

## Colombia Coup Risk

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### Executive Summary

*Colombia exhibits multiple indicators of a modern, institutional coup: progressive erosion of judicial and oversight independence, concentration of executive power, and weakening of constitutional checks and balances.*

*Between 2018 and 2022, Gustavo Petro, while in opposition, mobilized civilians—including young people—in violent protests, in coordination with individuals now central to his “Total Peace” policy, raising serious legal and ethical concerns. The policy has coincided with the consolidation of illegal armed groups and organized crime, weakening state authority rather than dismantling criminal structures.*

*These brief urges constitutional courts, oversight institutions, and the international community to defend democratic integrity, uphold judicial independence, and prioritize support for the Colombian people over uncritical endorsement of contested governance.*

The progressive deterioration of institutional guarantees in Colombia, combined with converging political, judicial, security, and geopolitical developments, reveals consistent indicators of a process that may be characterized, under contemporary international law, as a *modern coup d'état*. International doctrine no longer defines coups exclusively by the image of soldiers seizing presidential palaces.

Instead, a modern coup d'état is understood as any unconstitutional rupture of democratic order resulting in the unlawful acquisition or retention of political power, regardless of whether it is executed through military force, institutional manipulation, or legal mechanisms abused in *bad faith*. This evolution reflects a growing recognition that democratic breakdowns increasingly occur through subtle, procedural, and ostensibly lawful means rather than through overt violence alone.

This expanded understanding is clearly reflected in the Inter-American Democratic Charter (2001), adopted by the Organization of American States (OAS). The Charter does not limit its scope to classic military coups; rather, it condemns any *“unconstitutional interruption or alteration of the democratic order.”* This deliberately broad formulation captures situations in which formal institutions—courts, legislatures, electoral bodies, or administrative authorities—are used to dismantle democracy from within.

The OAS has consistently applied this standard in practice, most notably in Honduras (2009), where

President Zelaya was forcibly removed by the military with the backing of judicial and legislative authorities. Despite domestic claims of legality, the OAS treated the events as a coup d'état because they resulted in the forced removal of an elected president and the breakdown of constitutional governance.

A similar normative evolution has occurred within the African regional system. The African Union's Lomé Declaration (2000) and the African Charter on Democracy, Elections and Governance establish that *“unconstitutional changes of government”* include not only military takeovers, but also constitutional manipulation, refusal to relinquish power after elections, and serious violations of democratic principles.

This framework has been consistently enforced in practice, including in Mali (2020 and 2021) and Niger (2023), reaffirming a core international principle: governmental legitimacy derives from constitutional and democratic processes, not from control of coercive force. International doctrine has further identified the phenomenon of the *constitutional or institutional coup*, in which democratic institutions formally remain intact but are substantively hollowed out.

Such processes often involve the strategic use of impeachment proceedings, judicial decisions, constitutional amendments, or administrative mechanisms to neutralize political opposition or entrench incumbents in power. While more contested than overt military coups, international bodies increasingly assess these situations based on their impact on popular sovereignty rather than their formal legality.

Another recognized category is **the self-coup (autogolpe)**, whereby an elected executive dismantles or neutralizes other branches of government to govern without effective checks and balances. Even when justified by *emergencies*, security concerns, or reformist agendas, such actions are treated as coups when they result in the concentration of power beyond constitutional limits.

Across these instruments and cases, international decisions converge on several defining elements of a modern coup d'état: an unconstitutional disruption of democratic order; the illegitimate acquisition or retention of power; the use of force, coercion, or institutional abuse; and the effective negation of popular sovereignty. Crucially, violence is no longer a necessary condition. What matters is the substance of the power shift, not the method or appearance through which it is achieved.

The Colombian Context

Within this international framework, the Colombian context raises serious concerns. The progressive erosion of institutional guarantees has unfolded alongside escalating political polarization and the systematic delegitimization of oversight bodies.

Of particular concern is sustained pressure on the judiciary<sup>1</sup> and the public discrediting of high courts, which directly undermines judicial independence—an essential pillar of constitutional democracy recognized in both national and international jurisprudence.

This institutional erosion has occurred amid widespread insecurity and persistent armed conflict. In such contexts, the instrumentalization of civilians in violent confrontations—whether as human shields, coerced collaborators, or tools of territorial and political control—constitutes a grave breach of International Humanitarian Law. International law prohibits the deliberate exposure of civilian populations to violence for strategic or political gain.

It must therefore be stated plainly that, while in opposition, Gustavo Petro mobilized civilians—particularly young people—to participate in violent protests between 2018 and 2022, in coordination with individuals who are now key allies within his “Total Peace” policy framework. This continuity of actors and methods raises serious legal and ethical concerns regarding the normalization of civilian endangerment as a political instrument.

The infiltration of illegal armed groups and organized crime into civilian populations to exercise territorial authority or conduct attacks further aggravates these violations and may amount to prosecutable war crimes. These dynamics not only endanger civilians but also erode the State’s constitutional monopoly on the legitimate use of force.

Alarmingly, policy choices implemented under the framework of “Total Peace” have, in practice, legitimized and strengthened illegal armed and organized criminal structures. Credible media reporting has indicated instances of intelligence sharing and operational accommodation.

The absence of clear transitional justice standards, effective verification mechanisms, and enforceable conditions has facilitated the territorial consolidation of criminal groups, undermined national sovereignty and

<sup>1</sup> After President Petro’s coalition failed to secure a majority, coordinated intimidation linked to Petro-Maduro-aligned networks forced the resignation of a National Electoral Council member, who was replaced by a Petro ally. Despite this pressure, the NEC ruled that Petro’s campaign violated electoral law by exceeding spending limits and accepting undisclosed funds. On December 22, another NEC member was

exposing communities to renewed forms of violence and coercion. Rather than dismantling these structures, state authority has been progressively diluted.

This trajectory is reinforced by additional factors consistent with internationally recognized indicators of democratic rupture: the concentration of power in the executive through exceptional mechanisms, including extensive rule by decree; the erosion of institutional checks and balances; the use of polarizing rhetoric portraying democratic institutions as obstacles to political transformation; and geopolitical alignments with authoritarian regimes linked to transnational criminal networks such of Maduro.

Comparative international experience demonstrates that such patterns rarely occur in isolation and often form part of a deliberate strategy of authoritarian consolidation without formal constitutional rupture.

A modern coup d'état [**self-coup (autogolpe)**], is therefore best understood as a cumulative and structural process sustained through the progressive delegitimization and capture of institutions, using legality as a façade for the concentration of power.

Under the pretext of governability, peace, or historical necessity, constitutional order is hollowed out while democratic forms are preserved. This model is particularly dangerous because it advances incrementally, normalizing illegality and weakening institutional resistance.

#### Pillars of Power Consolidation

President Petro, Senator Iván Cepeda—currently positioned as a prospective candidate in the 2026 presidential elections—their governing coalition *Pacto Histórico*, and allied political forces, ascended to power through a convergence of at least four interrelated pillars.

First, during the presidential campaign, the so-called *Picota Prison Pact* established understandings with illegal armed groups and criminal organizations including guarantees of territorial control, operational continuity, and de facto immunity in exchange for political and financial support.

Second, these arrangements laid the groundwork for the *Total Peace* initiative. Rather than dismantling illegal structures, this policy has coincided with the expansion and consolidation of control by illegal armed groups and

violently attacked in the street despite armored protection. Materials from FARC dissident leader Calarcá indicate the Petro administration is sharing intelligence with dissident groups and organized crime—an escalating threat to Colombia’s democracy.

transnational organized crime, including actors operating from Venezuela. These groups are alleged to exert significant leverage over key political decision-makers, including President Petro and Senator Cepeda.

Third, the current administration has overseen a systematic weakening of the constitutional principle of separation of powers, undermining institutional checks and balances essential to democratic governance.

Fourth, there has been a documented escalation in political violence and intimidation targeting opposition figures, journalists, members of the judiciary, women, and children, contributing to an increasingly hostile environment for democratic participation and the rule of law.

Serious concerns arise from the Petro administration's use of opaque international agreements to consolidate power and bypass constitutional oversight. President Petro, his *Pacto Histórico* coalition, and Senator Iván Cepeda have overseen and defended contracts that raise grave questions about legality, transparency, and national sovereignty.

The Gripen fighter aircraft procurement remains unexplained, with unresolved allegations involving Saab AB, the Swedish government, and potential illicit benefits linked to individuals close to the president. Oversight bodies have yet to receive complete, verifiable documentation detailing terms, intermediaries, and financial flows. Additional decisions compound these concerns: the passport contract awarded to Portugal but executed in France; an agreement with Spain amid allegations of electoral interference; and a 23-billion-peso loan from PIMCO in U.S. dollars at interest rates well above multilateral benchmarks.

Together, these actions reveal a pattern of secrecy and overreach, using agreements to bypass oversight, erode the rule of law, and undermine governance.

Most alarming is the outright capture of the 2026 legislative and presidential elections by illegal armed groups and organized crime, forcibly directing communities to vote for Petro's lists and candidate while threatening and silencing all opposition.

The international community must support the Colombian people, not confer uncritical legitimacy on a government facing serious concerns over governance, transparency, and the rule of law. Continued endorsement without scrutiny risks empowering illegal armed groups and organized crime.