

ACTION PLAN OF THE GOVERNMENT OF COLOMBIA. OPEN GOVERNMENT PARTNERSHIP

Introduction

The Government of Colombia has placed a special interest in becoming part of the Open Government Partnership-OGP- initiative, since its involvement allows it to develop further several initiatives that are already in place, in areas such as: transparency, social control, participation, access to information and the fight against corruption. In particular, the current government of President Juan Manuel Santos has shown a strong commitment with the principles of good government which are closely linked to the OGP's principles. Good government as we see it involves: efficacy, efficiency, transparency, and accountability.

The above is reflected in the National Development Plan 2010-2014, where Colombia's government has initiated a series of actions in issues such as the modernization of public administration, access and availability of government information, transparency, the development of new technologies and innovation, accountability, and the creation of tools to promote civil society participation.

It is in this context where we have started to envision a strong participation in the Open Government Partnership. The Action Plan presented in this document is based on the principles of good government, and aims to improve services provided by public agencies, encourage civil participation, promote control in the execution of public policy, and ensure that regional agencies replicate actions taken by the central agencies.

For the definition of the Action Plan for the Open Government Partnership, an inter-institutional follow-up committee, coordinated by the Presidential Advisor for Good Government and Administrative Efficiency, was created. The Committee involved the participation of the Transparency Secretariat of the Office of the President, the e-Government Program of the Ministry of Information and Communication Technologies ("ICT Ministry"), the National Planning Department (DNP) and the Ministry of Government.

The Committee also identified opportunities to socialize the Action Plan and engage society in the construction of the document through an online forum and twitter, that raised questions on topics such as: public information of general interest, the best mechanisms to encourage participation, actions Government agencies should implement to improve the quality of their services, and actions in which the community would be willing to participate. In addition to the above, the Committee organized a participatory workshop with civil society organizations, where they actively commented on the Action Plan, gave suggestions and allowed us to enrich the initial version of the document.

The following paragraphs describe the resulting Action Plan of the Government of Colombia for the Open Government Partnership. This Action Plan includes observations and recommendations from the civil society. Nonetheless, Colombia expects, during the whole process of Open Government, to enrich this plan with concrete proposals from the society and also engage different NGOs that can support the commitments.

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1. Efforts in Open Government to date

As mentioned in the Introduction, since 2012, Colombia has focused its efforts in open government on the basis of the principles of good government. The main initiatives taken by the Colombian Government in recent years are:

- I. E-Government. Colombia views e-government as an effective means to build a more efficient, transparent and participatory government where high quality services are provided, through the use of ICT. The successful implementation of the e-government strategy has allowed Colombia to position itself as one of the leading countries in Latin America in e-Government¹. The strategy developed is citizen-centered and has been implemented in five phases: information, interaction, transaction, transformation and e-democracy. Some important accomplishments of it have been: the provision of procedures and services through electronic media, the creation of scenarios for participation, and the improvement of the quality of information in public agencies.
- II. Assessment of Government targets and public policy. Colombia has developed a national system for performance and results assessment and for the evaluation of public policy - Sinergia-. The system allows the government to ensure accountability of its actions, follow-up its targets and evaluate public policy. With regard to mechanisms to follow-up, the government has developed a system called SISMEG which provides results and achievements of the different sectors, departments and programs in accordance to fixed targets. As per the evaluation of policy, a system called SISDEVAL allows the civil society to access information on the impact and new challenges of the country's priority policies. All of the information mentioned above can be found on the following website: www.sinergia.dnp.gov.co/portaldnp.
- III. Accountability. Since April 2010, Colombia has strengthened its policy for accountability, setting guidelines for the use of a single methodology and ensuring institutional coordination and civic participation (This can be found in the document CONPES 3654). A commission responsible for leading the implementation of this policy, composed of various agencies, was created.
- IV. Participation and access to public information. On one hand, the Government presented a draft statute for the promotion and protection of civil participation. On the other hand, the civil society presented a law on access to national public information, which proposes the regulation of rights of access to public information, the exceptions to the publicity of information, and the role of a regulatory organization in public information.
- V. Social control. The Government has developed a strategy for social control through "Visible Audits", which seek to provide local follow-up to the investment of royalty funds, promoting good practices through forums with the beneficiary communities and actors involved in execution.

¹ Colombia is a leader in electronic services and electronic participation in Latin America and the Caribbean (ranked 10 and 6 respectively in the world) and 43rd in the world for electronic government (second in Latin America) in the most recent United Nations Global Report (2012)

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The government of President Santos discussed with civil society nationwide the contents of the Development Plan 2010-2014- "*Prosperidad para Todos*". This plan contains priority issues for the Government which is related to OGP such as: results-oriented effective public management, allocation of resources, the fight against corruption, civil participation, reorganization of state agencies, the strengthening of the relationship with civil society and policies for efficiency, among others. In this context, some new initiatives have been developed:

- VI. The fight against corruption. The Government promoted the issue of the Anticorruption Statute in Congress, (now Law 1474/2011), introducing measures which encourage honest action and strengthen civil participation, through the creation of a National Citizens Commission (Comisión Nacional Ciudadana). The Commission's function is to follow-up on evaluation and on recommendations for policies, plans and programs implemented in the fight against corruption. The statute also gave powers to the President to modify and suppress procedures in public agencies, in order to guarantee transparency and administrative efficiency.
- VII. Transparency Secretariat. The Transparency Secretariat was created as part of the Office of the President, as an agency responsible for advising the Government on the definition and implementation of comprehensive policy for the fight against corruption. This policy is being followed up through the recently created National Moralization Commission (*Comisión Nacional de Moralización*), composed of representatives of the highest level of the State, such as: the President of the Republic, the General Prosecutor, the National Comptroller, the National Auditor, the President of the Senate and the President of the Chamber of Representatives, the General Attorney, the President of the Supreme Court of Justice, the President of the Council of State, the Ombudsman, and agencies in the Executive branch.
- VIII. The National Civil Commission for the Fight against Corruption: In December 2011, the National Civil Commission was installed for the fight against corruption. The Commission is composed by leading representatives of industry associations, the academic sector, the media, workers, and NGOs related to issues of transparency. The Commission is very important since it oversees the commitments of all civil society in the fight against corruption.
- IX. Mechanisms of participation and civic control: A number of instruments have been developed so that civil society can play an active role in the construction of an open and participatory government. These include:
 - a. The Prosperity Agreements², where the President of Colombia meets with local governments and communities to agree upon the local development plans.
 - b. The economic transparency site (www.pte.gov.co), where the public can access the information of budget execution of the different agencies.
 - c. The civil servants site (www.sirvomipais.gov.co), where civil servants can access

² The Prosperity Agreements are dialogue mechanisms between the Government and the citizens, which take place in any Colombian region. Their purpose is to achieve social cohesion and governance.

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information tailored to them and can raise issues and propose ideas for a more efficient government.

- d. The regional site for majors and governors (www.portalterritorial.gov.co), where they can find tailored information, access services and raise important issues. In the site, majors and governors can find complete information with regard to the programs and projects that they can develop with central agencies.
- e. The open data portal (www.datos.gov.co), where general government data can be accessed by citizens, educational institutions and businesses.

In each of the above, the community, public servants and regional governments can have direct communication with central government entities, allowing greater interaction, and obtaining first-hand knowledge of the actions of the National Government. They can also inquire about the destination of resources, and can obtain reliable information for decision making, incorporate technology as an instrument for best practices, and contribute with creative and novel solutions for the development and implementation of public policy.

- X. The Colombian Government site. The site (www.gobiernoenlinea.gov.co) is an integrated information, services and procedures access point of the different government agencies. This platform offers services such as virtual advice to the public (through a chat) and a citizen contact center (free phone nationwide). Additionally, this initiative has led the development of other systems and sites for public administration, such as the electronic system for public contracting -SECOP-, whose objective is to promote transparency and efficiency in public procurement, through the use of technologies, for the benefit for business, agencies, and the public in general.
- XI. Elimination of bureaucratic procedures. A strategy was implemented for the rationalization of bureaucratic procedures through an open and participatory process, which included electronic media, working teams and focal groups, among others. Public entities as well as the citizens gave opinions about useless procedures, procedures that could be automatized and procedures that generated incentives for corruption. As a result of these, in January 2012, Decree 19 of 2012 was issued, eliminating procedures which affected the entire public, business, and State agencies.
- XII. Urna de Cristal. In September 2010 the Government set up the “Urna de Cristal”, a multichannel mechanism for civic participation (www.urnadecristal.gov.co). This facility is used by the public to: i) monitor the results and progress of government initiatives; ii) share their concerns and proposals; and iii) interact and learn about state actions, in order to create a more transparent and participatory Government.

2. Open Government commitments

The commitments that the Colombian government has undertaken in the OGP principally seek: i) to strengthen current initiatives and programs; ii) to drive the implementation of proposals made; and iii) to generate new initiatives within the OGP principles. These actions stimulate active civil society participation, promote transparency in public spending, allow for greater social control in public

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actions to be achieved, and seek greater connectivity and technological innovation.

2.1. Improving Public Services

In this component, the intention is that the services delivered by the State (health, education, household public services, justice, and others), can reach citizens in an entirely effective manner through the use of information technologies, the reduction of procedures and the provision of better services, improving efficiency in the different agencies. The actions proposed include:

- **E-Government.** Colombia will continue to improve mechanisms for the public to access information. The emphasis in the next few years will be in online transactions for services provided by Government agencies and e-democracy to encourage civil society participation. As a result of the expansion of the connectivity network (which will reach 1100 municipalities and rural areas), e-Government will also expand at a regional level and, therefore, additional incentives and mechanisms will be created.

Implementation: 2 years. Agency responsible: ICT Ministry (e-Government program).

- **Open Data.** Colombia has implemented a pilot project in which four Government agencies participate (www.datos.gov.co), providing unified and open access to all data published by them. This data can be used by anyone to develop applications or value-added services, to perform analysis or research, or to exercise civil control. The objective here is to work on guidelines so that all Government agencies publish and disseminate data on their various individual webpages. The open data site will become a mechanism for coordination and instruction on the access and use of a range of data published by the different agencies.

Implementation: 2 years. Agencies responsible: ICT Ministry, (e-Government Program), National Planning Department.

- **Improved quality of education.** The Government of President Santos, through the Ministry of Education is implementing different programs to transform the quality of education and to develop citizen competencies. The programs aimed at improving the quality of education seek to offer technical and financial resources to the schools in order for them to have better teachers and infrastructure, and lower desertion rates. For example, in 2012, 1700 instructors will be trained particularly in how to teach mathematics and language. The program aimed at developing citizen competencies, seeks to develop, in students across the country, the required abilities, skills and knowledge to learn to live in harmony with each other, like good citizens.

Instrumentation: 2 years. Agency responsible: Ministry of Education.

- **Improved quality of health.** One of the major challenges for Colombia is the improvement of health services. For this purpose, the Ministry of Health is working to reduce procedures to access health services, and facilitate alternate means for the citizens to enquire about different health issues and obtain a prompt response (virtual means). Quality indicators to measure the service of health providers are also being developed. These will be made public in order to guarantee transparency, efficiency and social control, and to provide people

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sufficient information for them to make the best choice.

Implementation: 2 years. Agency responsible: Ministry of Health.

- **Regulation in public services.** The country will continue to promote transparency in the regulation of public services. The information published will be organized and disclosed in an easy-to-understand and clear language for citizens. Likewise, there will be incentives for civil participation in the construction of regulatory policy, prior to issue.

Implementation: 1 year. Agencies responsible: Ministers, Superintendents, Regulatory commissions.

- **Consumer protection.** Colombia will continue to promote and disseminate consumer rights, and access to quality indicators for each of the service providers, through forums and on the Internet. As a result, citizens will be able to use quality criteria to choose the operator most convenient for them. Superintendencies will follow up the system of enquiries, complaints and claims, which will be public in order to guarantee an improvement in the way services are delivered. The system will give effective feedback to the citizens.

Implementation: 1 year. Agencies responsible: Superintendencies.

- **Improve citizen services.** Colombia has already developed a national public policy for citizen services, which is currently being reviewed. The policy seeks to implement the best systems for citizen services and the use of virtual mechanisms. There will also be improvements in the relation between the center and the local level via the establishment of service centers, which will bring together the entire national offer into a single place. In order to implement the centers, pilot projects in municipalities will be developed.

Implementation: 3 years. Agencies responsible: Presidential Advisor for Good Government and Administrative Efficiency, National Planning Department, and the Civil Service Department (DAFP).

- **More efficient agencies.** The Government will implement actions to encourage commitment, ethics and transparency among civil servants. The strategy for reducing bureaucratic procedures will continue with the implementation of projects such as: a) the Challenge for Efficiency, in which public servants propose best practices to reduce internal procedures, b) the "zero-paper" policy in which public servants must implement actions to reduce the use of paper, and c) the development of interoperable information systems that allow for better data and more efficient procedures.

Implementation: 2 years. Agencies responsible: Presidential Advisor for Good Government and Administrative Efficiency, ICT Ministry (e-Government program), National Planning Department, and national agencies.

2.2. Increasing Public Integrity

In this component the purpose is that civil servants will act with great integrity and transparency in order to provide access to public information in an orderly, accurate fashion and in plain language, which will allow and encourage civil participation.

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A. Access to information

- **Public Information Access Law.** A law for access to public information is now being discussed in the Congress. The law states actions with regard to the right for information, promotes fundamental rights to receive a response to requests for access to public information, and defines the State's duty to make this information actively visible without the need for prior requests, based on the principle of proactive information dissemination. Once this is approved, the Government and civil society will work on the implementation of the law, identifying the responsible entities.

Implementation: 1 year. Agency responsible: Transparency Secretariat.

- **Plain language for citizens, and high-quality information.** Based on the policy of accountability mentioned above, and the law for the access to public information, the Government and civil society will work on mandatory guidelines so that information published by the State agencies complies with the following standards: functionality, reliability, usefulness, relevance, credibility, accessibility, opportunity, coherence, applicability, non-redundancy, importance, availability, interpretability and comparability. Guidelines and support will be given by training civil servants, so that the language with which they provide information will be clear and easy for the private citizen to understand (the Plain Language strategy).

Implementation: 1 year. Agencies responsible: Presidential Advisor for Good Government and Administrative Efficiency, National Planning Department, national and local agencies.

- **Colombian State site.** The Colombian State site www.gobiernoenlinea.gov.co, brings together all the information related to procedures and services, directories, news of interest, etc., of Colombia's public institutions. This website will be redesigned in order to improve and strengthen interaction and access to services. Within six months, all forms required for procedures with public agencies will be available in the website.

Implementation: 1 year. Agency responsible: ICT Ministry (e-Government program).

- **Improve government performance and accountability.** Colombia has a follow-up system of government targets which monitors the performance of public agencies. This system is available for the citizens and the objective is to obtain greater use and feedback from the civil society so that decision-making can be improved. It is also an aim of the country to implement this follow-up system at the regional level.

Implementation: 1 year. Agencies responsible. Presidential Advisor for Good Government and Administrative Efficiency, National Planning Department, ICT Ministry.

B. Transparency and social control

- **Transparency policy and the anticorruption plan.** During 2012, the Transparency Secretariat of the Office of the President will lead the development of the policy for the fight against corruption, which will be centered on the effective application of the law, preventive actions,

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civic collaboration, and the promotion of a culture of legality. At the same time, it will indicate the methodology and guidelines for national and local order entities to prepare their annual strategy for the fight against corruption, and for citizen services. This strategy will provide a risk map for corruption in each agency, and some specific measures to mitigate these risks, anti-bureaucracy strategies, and mechanisms to improve service to the citizens.

Implementation: 1 year. Agency responsible: Transparency Secretariat.

- **Observatory for the fight against corruption.** The Colombian State will implement an observatory for the fight against corruption in coordination with the Office of the General Prosecutor. This instance will provide crucial information with regard to prevention and punishment, will improve performance by the administration, and will analyze denunciations received, in order to take action as necessary.

Implementation: 1 year. Agencies responsible: Transparency Secretariat, Office of the General Prosecutor.

- **Increase transparency in the judicial information system.** Transparency in the information available to the judicial system is a key as a guarantee of a fair process for all citizens, and supports strongly the principle of equality. Colombia will ensure availability and access to judicial information for its citizens, through traceability tools and plain language.

Implementation: 1 year. Agencies responsible: Ministry of Law and Transparency Secretariat

c. Participation and commitment by the civil society

- **Policy guidelines and the Civil Participation Statute.** Colombia will work in the consolidation of a National Policy for Civil Participation, which seeks to generate actions to strengthen the capacity of the civil society and civil servants and authorities in the implementation of effective opportunities for participation. Within these actions, a unified methodology will be prepared for the accountability of all government entities and regional governments.

Implementation: 1 year. Agencies responsible: Ministry of the Interior, National Planning Department, Civil Service Department (DAFP) and ICT Ministry (e-Government program)

- **Participation in policy formulation.** Through electronic media and forums, Colombia will promote spaces for civil participation in the formulation of policy and decision-making. The Ministry of Justice will promote the development of a policy document, in which there will be an opportunity for civil participation in the creation of new national norms. With the support of the civil society, the country must develop citizen capabilities so that they can cooperate and contribute in the formulation of policies.

Implementation: 1 year. Agencies responsible: Ministry of Justice, ICT Ministry (e-Government program).

- **Mechanisms for civil participation.** The Government will continue to promote the “*Urna de Cristal*”, as a multichannel tool (Internet, television, telephone, Twitter, Facebook, etc), to publish information regarding its actions, and to share policies and initiatives proposed with the citizens. The civil society will be able to exercise social control through Internet, television

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and telephone enquiries. The Prosperity Agreements³ will be strengthened, and the follow-up of the Government's commitments will be made public.

Implementation: 6 months. Agencies responsible: Presidential Advisor for Communications, Presidential Adviser for the Regions.

- **Follow-up for civil participation.** The Government and civil society will identify follow-up indicators to evaluate civil participation in Government actions, in order to generate strategies and capacities for it to be more effective and active. Good practices will be implemented as a means of encouraging civil participation and improved quality.
Implementation: 1 year. Agencies responsible: Presidential Advisor for Good Government and Administrative Efficiency, Transparency Secretariat, National Planning Department.
- **Capacity-building for the civil society.** The Government, acting through the ICT Ministry and the Ministry of Education, will provide civil society with tools to obtain greater commitment and exercise social control over government action. There will be activities such as virtual pedagogical spaces and forums for the citizens to appropriate information, providing greater knowledge and proper use of public information.
Implementation: 1 year. Agency responsible: ICT Ministry (e-Government program), Ministry of Education.
- **Open Government at the local level.** In order to strengthen mechanisms of participation and to build an open government strategy at a local level, Colombia will develop pilot programs in the municipalities to implement the Open Government Action Plan. The government will work on strengthening local governments and building a culture of transparency, accountability and citizen participation.
Implementation: 2 years. Agencies responsible: ICT Ministry (e-Government program), National Planning Department.

2.3. More effectively managing public resources

Within this component, the objective is to promote a State which is more efficient in its use of public resources, allowing it to have greater fiscal capacity for social investments.

- **Efficient procurement.** As a means for greater transparency and efficiency in public contracts, and given the recent creation of the agency *Colombia Compra Eficiente*, public policy mechanisms and instruments will be implemented to organize and articulate public procurement, establish reference prices, and determine price framework agreements, amongst other things.
Implementation: 1 year. Agencies responsible: National Planning Department, the Agency Colombia Compra Eficiente.

³ The Prosperity Agreements are dialogue mechanisms between the Government and the citizens, which take place in any Colombian region. Their purpose is to achieve social cohesion and governance.

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- **Economic transparency site:** Colombia has an economic transparency website (www.pte.gov.co), with information on budget execution and payments available to the citizens. The plan is to strengthen this mechanism, particularly with stronger pedagogy in the use of information for the civil society, and its application at regional level, since it will provide adequate social control over the functioning of contracts, payments, investments and debts.

Implementation: 1 year. Agencies responsible: Ministry of Public Finance, regional agencies.

- **Online control.** The e-Government program, along with the control agencies (General Prosecutor, Comptroller General, Auditor General), will seek to unify information systems for fiscal control (at national and regional level), in order to generate better opportunities for electronic participation by civil society, with regard to disciplinary and fiscal control. The definition of a unified model will take into account best international, national and regional practices.

Implementation: 2 years. Agency responsible: ICT Ministry (e-Government program).

- **Royalties.** In order to guarantee transparency in the investment of royalties, the execution of funds transferred to the regions will be published and disclosed, so that the civil society will have effective control over investment in the local agencies. The initiative for transparency in the extractive industries (EITI) will be implemented to publish the track of the extractive sector (oil, gas and minerals), and to promote transparency and accountability.

Implementation: 1 year. Agencies responsible: National Planning Department, Ministry of Public Finance, Ministry of Mining and Energy.

- **Follow-up plan for utilities investments.** One of the strongest indicators for corruption around the world is investment in public services infrastructure, particularly utilities. In order to promote transparency, the Government is implementing criteria for efficiency and accountability in water supplies and sewerage companies, and it will develop a system for the Ministry of Housing and civil society to follow up on the execution of investments.

Implementation: 1 year. Agencies responsible: Ministry of Housing and the Transparency Secretariat.

- **Government - Private Sector - Civil Society Partnerships.** Alliances will be promoted between the Government, the private sector and civil society to set guidelines for self-regulation and codes of good government in critical sectors such as infrastructure and household public services.

Implementation: 1 year. Agencies responsible: Competent ministries, Transparency Secretariat.