally sheets, the general scrutinizing commissions resolve any requests for recounts from the local scrutinizing commissions. Once they confirm the results, the general scrutinizing commissions send any unresolved disputes to the CNE. Article 187 of the Electoral Code states that the nine magistrates of the CNE, along with the national registrar or his delegate, will review unresolved disputes and make an unappealable decision to definitively determine the official results of the election.⁵⁸

When and how will official results be announced?

While preliminary results are announced as early as Election Night, official results are not known until the entire vote counting process is finished. According to the Electoral Code of 1986 and Law 6 of 1990, official results are announced after the scrutinizing commissions and the

⁵⁰ <https://www.funcionpublica.gov.co/eva/gestornormativo/norma.php?i=9029>

⁵¹ <https://www.funcionpublica.gov.co/eva/gestornormativo/norma.php?i=43332>

⁵² <https://www.funcionpublica.gov.co/eva/gestornormativo/norma.php?i=9029>

⁵³ <https://www.registraduria.gov.co/-Escrutadores,274->

⁵⁴ <https://www.funcionpublica.gov.co/eva/gestornormativo/norma.php?i=43332>

⁵⁵ <https://www.registraduria.gov.co/-Escrutinio-.html>

⁵⁶ <https://www.elcolombiano.com/colombia/entrevista-al-registrador-alexander-vega-elecciones-legislativas-2022-nuevos-tarjetones-y-garantias-de-seguridad-GF16572895>

⁵⁷ <https://www.funcionpublica.gov.co/eva/gestornormativo/norma.php?i=43332>

⁵⁸ <https://www.funcionpublica.gov.co/eva/gestornormativo/norma.php?i=9029>

National Electoral Council complete the vote counting process.⁵⁹ In theory, this process could finish in as little as one week, but the verification of results and resolution of disputes extend the timeline to as much as several weeks after Election Day.⁶⁰

How will election disputes be adjudicated?

According to Article 164 of the Electoral Code, candidates, their representatives and accredited electoral witnesses may request a recount by the scrutinizing commission at any given voting station. Scrutinizing commissions are assigned to the vote scrutiny process at the auxiliary/zonal, district/municipal and national levels. For scrutiny at the auxiliary/zonal and district/municipal levels, the commissions are appointed by the Judicial District's Superior Tribunal (*Tribunal Superior del Distrito Judicial*). Each consists of two citizens who must be certified judges, notaries or public instrument registrars. At the national level, the commission is appointed by the CNE and consists of two citizens who have served as magistrates at the Supreme Court, Council of State, National Electoral Council (CNE) or Superior Tribunal.⁶¹

Requests for recounts must be submitted in writing to the CNE or its delegates and must be based on one of the irregularities listed in Article 192 of the Electoral Code. The scrutinizing commission has the right to review and deny a request unless poll juror tallies reflect a difference of 10 percent or more between vote counts, corrections or other markings are found on vote count sheets or if there is any doubt among the members of the scrutinizing commission as to the accuracy of the poll jurors' counts. Per Article 193 of the Electoral Code, requests for recounts can be issued throughout the district, municipal and auxiliary scrutiny process or during the general scrutiny carried out by CNE delegates.⁶²

The general scrutinizing commissions send any unresolved disputes to the CNE. Article 187 of the Electoral Code states that the nine magistrates of the CNE, along with the National Registrar or his delegate, must review unresolved disputes and make an unappealable decision to definitively determine the official results of the election.⁶³

⁵⁹ <https://www.funcionpublica.gov.co/eva/gestornormativo/norma.php?i=9028>

⁶⁰ <https://www.registraduria.gov.co/-Escrutinio-.html>

⁶¹ <https://www.registraduria.gov.co/-Escrutinio-.html#:~:text=Las%20comisiones%20escrutadoras%20distritales%20y.en%20el%20respectivo%20distrito%20judicial>

⁶² <https://www.funcionpublica.gov.co/eva/gestornormativo/norma.php?i=9029>

⁶³ <https://www.funcionpublica.gov.co/eva/gestornormativo/norma.php?i=9029>

Resources

- Constitution of Colombia ([Spanish](#), [English](#))
- Electoral Code ([Spanish](#))
- National Electoral Council (CNE) ([Spanish](#))
- National Civil Registry (RNEC) ([Spanish](#))

Disclosure

These FAQs reflect decisions made by the Colombian election authorities as of March 11, 2022, to the best of our knowledge. This document does not represent any International Foundation for Electoral Systems policy or technical recommendations.