

Colombia

2016 Country Summary

Colombia's GI ranking is in Band B, indicating a low level of defence corruption risk. The highest risk areas identified are Operations and Procurement (Band C - medium risk). In the past years, there have been notable efforts by the government to improve transparency and accountability in the defence sector, such as the Ministry of Defence's "Plan to Ensure Integrity and Prevention of Corruption" published in January 2015. Furthermore, the government engaged with the NATO Building Integrity Programme and has conducted a self-assessment on integrity in the defence sector which is publicly available. The Defence Ministry also established a secure, anonymous whistle-blower mechanism to denounce corruption or misconduct by the police, armed forces, or other bodies within the ministry.

In June 2016, the Colombian Army announced a programme of restructuring to increase transparency, including the creation of the Office of the Application of Norms of Transparency in the Army (Dante). This is intended to oversee all aspects of transparency within the institution.

However, there are still significant challenges that the government needs to address to reduce the risk of corruption in the defence and security sector, mostly related to the gaps between existing legislation and implementation in practice (see section on procurement), or the effectiveness of independent oversight.

For example, information about independent oversight over defence expenditure is not easily accessible. By law, congress should oversee all secret and confidential spending but the effectiveness of congress' oversight is questionable. For example, off-budget military expenditure, which is not formally authorised within a country's official defence budget and thus more vulnerable to corruption risks, is not clearly regulated. And indeed, there have been criticisms over a lack of transparency in some off-budget expenditure, mainly with regard to Plan Colombia under which Colombia received more than \$10 billion from the US in mostly military aid.

Procurement

Procurement is clearly regulated in law but, in practice, often opaque. The default method for public procurement is through open, competitive tendering, but the laws allow for significant exemptions. A 2013 Presidential decree set out a broad range of goods and services which defence entities can procure through direct, single-source contracts rather than a competitive process. The list of exemptions covers items ranging from weapons and

munition to hardware, vehicles, armour, and tools for training, and including maintenance contracts

As a result, there is evidence of **significant direct procurement, or single-sourcing**, with the government itself pegging the number at 80% of all purchases. In May 2014, the Consejo de Estado (State Council) suspended the provisions allowing direct procurement, but there is no evidence that this has ended the practice.

Purchases that are not made through an open, competitive process do not need to be made public. Accordingly, 75% of defence purchases are not publicly available. This lack of transparency is exacerbated by the fact that the **defence procurement that is publicly available generally only includes civilian purchases** (e.g. rent, computers, books, etc.).

Operations

In the past decades, the vast majority of military operations took place within Colombia as part of the decade-long war against guerrilla groups, including FARC ('Revolutionary Armed Forces of Colombia'). Since the historic peace agreement was reached with FARC in August 2016, and with a pre-agreement signed with the United Nations in early 2015, **Colombian involvement in international peacekeeping or stabilisation missions is becoming increasingly likely**. The military also faces new internal challenges such as the de-mining process, the relocation and demobilisation of the FARC, the continued existence of the ELN ('National Liberation Army'), and the risk of increased organised crime. .

As they consider deployments, the Colombian forces would benefit from developing guidance and training equipping them to recognise and address corruption as a threat to mission success.

Colombia's military doctrine recognises the importance of individual ethical issues, but not yet of the impact corruption can have on mission success. Going forward, it would be important to establish more explicit links between corruption and operational efficiency, in addition to recognising corruption as a risk the armed forces are vulnerable to. It should furthermore say that the doctrine applies to both national and international operations. In practice, such doctrine would be strengthened by anti-corruption monitors in the field and by dedicated training issued to personnel on managing corruption risks.

Another important aspect that needs reviewing is the use of private military contractors (PMCs). Foreign PMCs, mostly from the US, were involved in Colombia's armed conflict. However, there are no regulations on the use of Colombian PMCs on international missions. **The regulation of the use of PMCs should be treated as an integral part of Colombia's preparation for international deployments.**

Scorecard

Political	Defence and Security Policy	1. Legislative Scrutiny	3
		2. Defence Committee	3
		3. Defence Policy Debated	3
		4. CSO Engagement	4
		5. International AC Instruments	4
		6. Public Debate	4
		7. AC Policy	4
		8. AC Institutions	3
		9. Public Trust	3
		10. Risk Assessments	3
	Defence Budgets	11. Acquisition Planning	2
		12. Budget Transparency & Detail	3
		12A. Budget Scrutiny	3
		12B. Budget Publicly Available	3
		13. Defence Income	3
		14. Internal Audit	4
	Other Political Areas	15. External Audit	3
		16. Natural Resources	4
		17. Organised Crime Links	2
		18. Organised Crime Policing	4
		19. Intelligence Services Oversight	3
20. Intelligence Services Recruitment		2	
21. Export Controls		1	
Finance	Asset Disposals	22. Asset Disposal Controls	4
		23. Asset Disposal Scrutiny	3
	Secret Budgets	24. Percentage Secret Spending	4
		25. Legislative Access to Information	2
		26. Secret Programme Auditing	3
		27. Off-budget Spending in Law	2
		28. Off-budget Spending in Practice	2
	Links to Business	29. Information Classification	2
		30. Mil. Owned Businesses Exist	3
31. Mil. Owned Business Scrutiny		3	
Personnel	Leadership	32. Unauthorised Private Enterprise	4
		34. Public Commitment	4
		35. Measures for Corrupt Personnel	3
		36. Whistleblowing	3
	Payroll and Recruitment	37. Special Attention to Sensitive Personnel	2
		38. Numbers of Personnel Known	4
		39. Pay Rates Openly Published	4
		40. Well-established Payment System	4
		41. Objective Appointments	3
		42. Objective Promotions	3

	Conscription	43. Bribery to Avoid Compulsory Conscription	2	
		44. Bribery for Preferred Postings	2	
	Salary Chain	45. Ghost Soldiers	4	
		46. Chains of Command and Payment	4	
	Values, Standards, Other	47. Code of Conduct Coverage	3	
		48. Code of Conduct Breaches Addressed	3	
		49. AC Training	3	
		50. Prosecution Outcomes Transparent	3	
		51. Facilitation Payments	2	
	Operations	Controls in the Field	52. Military Doctrine	3
			53. Operational Training	2
54. AC Monitoring			1	
55. Controls on Contracting			3	
56. Private Military Contractors			2	
Procurement	Government Policy	57. Legislation	3	
		58. Transparent Procurement Cycle	3	
		59. Oversight Mechanisms	3	
		60. Purchases Disclosed	2	
		61. Standards Expected of Companies	2	
	Capability Gap	62. Strategy Drives Requirements	2	
		63. Requirements Quantified	2	
	Tendering	64. Open Competition v. Single-Sourcing	1	
		65. Tender Board Controls	3	
		66. Anti-Collusion Controls	3	
	Contract Delivery / Support	67. Procurement Staff Training	3	
		68. Complaint Mechanisms for Firms	4	
		69. Sanctions for Corruption	2	
	Offsets	70. Due Diligence	3	
		71. Transparency	1	
		72. Competition Regulation	1	
Other	73. Controls of Agents	2		
	74. Transparency of Financing Packages	1		
	75. Subsidiaries / Sub-Contractors	2		
	76. Political Influence	2		