

Collective Action to Promote Law Reform: The UNODC experience in Colombia.

**Siemens Integrity Partner Collective Action Peer
Learning Workshop II**

Basel, Switzerland. 26 april 2018

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I. Context


II. The project

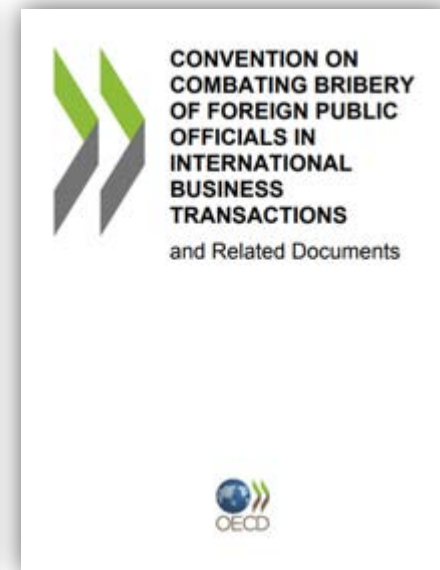
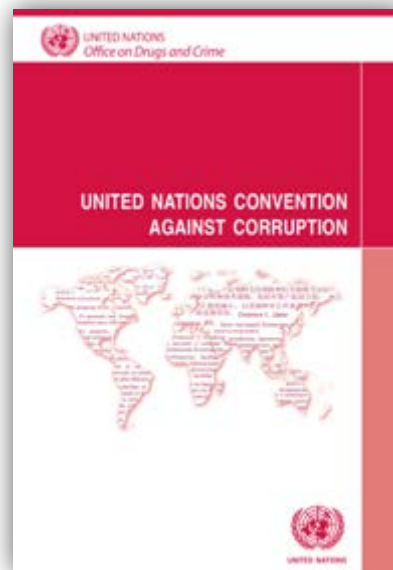
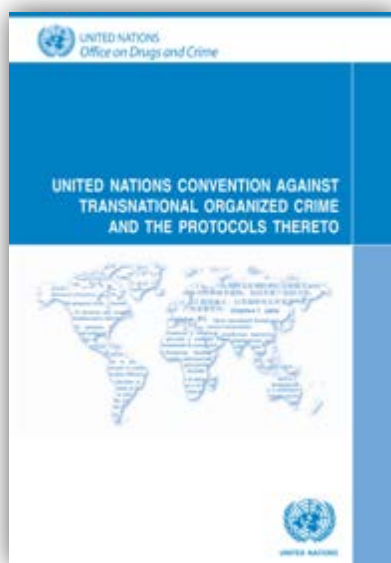
III. Overall results

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Context

 Colombia has ratified international agreements and regional initiatives aimed at strengthening the prevention and punishment of the phenomenon of corruption.



Context

Article 26.
Liability of
legal
persons
UNCAC




OECD
Convention
on Bribery
of Foreign
Public
Officials



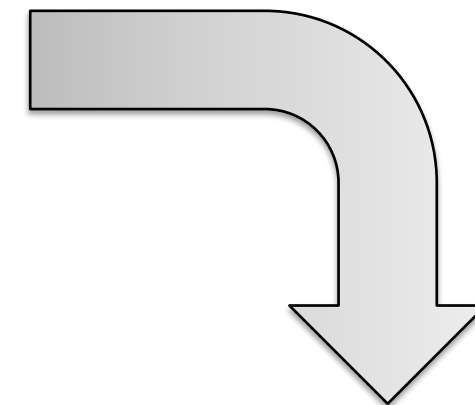
Law 1778/2016
Administrative liability of legal
persons for the bribery of foreign
public officials in relation to internal
business or international transactions

 It establishes a framework for administrative sanctioning on legal entities that engage in transnational bribery.

 The Superintendence of Corporations is the entity in charge of investigating and punishing companies that may have committed acts of transnational bribery.

Context

As part of UNODC mandates to support the Colombian State on the implementation of UNCAC - and recognizing the needs of the context to implement other related norms - different strategies has been developed.



ON THE LEVEL
BUSINESS AND GOVERNMENT
AGAINST CORRUPTION IN COLOMBIA

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On the level: Business and Government Against Corruption in Colombia.

🌀 **The initiative:** A **collective action** created by UNODC to enhance public-private sector dialogue, improve government's anti-corruption frameworks and legislation and create a culture of integrity in the private sector.

🌀 **Period of implementation:** 2015-2018

🌀 **Funding:** US\$ 1.199.371

🌀 **Key partners:**



On the level: Business and Government Against Corruption in Colombia.



Component 1:

Strengthen the legal framework for the prevention of corruption in Colombia with emphasis on corporate liability and the private sector.



Component 2:

Enhance public and private sector dialogue and coordination in preventing corruption and promoting transparency.



Component 3:

Strengthen companies' ability to identify processes susceptible to corruption and implement protective actions.

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2015

SIEMENS



23 recommendations to strengthening existing anti-corruption public policy



1.078 people have been participating in 15 cities of Colombia



Creation of a working group with 29 members

314 companies

44 public agencies

Large business
51%

Medium business
25%

Small business
23%

Micro business
1%

96 prosecutors

82 judges

115 Members of the Criminal Investigation Team

50 members of the National Tax and Customs Direction

60 members of Comptroller General of the Republic

39 members of Information and Financial Analysis Unit

10 Guilds

15 Companies

3 Public entities

1 Collective action

Results: 2016

2016

Liability of legal persons for acts of transnational and national bribery in Colombia



Transparency and integrity initiatives for the private sector



Legal tools to investigate and prosecute acts of corruption



Ethics and compliance programmes



Corruption risk management

On the level Members in Colombia

Public sector



Private sector



Guilds and collective actions



Results: 2017

2017



839 people has participated
on trainings and capacity
building exercises in 12
cities of Colombia

328
companies



Corporate integrity
website

Public launch:
154 people representing
public and private
sector, academy and
civil society.



Topics:
Compliance Officers Network
Strategy for Communication on
Progress reports – Global Compact
Library: 265 documents
Videos



Ethical
Dilemmas

Corruption
Typologies

Corruption risk
management



Results: On the Level Videoclip

DILEMAS PRÁCTICOS Y ESTUDIOS DE CASO

Practical dilemmas and case studies



ON THE LEVEL
BUSINESS AND GOVERNMENT
AGAINST CORRUPTION IN COLOMBIA



UNODC

United Nations Office on Drugs and Crime

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Colombian experience on Law Reform: the process

 To strengthen legal framework for the prevention of corruption in Colombia with emphasis on corporate liability and private sector corruption, different activities were held led by UNODC.



Capacity Building



**Technical
consultations**



**Elaboration of
Recommendations**



Colombian experience on Law Reform: Capacity Building.



Theoretical-practical workshops: **15 cities** of Colombia,
1078 people trained.



Focused on the content of **Law 1778/2016** as well as
regulations issued since July 2016, by the
Superintendence of Corporations.



Training on the principle of **co-responsibility**, and the
concrete role of private sector in the prevention and
fight of corruption.



Competences were developed for the implementation
of **Anticorruption and Ethics Compliance Programs**.

Colombian experience on Law Reform: Consultation & Recommendations issued.

Technical consultations

- Public entities (Secretary of Transparency, Superintendence of Companies)
- International Experts (Gemma Aiolfi, Matteson Ellis and Lorenzo Salazar)

Technical Concepts

- Content and scope of Law 1778/2016 and its implementation.
- Implementation of Art. 23 Law 1778/2016. (Compliance Programs)
 - Opportunities of improvement, risks in the implementation of the Law.

Workshops in territory

- Inputs from the 15 theoretical-practical workshops in Colombia

43 recommendations issued - **23** recommendations adopted by Government

Colombian experience on Law Reform: the impact.



Support OECD requirements on Anti-corruption policy



Assessment of the liability of legal persons in Colombia



Knowledge of transnational Bribery



Lessons learned in relation to Anti-Corruption Compliance Programs

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Next Steps: Work Plan 2018



Train the
trainer
strategy



Transparency
and Integrity
Strategy for
Small and
Medium
Enterprises



Corporate
integrity
website:
On the Level

Next Steps: Sustainability & Innovation

Fundraising strategy

- 🌀 National Private Sector
- 🌀 National Government
 - 🌀 Local Government
- 🌀 International Donors

On the level: Business and Government Against Corruption in Colombia.

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