



2019 Management Report

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## 1. Introduction

Corruption seems to be the root cause that perpetuates so many of the social problems that afflict Latin America. It not only represents an expression of the most despicable selfishness and the abuse of a few for private gain, but it is also one of the principal reasons as to why millions of human beings suffer from the systematic violation of their rights on a daily basis – whether it's health services, food, education, work with vitally important minimum standards, or any other number of essential basic goods that are required for a dignified and happy life.

To any observer, corruption undoubtedly appears to be a structural problem that has historically afflicted Colombia, forcefully threatening the legitimacy of and, therefore trust in, its institutions. This is proven through examples such as the Toga Cartel, the Hemophilia Cartel, the Contracting Carousel and the Pension Carousel, amongst other cases. And these are really only the tip of the iceberg, the true magnitude of the problem is as-yet hidden.

We firmly believe that Colombia will be unable to overcome the problems it faces with underdevelopment, violence and serious human rights violations, unless the country eradicates the corruption that creates, proliferates and makes permanent these phenomena.

This is why, in 2017, we decided to create the Anti-Corruption Institute, a civil society initiative that was formally consolidated in 2018. The Institute has two main objectives: on one hand to identify and analyze the causes, impact and consequences of corruption within the public and private sectors; and on the other hand, to apply these learnings and their own expertise in the design and promotion of good practices that look to prevent corruption, whilst also confronting and effectively reducing the rates of impunity.

In order to fulfill the first objective, our efforts have been focused on studying the way in which these different institutions operate and the way in which their operations might favor corruption. We find evidence and examples of this in the various studies that we have carried out to investigate levels of transparency within legislative management and public-private relations in Colombia.



**Camilo Enciso**  
**Founding Director, Anticorruption Institute**

With regard to the second objective, we have worked hard to share examples and experiences from the private sector in the fight against corruption. To that end, we have been able to set minimum terms and therefore, promote good practices for the effective prevention, detection and sanctioning of corruption. Due to our important work in this area, I'm proud to say that today we can confirm that we lead the most solid and serious compliance network in the country.

Similarly, we have implemented initiatives to prevent electoral corruption and intervened in a number of processes regarding the appointment of high-level public officials, using communications campaigns and/or strategic litigation, to target corresponding authorities.

However, on the long road we have travelled in the course of these past three years, we have also come to understand that the fight against corruption is a mission that requires coordinated efforts and actions between various sectors and different social groups in order to develop high-impact activities. The result of this combined effort is demonstrated by the creation and consolidation of the Anti-Corruption Social Response Force (FUERSA); and the Social Response Force in the Territories (FUERSA-T), which works in partnership with different organizations and other territorial observers.

Furthermore, we have taken steps to train leaders so that they have the relevant skills to that will allow them to contribute to nation-building and the creation of a more 'complete' and transparent society. We do this through the School of Leadership and Integrity, which we hope to further consolidate during the course of 2020.

Our medium and long-term goal is to expand our scope of work and the activities we currently carry out within Colombia to operate in other Latin-American countries, so that we can become one of the leading organizations in the region. Our work should continue to be identified by the way in which it leads the development of global actions, which directly translate into the reduction of corruption at a local level, and as a result, improve people's quality of life and support their basic rights.

The fight against corruption cannot continue to be a battle that is fought amidst the comfortable environments of institutions and social networks. Instead, we should be vehemently against this selfishness, abuse and public immorality. What is most needed is for tangible, timely and concrete measures to be adopted, measures that will attack the very roots of corruption, allowing for progression towards a culture based around integrity and transparency. This is why the Anti-Corruption Institute will always be present on those occasions where civil society must courageously raise its voice and steadfastly protest to protect public interests in the face of corruption.



**Camilo Alberto Enciso Vanegas**  
**Founding Director, The International Institute on Anti-Corruption Studies**

## 2. Our Mission and Vision

### **Mission**

The International Institute on Anti-Corruption Studies' mission is to investigate and analyze the causes of corruption at both a national and international level, within the public and private sectors, with a view to proposing comprehensive and multidisciplinary solutions aimed at its eradication, alongside the mitigation and/or control of the risks that are associated with its existence.

### **Vision**

It is our hope that by 2025, the International Institute on Anti-Corruption Studies will be an important figure in the development of initiatives aimed at creating and promoting a culture of probity, integrity and transparency as part of the fight against corruption.

### 3. 2019 Activity Report

#### Strategic Axis 1: Smart Anti-Corruption

*The Institute seeks to influence the development of Colombia's public policy on anti-corruption through the monitoring, evaluation and creation of proposals based upon those topics that we deem to be priority in the fight against corruption. These include aspects such as reform of Colombia's electoral and legislative systems, state contracting, whistleblower protection and the opening up of different institutions of the State.*

##### **Activities carried out during 2019**

- ✓ *Development and presentation of the Memorandum on Prioritization within the International Anti-Corruption Agenda to the UN. Creation of a document highlighting those areas that should be prioritized on the international anti-corruption agenda.*
  
- ✓ *Promotion of the International Anti-Corruption Court. Promotion of the creation of an International Anti-Corruption Court, in partnership with [Integrity Initiatives International](#). As part of this process, the following activities were carried out:*
  - Round of visits to public officials and civil society organizations in Mexico, including (i) Irma Sandoval, Secretary of the Mexican Civil Service (visit took place on 20 May 2019), (ii) Santiago Nieto, Director of the Financial Information Unit, (iii) Maximiliano Reyes, Undersecretary for Foreign Relations, (iv) Luz Mijangos, Director of the Specialist Anti-Corruption Unit, (v) Mexicans Against Corruption, and (vi) Zero Impunity, among others.



From left to right: Mark Wolf (Director of Integrity Initiatives International), Irma Sandoval (Secretary of the Mexican Civil Service) and Camilo Enciso (Director of the Anti-Corruption Institute)



Camilo Enciso (Director of the Anti-Corruption Institute) and Luz Mijangos (Director of Mexico's Specialist Anti-Corruption Unit)

- Providing support and accompanying Mark Wolf during his participation in the Anti-Corruption Summit convened by the Colombian Foreign Ministry and held in Cali on 15 October 2019.
- Presentation of the proposal to create an International Anti-Corruption Court as the keynote paper at César Vallejo University, Lima, Peru on 25 October 2019.
- ✓ *Proposal to reform the Criminal Code.* The Anti-Corruption Institute, represented by its Director, Camilo Enciso, [publicly](#) expressed the need to reform the structure and implementation of criminal sanctions in Colombia, in light of the fact that the current criminal code sends a message to society that although significant penalties exist in theory, the reality is that more often than not, what is handed down is laughably low.

## Strategic Axis 2: Business Integrity

*At the Institute, we design and implement initiatives aimed at promoting ethical behavior and the eradication of corruption within the business sector, through the promotion of good practices in business development and the relationship between organizations and their different stakeholders.*

### Activities carried out during 2019

- ✓ *Latin American Compliance Network.* Shared learning space in which professionals from the areas of compliance, auditing and internal control of over thirty organizations, drawn from both the public and private sectors, participate. During 2019, as was the case in 2018, the Anti-Corruption Institute was the Network's Technical Secretary, which made it responsible for managing its monthly meetings and documenting the information and specialist knowledge shared by the different participating organizations. The meetings held during 2019 are detailed below:

Month	Topic	Lead Speakers
January	Lessons learned from the decision taken by the Administrative Court of Cundinamarca regarding the Odebrecht case	Edgar Reveiz, Colombian Academic on Economic Science Camilo Enciso, Director, IIAS Margie Mojica, Member, IIAS

February	Lobbying: How to avoid unnecessary risks Part 1: Gifts, invitations, lunches, drinks and trips  -Analysis of the Efecty Case	Jaime Andrés Plaza, Plaza Consulting  Diego Ortega, Consultant
March	Criminal liability of legal persons in Latin America	Carlos Fernando Guerrero, Guerrero Consultoría & Litigio (Guerrero Consultancy & Litigation)
May	Explanation of the behavioral patterns of corruption	Edgar Reveiz, Colombian Academic on Economic Science  Álvaro Rodríguez Gama, National Academy of Medicine
June	Forensic audits: How do they work and what are they for?	Simón Guzmán, Deloitte  Camilo Enciso, Director, IIAS
July	Workshop: Presentation techniques and strategic communication	Guillermo Cuellar, Brújula  Juan Fernando Giraldo, Buho
August	What to do when bosses don't listen? How far does the responsibility of compliance extend before the authorities?	Camilo Enciso, Director IIAS
September	Investigations: How to collect and store evidence. When should it be handed over to the authorities?	José Miguel De La Calle Restrepo, Ex Superintendente de Industria y Comercio (Former Superintendent of Industry and Commerce)
October	Compliance: A Gender Approach	Lina Anllo, World Compliance Association
October	Deferred Research Agreements and External Monitors: What are they? And what are they for?	Camilo Enciso, Director IIAS  Jorge Alfredo Hernández, Deloitte
November	Interview techniques during internal investigations	Andrés Garzón, Garzón & Largacha Abogados (Garzón and Largacha Lawyers)  Andrés Da Costa, Godoy Córdoba

		Lina Chacón, National Institute of Investigation and Fraud Prevention
December	¿ Why should we care about the Magnitsky Law?  How does it affect us?	Camilo Enciso, Director, IIAS  Matthew Stephenson, Harvard University  Guillermo Rivera, Former Minister of the Interior



*Meeting held 22 January 2019. Topic: Lessons learned from the decision taken by the Administrative Court of Cundinamarca regarding the Odebrecht case*



Meeting held 21 February 2019. Topic: Lobbying: How to avoid unnecessary risks Part 1: Gifts, invitations, lunches, drinks and trips. Analysis of the Efecty Case



Meeting held 21 March 2019. Topic: Criminal liability of legal persons in Latin America.



*Meeting held 13 May 2019. Topic: Explanation of the behavioral patterns of corruption*



*Meeting held 20 June 2019. Topic: Forensic audits: How do they work and what are they for?*



*Meeting held 30 July 2019. Topic: Workshop: Presentation techniques and strategic communication.*



*Meeting held 22 August 2019. Topic: What to do when bosses don't listen? How far does the responsibility of compliance extend before the authorities?*



Meeting held 19 September 2019. Topic: Investigations: How to collect and store evidence? When should it be handed over to the authorities?



Meeting held 3 October 2019. Topic: Compliance: A Gender Approach



*Meeting held 30 October 2019. Topic: Deferred Research Agreements and External Monitors: What are they? And what are they for?*



*Meeting held 27 November 2019. Topic: Interview techniques during internal investigations*



Meeting held 4 December 2019. Topic: Why should we care about the Magnitsky Law? How does it affect us?

- ✓ *Faro Newsletter*. Monthly publication with content focused on topics related to ethics and business integrity. During 2019, the Anti-Corruption Institute produced 6 editions of the Faro Newsletter, which were published in January, February, June, July, September and December. The main articles from each edition of the newsletter are shared below:

No.	Month	Article
1	January	The benefits to collaboration in transnational bribery cases: Incentive or disincentive?
2	February	Publicly Accessible Databases: Limited Publicity?
3	June	The OECD Anti-Bribery Convention should ensure a fair distribution of recovery agreements
4	July	The end does not justify the means
5	September	Avianca's bad time
6	December	Corporate governance in industrial and commercial enterprises of the State.

- ✓ *Preparation of good practice documents*. Preparation of good practice guidelines on public sector and business integrity. To date, the Anti-Corruption Institute has prepared and disseminated the following documents:

- Good practice guidelines for relations with public servants. Published July 2019



- The Guide to Electoral Crime. Published September 2019



### **Strategic Axis 3: Zero Impunity**

*At the Institute, we initiate or participate in high-impact administrative and/or strategic litigation to prevent or combat corruption at a national or territorial level, particularly focused on the following areas: (i) transparency, (ii) appointment and election of public servants, and (iii) state contracting.*

### **Activities carried out during 2019**

- ✓ *Anti-Corruption Social Response Force (FUERSA)*. FUERSA is a coalition of civil society organizations comprised of Iván Velásquez (Former President of the Commission to Combat Impunity in Guatemala), Camilo Enciso (Director, Anti-Corruption Institute and Former Secretary of Transparency), José Roberto Acosta (Columnist for El Espectador newspaper and anti-corruption activist), León Valencia and Ariel Ávila (Peace and Reconciliation Foundation) and Catherine Juvinao (from the “Trabajen Vagos” – “Work Lazybones” - campaign). The movement was created in October 2019, with a view to confronting head-on corruption and the abuse of power in all its forms.
- ✓ *FUERSA-T*: A coalition of civil society organizations which is attached to FUERSA, and to which the Civic Corporation of Caldas and Arauca Transparente currently belong. These two groups are represented, respectively, by Camilo Vallejo and Daniel Carvajal, and the movement's work is focused on the fight against corruption at a local level using a more territorial approach.
- ✓ *Promotion of the International Anti-Corruption Court*. Promotion of the creation of an International Anti-Corruption Court, in partnership with [Integrity Initiatives International](#). As part of this, the activities referred to in Strategic Axis No. 1: Intelligent Anticorruption were carried out.
- ✓ *Intervention or participation in strategic judicial and / or administrative processes*. During 2019, the Anti-Corruption Institute participated in the following processes:
  - Demand for the annulment of the election of Alexander Vega as the National Registrar (Civil Status), for violation and a lack of transparency (joint alliance with FUERSA)<sup>1</sup>

<sup>1</sup> The full article can be read here: <http://www.redmas.com.co/politica/las-presuntas-irregularidades-la-eleccion-del-nuevo-registrador-nacional/> <https://www.laopinion.com.co/politica/el-nuevo-registrador-asumio-en-medio-de-hermetismo-188486>



Published by [Fundación Paz y Reconciliación \(Peace and Reconciliation Foundation\)](#) on 2 December 2019

- Request for intervention and suspension of the adjudication hearing of the Western Regiotram Project presented to the Office of the Attorney General of the Nation<sup>2</sup>.

<sup>2</sup> The full article can be read here: <https://www.eltiempo.com/bogota/regiotram-de-occidente-lo-adjudican-a-empresa-china-pese-a-polemica-446388> <https://www.rcnradio.com/bogota/piden-frenar-adjudicacion-del-proyecto-regio-tram-de-cundinamarca>

## La solicitud para suspender el proceso de licitación del Regiotram de Occidente

Bogotá 23 Dic 2019 - 2:14 PM

Por: -Redacción Bogotá - bogota@elespectador.com

El director del Instituto Internacional de Estudios Anticorrupción, Camilo Enciso, argumentó que la empresa china, única oferente del proyecto, se encuentra en la lista negra de contratistas del Banco Mundial por presentar documentación falsa para otro proyecto.



/ Cortesía.

Published in El Espectador on 23 December 2019

- [Communication](#) to the Supreme Court of Justice against the inclusion of Clara María González in the list of candidates for the election of the Attorney General of the Nation (joint alliance with FUERSA).

<p><b>FUERSA</b></p> <p>19 de diciembre de 2019</p> <p><b>Honorables Magistrados (as)</b> <b>Corte Suprema de Justicia</b></p> <p><b>Asunto: Elección Fiscal General.</b></p> <p>Como es de conocimiento público, en los próximos días se espera que esta honorable Corte se pronuncie sobre el candidato designado para ocupar el puesto de Fiscal General de la Nación de la terna enviada por el Presidente de la República. Considerando que el cargo amerita una revisión exhaustiva no solo de las hojas de vida de los postulados sino también de la ética de sus actuaciones, desde FUERSA creemos que es de suma importancia que se considere lo denunciado por Noticias Uno sobre la candidata Clara María González.</p> <p>La abogada Clara María González, actual secretaria jurídica de presidencia, representó durante el 2008 a la ex congresista Yidis Medina en el proceso que se adelantaba contra esta por recibir dadas a cambio de votar a favor de la reelección del ex presidente Alvaro Uribe. Según relata la ex congresista en la declaración entregada a Noticias Uno, González la habría "entrenado" para mentir a la Corte, con el fin de proteger al ex presidente.</p> <p><i>"Me prepararon para decirle las mentiras que en ese momento yo le dije a la Corte. Que siempre mantuviera la mentira porque había que taparle al presidente Álvaro Uribe. (...). Clara María me decía: 'Usted no tiene que decir nada para lo que tiene que ver con la pérdida de investidura porque eso lo hago yo con mis relaciones. Yo tengo muy buenas relaciones al interior del Consejo de Estado.'"</i></p> <p>Adicionalmente, según el fallo condenatorio contra Medina de la Sala de Casación Penal de la Corte Suprema de Justicia otro testigo habría confirmado la participación de González.</p> <p><i>"CESAR GUZMAN acompañó a YIDIS MEDINA PADILLA al Hotel DANN Norte donde concurría un grupo de 30 o 40 personas, figuras importantes que apoyaban la reelección del Presidente y cuando ella ingresó, la aplaudieron en señal de agradecimiento por haber propiciado la aprobación del proyecto. Allí se encontraba un señor HECTOR ECHEVERRI, hermano de FARO ECHEVERRI, y aunque él (CESAR GUZMAN) no ingresó, desde afuera logró escuchar lo que sucedió en la reunión. Luego, al salir de la misma, la procesada le presentó un par de abogados (ALVARO MONTOYA y CLARA MARIA GONZALEZ), quienes por encargo del Gobierno Nacional asumieron su defensa en las demandas instauradas en su contra por el Representante GERMAN NAVAS TALERGO."</i></p>	<p><b>FUERSA</b></p> <p>Por estos hechos la Corte Suprema compulsó copia al Consejo Superior de la Judicatura, para que en el marco de sus funciones investigara el actuar de la abogada Clara María González, proceso sobre el cual se desconocen avances.</p> <p>En vista de lo anterior y dada la importancia del cargo a suplir, esperamos que esta honorable Corte tome en consideración lo expuesto.</p> <p>Atentamente,</p> <p><b>FUERSA</b></p> <table border="0"> <tr> <td>Iván Velásquez</td> <td>León Valencia</td> </tr> <tr> <td>Camilo Enciso</td> <td>Jose Roberto Acosta</td> </tr> <tr> <td>Catherine Juvinao</td> <td>Ariel Ávila</td> </tr> </table>	Iván Velásquez	León Valencia	Camilo Enciso	Jose Roberto Acosta	Catherine Juvinao	Ariel Ávila
Iván Velásquez	León Valencia						
Camilo Enciso	Jose Roberto Acosta						
Catherine Juvinao	Ariel Ávila						

## Strategic Axis 4: Viewpoint

*The Institute carries out studies into transparency and the sharing of information within public and private sector institutions, with a view to promoting greater openness within the State and the introduction of good practices in the relationship between these institutions and their different stakeholders.*

### **Activities carried out during 2019**

- ✓ *CabilVeo*. Initiative which seeks to discover, process and make available to the public information related to appointments, trips and gifts received by high-level public officials, from both national and local-level organizations. The first phase of the project was carried out during 2019, which involved the collection of information from 37 public entities.



## Strategic Axis 5: Escuela de Liderazgo e Integridad (The Leadership and Integrity Academy)

*The Academy provides education and training services to promote the development of those skills required to provide a leading or operational role in the fight against corruption within both the public and private sectors.*



### Activities carried out during 2019

- ✓ Workshops and training seminars aimed at representatives from the private sector. During 2019, we developed workshops and / or training for representatives from the private sector who hold positions that require confronting and fighting corruption within the private sector. The following workshops were taught:

Date	Topic	Location
18/09/2019	Workshop on the implementation of ISO 37001: Anti-Bribery Management System	Medellín
17/10/2019	Anti-Bribery Workshop <ul style="list-style-type: none"> <li>• Business Ethics Program on Circular 100-000003 of 2016.</li> <li>• ISO 37001: 2016 standard.</li> </ul>	Bogotá D.C.

- ✓ *Anti-Corruption Conference: What works and what doesn't?* Conference organized in conjunction with the Universidad del Rosario and led by Matthew Stephenson, a full-time professor at the Harvard University School of Law, on the effectiveness of anti-corruption measures adopted by the public and private sectors around the world. The conference took place on 3 December 2019 in the Jockey Club, Bogotá D.C.

## Strategic Axis 6: Internationalization of the Institute

The Institute works to consolidate alliances and strategic projects that allow us to position ourselves as a benchmark in the fight against corruption within both the public and private sectors across Latin America.

### Activities carried out during 2019

- ✓ Opening of the Peru Chapter of the Latin American Compliance Network.
- ✓ Participation in the Governance Conference Global Meeting, Peru 2019 on Anti-Corruption, Inclusive Education and Transparent Government.

## Strategic Axis 7: Anti-Corruption Institute Financing

The Institute develops non-profit initiatives that serve to finance its activities, thereby ensuring a re-investment so that each activity adds value helps us to meet our key objectives.

**Activities carried out during 2019**

- ✓ *Affiliation to the Latin American Compliance Network.* Membership fee paid to the Latin American Compliance Network.
- ✓ *Workshops and training seminars.* Registration payments for participation in workshops and seminars developed by the Anti-Corruption Institute.

## 4. Financial Information

The Anti-Corruption Institute closed its financial statements on 31 December 2019. All figures below are in Colombian Pesos (COP):

### Assets

#### Current Assets

Cash and cash equivalent	17,016,341 COP
Accounts receivable	52,299,436 COP
Current tax assets	3,447,576 COP
<b>Total current assets</b>	<b>74,736,353 COP</b>

#### Non-current assets

Property, plant and equipment	20,416,674 COP
Intangible assets	5,000,000 COP
<b>Total non-current assets</b>	<b>25,416,674 COP</b>

### Liabilities

#### Current Liabilities

Accounts payables	22,670,000 COP
Taxes payables	20,184,000 COP
Employee benefits	4,645,000 COP
Other liabilities	3,697,954 COP
<b>Total current liabilities</b>	<b>51,196,954 COP</b>
<b>Total liabilities</b>	<b>51,196,954 COP</b>

### Net worth

Issued capital	30,000,000 COP
Retained earnings	14,816,528 COP
Profit or loss of the year	4,166,545 COP
<b>Total net worth</b>	<b>48,983,073 COP</b>

<b>Total liabilities and Equity</b>	<b>100,180,027 COP</b>
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