



**Government Defence  
Integrity Index**



**2020**

Country Brief:

**COLOMBIA**

# COLOMBIA

Despite significant attempts to strengthen defence and security governance in Colombia, including through the US security assistance programme 'Plan Colombia',<sup>1</sup> significant gaps remain that heighten the risk of corruption and cast doubt over the effectiveness and ability of defence actors to fulfil their mandate. External oversight of defence is limited, and democratic backsliding threatens to further undermine controls. Parliament has little influence over defence issues and audit institutions are limited by resource and information access limitations. Financial transparency too is superficial, with secrecy remaining substantial in relation to budgets and arms procurement.

Anti-corruption safeguards for personnel are inadequate and impunity remains a key issue. While progress has been made in relation to operations, more needs to be done to avoid corruption undermining objectives. These challenges are all the more pressing as Colombia's peace process is threatened.<sup>2</sup> Though the historic 2016 peace deal signed with the Revolutionary Armed Forces of Colombia (FARC) ended five decades of guerrilla war, its implementation has faltered. Political instability in Venezuela, the growth of dissident FARC units, and the continuing insurgency by the National Liberation Army (ELN), are feeding an uptick in largely localised violence and insecurity, with civilians and community leaders bearing the brunt.<sup>3</sup> In parallel, public dissatisfaction with the government has increased.<sup>4</sup> The result has been a widespread period of civil unrest, fuelled by anger at structural inequalities, poverty and insecurity.<sup>5</sup> The response has involved police crackdowns and the growing militarisation of public security with military forces deployed on to the streets.<sup>6</sup>

Member of Open Government Partnership	Yes
UN Convention Against Corruption	Ratified in 2004.
Arms Trade Treaty	Has not ratified.

## Latin America

Latin America is experiencing one of the most difficult periods in its recent history. The coronavirus pandemic, steep economic contraction and significant democratic backsliding and political polarisation are threatening to undo much of the development, security and governance gains the region has achieved. The financial crisis has fed into public anger at rising inequality, corruption, poor public services and police brutality, with many states seeing massive public protests and social unrest. Insecurity is also on the rise, particularly in Mexico, Colombia, Venezuela and Brazil where powerful organised criminal groups have expanded their influence and capitalised on state dysfunction to strengthen their trafficking networks. Backsliding has been visible from Chile to Mexico, as democratic institutions have been undermined and the military has gained increased political power. The expanding role of the military is also raising questions about governance standards. Allegations of human rights abuses and abuses of power by defence and security forces are mounting, but these actors remain largely unaccountable to the public. Transparency in their activities, administration and financial management continues to be restricted and executive control has been tightened, to the detriment of external oversight. Procurement in particular is at high risk of corruption, while anti-corruption safeguards on operations are extremely weak.



<sup>1</sup> Transparency International Defence & Security, *Corruption and Plan Colombia: The Missing Link*, TI-UK, London, 2019.

<sup>2</sup> Charles Fiertz, 'Colombia's Peace Deal Unravels', *Fund for Peace*, 10 May 2020.

<sup>3</sup> Bram Ebus, 'A Rebel Playing Field: Colombian Guerrillas on the Venezuelan Border', *International Crisis Group*, 28 April 2021.

<sup>4</sup> Alejandra Martin Buitrago, 'Colombia on the Brink', *Counter Punch*, 7 May 2021.

<sup>5</sup> AP, 'Corruption, Economic Woes Spark Deadly Protests in Colombia', *The Independent*, 7 May 2021.

<sup>6</sup> AFP, 'Fears of Militarization as Colombian Soldiers Confront Protesters', *France 24*, 5 May 2021.

# COLOMBIA

## Overall scores

The size of the colour band corresponds to number of countries that fall into that category.

## COLOMBIA SCORE

**MODERATE  
RISK**

**C**

**55**



A > 83-100 VERY LOW

B > 67-82 LOW

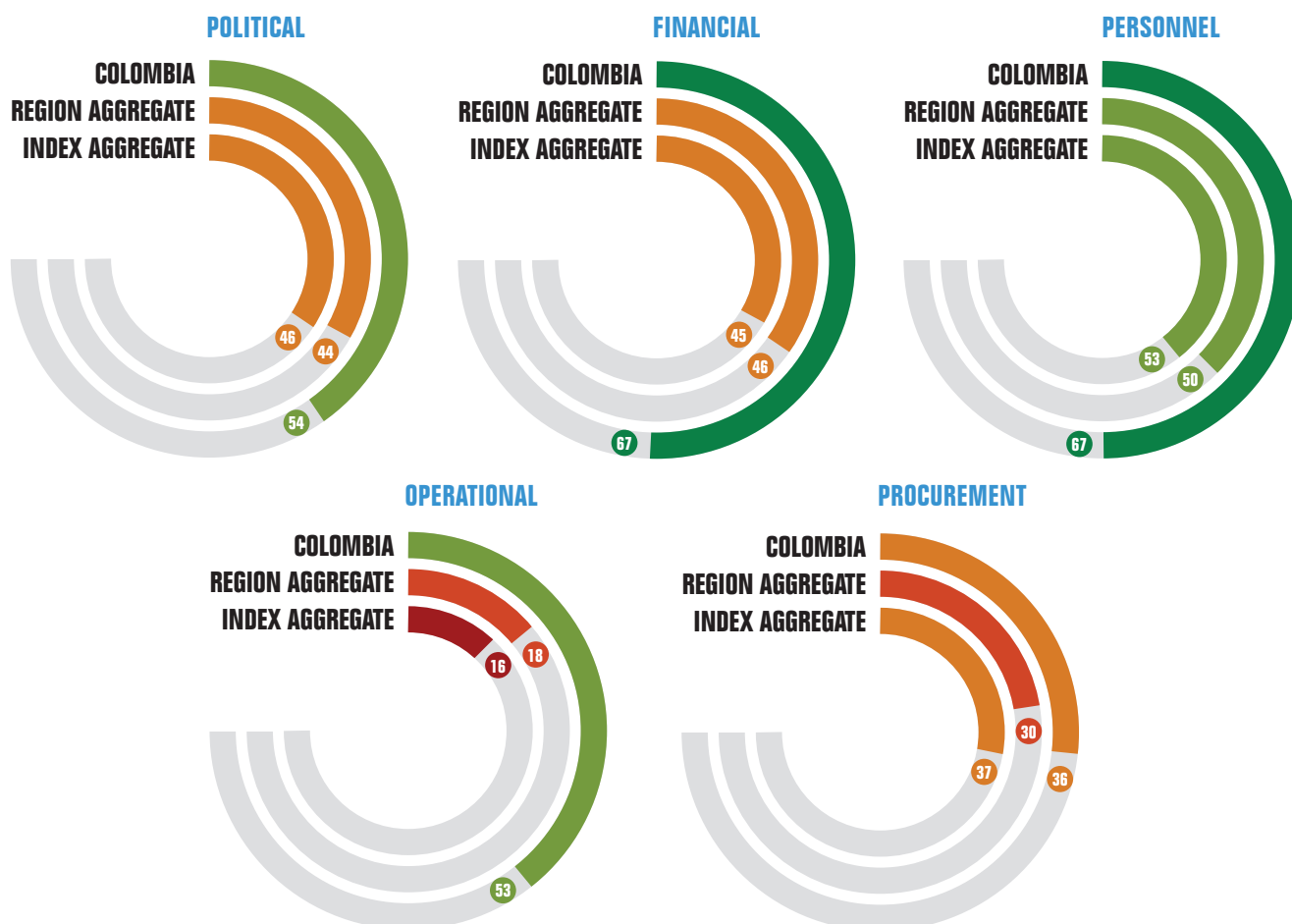
C > 50-66 MODERATE

D > 33-49 HIGH

E > 17-32 VERY HIGH

F > 0-16 CRITICAL

## Risk Comparison



# COLOMBIA

## Parliamentary Oversight

Legislative oversight of budget (Open Budget Survey, 2019)	72/100
Military expenditure as share of government spending (SIPRI, 2020)	9.5%
Committee members with defence expertise (%)	5% (1 in 20)
# of meetings/year	38 (2018); 32 (2019); 48 (2020) [Second Commission, Chamber of Representatives]
Last review of defence policy/strategy	2019

The Congress of Colombia's already limited capacity to scrutinise the executive and military has been further undermined since 2020. During the COVID-19 pandemic, emergency measures implemented by President Iván Duque have allowed the government to bypass Congress and undermine external bodies, amid increasing concentration of power in the executive.<sup>7</sup> In parallel, the military's growing political power, threatens to further reduce what limited congressional oversight there was.<sup>8</sup> In practice, this control is exercised in both houses by parliament's Second Commission, the committee responsible for debating bills related to the military and exercising oversight of defence policy, and the Third and Fourth Commission that are responsible for the defence budget. Noticeably, Congress has no say on decisions regarding arms acquisitions.<sup>9</sup> Despite Congress using formal mechanisms to scrutinise defence policy, including voting on legislation, exercising budgetary control and subpoenaing defence institutions to explain their actions, its effectiveness is limited.<sup>10</sup> Uneven access to confidential defence information and lack of expertise amongst members of congress undermine independent legislative scrutiny. Some legislators have been subjected to threats from paramilitaries for working on issues of corruption and human rights,<sup>11</sup> while the executive holds great sway over how legislators vote.<sup>12</sup> The Second Commissions' limited influence over defence policy is shown through the low levels of legislative activity during the period 2014-2018, where only 41 laws were passed, and 37 of them did not concern policy issues. Of 52 bills on national security and defence, only four were introduced into law.<sup>13</sup> In parallel, financial oversight is conducted by internal and external audit institutions. Within the Ministry of Defence (MoD), the Office of Internal Control (OCI) reviews defence expenditures and submits reports to the supreme audit body every four months.<sup>14</sup> The OCI also conducts an institutional improvement plan to map the MoD's progress against its recommendations, however it is unclear the extent to which its findings are addressed. For its part, the Comptroller General (CGR) is charged with external auditing of defence and conducts regular financial assessments, although performance audits are lacking.<sup>15</sup> The MoD is required to publish an improvement plan outlining how it will integrate audit findings, however in practice some defence agencies have

failed to publish or keep theirs updated.<sup>16</sup> Furthermore, while the CGR's independence is enshrined in the constitution,<sup>17</sup> the current administration has taken steps to curtail this. In 2018, a close ally of the President was elected as Comptroller General, significantly increasing the risk of a lack of independence vis-à-vis the executive branch.<sup>18</sup>

## Financial Transparency

Defence-related access to information response rates	(1) % granted full or partial access: Data is not publicly available. (2) # subject to backlog: Data is not publicly available.
Defence-related complaints to ombudsman/commissioner #	Could not access data
Does the commissioner have authority over the MoD?	Yes
Audit reports on defence (2018-2020) #	47 (2018); 46 (2019)
Open Budget Index (IBP, 2019)	47/100
World Press Freedom Index (RSF, 2021)	134th out of 180.

While there has been progress in making government documents available to the public in Colombia,<sup>19</sup> corruption remains a significant issue, and is frequently facilitated by weaknesses in financial management and limited transparency in financial management.<sup>20</sup> For its part, the defence sector remains one of the most secretive areas of government operation. Though the defence budget is proactively published and provides a robust overview of general spending plans, it lacks significant detail in key areas, which obscures the real allocation of funds.<sup>21</sup> Congress has very little influence over the budget, particularly once it has been signed off, and the reports received by Congress on budget implementation throughout the financial year are of extremely limited value.<sup>22</sup> Budget reliability is also undermined by the lack of clarity around the allocation of defence income outside of central government. While budget implementation documents present general figures related to income, they do not disaggregate between different sources, making it difficult to identify which entity generates revenue, as the Social and Business Group of Defence (GSBD) is a conglomerate of 18 entities. In parallel, there are also limitations on accessing information on public contracting related to military forces, as the contracting bodies can withhold information due to national security concerns. Financial transparency is also undermined by the weakness of access to information processes. The 2014 Transparency Act defines the guidelines for accessing government information, as well as which information is accessible and how information should be classified.<sup>23</sup> Though defence institutions are

<sup>7</sup> Transparency por Colombia (TI Colombia), 'Alarm Over Concentration of Power in the Presidency in Colombia', 3 September 2020.

<sup>8</sup> Adam Isacson, 'What is Latin America's Political Turmoil Doing to Civilian Control of the Military', WOLA, 1 December 2019.

<sup>9</sup> Ministry of Defence, 'Resolution Number 535 of 2004. "by which functions and powers related to the procurement of goods and services are delegated to the Ministry of National Defence, the Military Forces and the National Police"', 17 June 2004.

<sup>10</sup> Luis Fernando Alvarez, 'Motion of censure: failure of a foreign institution', *Periodico El Colombiano*, 2 November 2018.

<sup>11</sup> *Periodico el Pais*, 'Black Eagles are Behind Threats Denounced against Several Congressmen', 30 January 2019.

<sup>12</sup> *Revista Semana*, 'Governance Flavoured with Jam', 8 April 2018.

<sup>13</sup> Visible Congress [Congreso Visible], 'Balance of Legislative Activity 2014-2018', 2019.

<sup>14</sup> Ministry of Defence, 'Internal Control Office'.

<sup>15</sup> Comptroller General of the Republic, 'PVCF Surveillance and Fiscal Control Plan', 11 February 2019.

<sup>16</sup> Comptroller General of the Republic, 'PVCF Surveillance and Fiscal Control Plan', 2018.

<sup>17</sup> National Library *Political Constitution of Colombia*, 2015, Article 267.

<sup>18</sup> Adriaan Alsema, 'Power Grabs of Colombia's President'.

<sup>19</sup> Freedom House, 'Freedom in the World - Colombia', 2021, C3.

<sup>20</sup> Citizens' Corruption Observatory, 'Monitoring Compliance with the Lima Commitment - Colombia National Report', 2021.

<sup>21</sup> Ministry of Defence, 'Initial Budget Defence Sector - 2019', January 2019.

<sup>22</sup> Open Budget Survey, 'Colombia', 2019.

<sup>23</sup> Presidency of Colombia, *Law 1712 of 2014 Through which the Law of Transparency and the Right of Access to National Public Information is Created*, Bogotá, 6 March 2014.



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compliant with the law, they continue to publish only the minimum required data, rendering information related to institutional performance and financial management inaccessible. The bulk of information that is released is purely administrative and procedural, making it of limited use for civil society organisations and researchers working in the sector.

## Personnel Ethics Framework

Whistleblowing legislation	None
# defence-sector whistleblower cases	Data is not publicly available.
# Code of conduct violations	Military: Data is not publicly available. Civilian: Data is not publicly available.
Financial disclosure system	# submitted: Data is not publicly available. # of violations: Data is not publicly available.

Corruption within the Colombian defence and security forces has long been linked to human rights violations and abuses of state power.<sup>24</sup> During the civil conflict in Colombia, military abuses were common, including the 'false positives' scandal where soldiers murdered civilians and passed them off as insurgents to increase their kill count.<sup>25</sup> The scandal is still roiling Colombia, and new directives issued in 2019 ordering the military to double the number of enemy kills evoked troubling parallels to the scandal.<sup>26</sup> Moreover, allegations of corruption and human rights abuses continue to be made, including in relation to army units working with drug traffickers and paramilitaries.<sup>27</sup> This situation points to key weaknesses in anti-corruption safeguards for personnel. Impunity for instance is a persistent issue. Both military and defence personnel are subject to codes of conduct that make some reference to corruption, conflicts of interest, bribery and gifts, but the codes do not provide substantial guidance on how to proceed in these instances.<sup>28</sup> Moreover, there is no available evidence to assess whether the codes are enforced or not, however, the continued impunity for senior officers underlines the uneven enforcement of these norms.<sup>29</sup> Recruitment and promotion processes in the military present further corruption risks. These processes do not take into account ongoing investigations into officers who are accused of crimes against humanity, human rights abuses and corruption, which strengthens the idea of impunity and undermines the importance of integrity throughout the forces.<sup>30</sup> Finally, the absence of strong whistleblowing systems is a critical gap in the governance architecture. Though a bill was presented in 2017 aiming to offer some protections to whistleblowers, it was not passed.<sup>31</sup> The Ministry of Defence does have some measures in place, included a confidential hotline to report wrongdoing, but there remains a lack of clear provisions for protection and effective reporting channels. Whistleblowers are often the subject of retaliation and threats, particularly when attempting to report corruption in the military.<sup>32</sup>

<sup>24</sup> Transparency International Defence & Security, *Corruption and Plan Colombia*, p. 3.

<sup>25</sup> Mariana Palau, 'The "false positives" Scandal that Felled Colombia's Military Hero', *The Guardian*, 19 November 2020.

<sup>26</sup> Justice for Colombia, 'The Colombian State's "Murder Quotas"', 9 July 2019.

<sup>27</sup> Adriaan Alsema, 'Massacres in Colombia'.

<sup>28</sup> See for instance, Ministry of Defence, 'Code of Ethics', 2009.

<sup>29</sup> Human Rights Watch, 'Colombia: Events of 2020', 2021.

<sup>30</sup> Human Rights Watch, 'Colombia: New Army Commanders Reportedly Linked to "False Positives"', 27 February 2019.

<sup>31</sup> C.F. Guerrero, 'Protection and Motivation to Report Corruption', *Asuntos Legales*, 24 July 2018.

<sup>32</sup> Semana, 'Operation Silence: Corruption in the Military', 22 June 2019.

## Operations

Total armed forces personnel (World Bank, 2018)	481,200
Troops deployed on operations #	Unknown number in Colombia, 2 in Western Sahara (MINURSO), 2 in CAR (MINUSCA), 1 in Lebanon (UNIFIL)

The Colombian military's history of combating insurgency, organised crime, and drug trafficking groups has led to the development of some anti-corruption frameworks for military operations. Key strategic documents such as the DAMASCO doctrine identify corruption as a key issue to address during missions.<sup>33</sup> The military has also developed an Anti-Corruption Plan which comprises forty different corruption risks, including some specific to operations, such as procurement, engagement with drug traffickers and diversion of equipment and goods.<sup>34</sup> Though these issues are included in operational forward planning, their application remains unclear and the persistence of corruption allegations during operations casts doubts over their effectiveness. Aside from this, anti-corruption training has improved, in part driven by the agreements signed with NATO, allowing Colombian military personnel to take part in the 'Building Integrity' training, while the military also provides general anti-corruption courses. When it comes to monitoring and evaluating corruption risk in the field however, there are noticeable gaps. While the Directorate for Transparency in the Army (DANTE) carries out corruption monitoring duties at various levels by embedding officials in units, there is no evidence that this occurs during operations. The 'false positives' scandal is a key example of the violations of human rights that can occur on operations in Colombia, while current operations related to the eradication of coca crops are highly non-transparent and subject to significant corruption risk.<sup>35</sup>

<sup>33</sup> Colombian Armed Forces, *DAMASCO Doctrine*, 2016.

<sup>34</sup> Colombian Armed Forces, 'Risk Map 2019', 18 January 2019.

<sup>35</sup> Transparencia por Colombia (TI Colombia), 'Fight Against Corruption and the Fight Against Drug Trafficking in Colombia: Analysis of the Phenomenon from an Institutional and Public Policy Perspective', July 2021.

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## Defence Procurement

Military expenditure (US\$ mil) (SIPRI, 2020)	10,133
Open competition in defence procurement (%)	Data is not publicly available.
Main defence exports – to (SIPRI, 2016-20)	Guatemala, Honduras, Peru
Main defence imports – from (SIPRI, 2016-20)	United States, South Korea, Germany, Israel, United Kingdom

Colombia's defence and security spending has traditionally been driven by counter-insurgency efforts against left-wing groups such as the ELN and FARC and counter-narcotics operations. While the peace process raised expectations that this spending would tail off, the growth of dissident FARC units and persistence of drug trafficking are driving investment in combat capabilities alongside longer-term efforts to modernise defence and security forces.<sup>36</sup> As a result, Colombia's defence spending is forecast to increase steadily until 2025, with equipment investment likely to account for a significant portion of this. With procurement an important component of modernising plans, the need to enhance transparency and improve the governance of these processes becomes even more pressing. Colombia has a formalised process for defence procurement,

outlined in decrees which lay out the stages for the acquisition of defence goods, from planning, to needs assessments, contracting and sign off.<sup>37</sup> The Ministry of Defence (MoD) publishes an Annual Procurement Plan that outlines requirements and is required to publish all other documents on the online transparency platform (SECOP). Nevertheless, gaps remain. The Annual Procurement Plan is intended to take strategic direction from the Defence Strategy, however, the latter does not contain any information on procurement and unplanned purchases remain common. In this respect, the influence of the United States is strong,<sup>38</sup> as the provision of significant security assistance gives Washington significant influence over Colombian procurement decisions. Aside from this, legislation also stipulates that the procurement model for defence is direct contracting, allowing defence institutions to avoid publication of all process documents for these purchases.<sup>39</sup> As a result, open tendering is limited and the majority of contracts only have one bidder. In 2019, 54.06 per cent of defence contracts were direct awards that did not involve a tender or justifications for why the supplier was selected.<sup>40</sup> Moreover, procurement oversight mechanisms are limited, with the bulk of this work conducted by the Comptroller General (CGR). Owing to capacity and resource shortages, the CGR cannot scrutinise the entirety of defence acquisitions, in spite of the fact that procurement accounts for 46 per cent of administrative corruption in Colombia.<sup>41</sup>

<sup>36</sup> Global Data, 'Colombia's Defence and Security Spending Set to Reach US\$12bn by 2025', 23 September 2020.

<sup>37</sup> Presidency of Colombia, 'Decree 1510 of 2013 By which the Public Procurement and Contracting System is Regulated', 17 July 2013; 'Decree 734 of 2012 By which the General Statute of Contracting of the Public Administration is regulated', 13 April 2012.

<sup>38</sup> Security Assistance Monitor, 'Colombia', 2019.

<sup>39</sup> Congress, *Law 1150. 2007 Through which Measures for Efficiency and Transparency are Introduced in Law 80 of 1993*, 16 July 2007.

<sup>40</sup> SECOP, 'SECOP II Contracts, 2018-2019', 3 June 2019.

<sup>41</sup> Transparency International Colombia, 'This is How Corruption Moves: X-Ray of the Acts of Corruption in Colombia, 2016-2018', Bogota, May 2019.

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GDI data collection for **Colombia** was conducted March 2019 to November 2020. The narrative discussion in this GDI brief was produced at a later time with the most recent information available for the country, which may not be reflected in the GDI country assessments or scores.

# COLOMBIA 2020 GDI Scorecard

		Grade	Score
<b>Political Risk</b>		<b>C</b>	<b>54</b>
Q1	Legislative Scrutiny	D	33
Q2	Defence Committee	E	30
Q3	Defence Policy Debate	D	44
Q4	CSO Engagement	C	50
Q5	Conventions: UNCAC / OECD	A	88
Q6	Public Debate	B	75
Q7	Anticorruption Policy	C	63
Q8	Compliance and Ethics Units	B	75
Q9	Public Trust in Institutions	NS	
Q10	Risk Assessments	B	75
Q11	Acquisition Planning	B	67
Q12	Budget Transparency & Detail	A	100
Q13	Budget Scrutiny	C	63
Q14	Budget Availability	C	50
Q15	Defence Income	B	67
Q16	Internal Audit	B	81
Q17	External Audit	B	75
Q18	Natural Resources	D	45
Q19	Organised Crime Links	F	0
Q20	Organised Crime Policing	C	58
Q21	Intelligence Services Oversight	NEI	
Q22	Intelligence Services Recruitment	E	17
Q23	Export Controls (ATT)	E	25
Q76	Lobbying	F	0

<b>Financial Risk</b>		<b>B</b>	<b>67</b>
Q24	Asset Disposal Controls	A	83
Q25	Asset Disposal Scrutiny	B	67
Q26	Secret Spending	A	100
Q27	Legislative Access to Information	E	25
Q28	Secret Program Auditing	D	38
Q29	Off-budget Spending	NEI	
Q30	Access to Information	C	50
Q31	Beneficial Ownership	B	75
Q32	Military-Owned Business Scrutiny	A	100
Q33	Unauthorised Private Enterprise	NEI	
Q77	Defence Spending	B	69

<b>Personnel Risk</b>		<b>B</b>	<b>67</b>
Q34	Public Commitment to Integrity	B	75
Q35	Disciplinary Measures for Personnel	A	88
Q36	Whistleblowing	E	25
Q37	High-risk Positions	A	83
Q38	Numbers of Personnel	C	58
Q39	Pay Rates and Allowances	B	75
Q40	Payment System	B	67
Q41	Objective Appointments	C	50
Q42	Objective Promotions	E	19
Q43	Bribery to Avoid Conscription	B	75
Q44	Bribery for Preferred Postings	A	83
Q45	Chains of Command and Payment	A	100
Q46	Military Code of Conduct	A	91

## OVERALL COUNTRY SCORE

**MODERATE RISK**

**C**

**55**

### RISK GRADE

**A • 83-100 VERY LOW**  
**B • 67-82 LOW**  
**C • 50-66 MODERATE**  
**D • 33-49 HIGH**  
**E • 17-32 VERY HIGH**  
**F • 0-16 CRITICAL**



<b>Personnel Risk</b>		<b>B</b>	<b>67</b>
Q47	Civilian Code of Conduct	NEI	
Q48	Anticorruption Training	A	92
Q49	Corruption Prosecutions	D	33
Q50	Facilitation Payments	C	50

<b>Operational Risk</b>		<b>C</b>	<b>53</b>
Q51	Military Doctrine	A	88
Q52	Operational Training	B	75
Q53	Forward Planning	E	25
Q54	Corruption Monitoring in Operations	E	25
Q55	Controls in Contracting	C	50
Q56	Private Military Contractors	NS	

<b>Procurement Risk</b>		<b>D</b>	<b>36</b>
Q57	Procurement Legislation	C	50
Q58	Procurement Cycle	C	63
Q59	Procurement Oversight Mechanisms	C	50
Q60	Potential Purchases Disclosed	F	13
Q61	Actual Purchases Disclosed	C	50
Q62	Business Compliance Standards	F	0
Q63	Procurement Requirements	F	13
Q64	Competition in Procurement	E	25
Q65	Tender Board Controls	NEI	
Q66	Anti-Collusion Controls	B	69
Q67	Contract Award / Delivery	B	75
Q68	Complaint Mechanisms	C	50
Q69	Supplier Sanctions	B	67
Q70	Offset Contracts	E	25
Q71	Offset Contract Monitoring	D	33
Q72	Offset Competition	F	0
Q73	Agents and Intermediaries	E	25
Q74	Financing Packages	F	0
Q75	Political Pressure in Acquisitions	NS	

### KEY

**NEI** Not enough information to score indicator  
**NS** Indicator is not scored for any country  
**NA** Not applicable



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