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Executive summary

Note by the Secretariat

Addendum

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II. Executive summary

Colombia

1. Introduction: Overview of the legal and institutional framework of Colombia in the context of implementation of the United Nations Convention against Corruption

Colombia signed the United Nations Convention against Corruption during the high-level conference held in Mérida, Mexico, from 9 to 11 December 2003. The Congress passed Act No. 970 of 2005, by means of which the Convention was adopted. The Constitutional Court declared the Convention to be enforceable through Judgement No. C-172 of 2006. Colombia deposited the instrument of ratification on 27 October 2006.

International treaties are an integral part of domestic law and supersede any contrary provision, except those of the Political Constitution. The legal system of Colombia is in the European continental legal tradition. Act No. 599 of 2000 contains the Criminal Code, which is based on the European continental system. The Code of Criminal Procedure currently in force was established by Act No. 906 of 2004, and its adoption marked the transition from an inquisitorial to a mixed adversarial system. Criminal proceedings comprise three stages: inquiry, investigation and trial. With Act No. 1474 of 2011 (Anti-Corruption Statute), Colombia adopted reforms on corruption-related matters. The National Government and the National Council for Economic and Social Policy (CONPES) created, through CONPES document No. 167 of December 2013, the Comprehensive Public Anti-Corruption Policy.

Colombia has several institutions responsible for implementing the anti-corruption regulatory framework in the country. The Transparency Secretariat has the task, inter alia, of advising and assisting the President on anti-corruption issues and coordinating the implementation of the international anti-corruption instruments. The independent monitoring bodies are the Office of Legal Affairs (composed of the Office of the Attorney-General, which has preventive, disciplinary and judicial intervention functions, and the Office of the Ombudsman, which monitors respect of human rights), and the Office of the Comptroller-General, which is responsible for monitoring fiscal management. Other anti-corruption institutions include the Public Prosecutor's Office (responsible for criminal proceedings), the Financial Information and Analysis Unit (UIAF), the Public Service Administration Department and the Financial Superintendent's Office. The National Integrity Commission and its regional counterparts are collegiate bodies performing coordination functions.

At the regional level, Colombia has ratified the Inter-American Convention against Corruption and the OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions.

2. Chapter III: Criminalization and law enforcement

2.1. Observations on the implementation of the articles under review

Bribery and trading in influence (arts. 15, 16, 18 and 21)

Section XV of the Criminal Code regulates offences against public administration and article 407 thereof criminalizes the giving or offering of a bribe. The article incorporates into domestic law the majority of the requirements of article 15(a) of the Convention, although the concept of “promise” is not specifically regulated. The concept of “public official” is broad, in accordance with the requirements of the Convention, and ensures accountability in all public spheres through the different ranks of officials, as regulated by article 123 of the Political Constitution, supplemented by article 20 of the Criminal Code.

Articles 404, 405 and 406 of the Criminal Code criminalize the offences of extortion and bribery involving an undue advantage for the public official himself or herself or another person or entity (art. 15(b) of the Convention). In addition, Colombia has handed down convictions against middle- and high-ranking officials.

With respect to the bribery of foreign public officials and officials of public international organizations, Colombia incorporated through the Anti-Corruption Statute the offence of transnational bribery (art. 16, para. 1 of the Convention), although it does not specifically provide for the concept of “promise”. The State has not yet implemented paragraph 2 of article 16.

Colombia has incorporated amendments into its legislation regarding the conduct described in article 18 of the Convention (trading in influence) and in articles 411 and 411-A of the Criminal Code, concerning trading in influence by public officials and by private persons respectively. It is noted, however, that the requirements of article 18 of the Convention have yet to be fully met. In its current wording, the legislation does not include the conducts of promising, offering or giving an advantage to a person in order that he or she abuse his or her real or supposed influence in the State, or soliciting or accepting with the same purpose.

Colombia has made progress in incorporating into its legislation the offence of bribery in the private sector (art. 21 of the Convention) with the new article 250-A of the Criminal Code, relating to corruption in the private sector. It is noted that in the current wording the offence is limited to a certain type of personnel and requires the existence of damage.

Money-laundering, concealment (arts. 23 and 24)

Paragraph 1 of article 323 of the Criminal Code criminalizes money-laundering and includes, among others, as predicate offences, illicit enrichment and offences against public administration. In addition, articles 446 and 447 of the Criminal Code, on facilitation and receiving proceeds of crime respectively, meet the requirements of article 23(1)(a) of the Convention. Subparagraph (b) is incorporated by article 447 and the provisions of the General Part of the Criminal Code, except for the concept of “use” of property (art. 23(1)(b)(i)). Association with and conspiracy to commit an offence are not regulated. Article 323 of the Criminal Code covers the commission of an offence outside the national territory and cases where the offence is committed by persons who committed the predicate offence (art. 23(2)(e)).

Articles 446 and 447 of the Criminal Code, as well as article 326 on “front men”, criminalize the concealment of proceeds of crime (art. 24 of the Convention).

Embezzlement, abuse of functions and illicit enrichment (arts. 17, 19, 20 and 22)

Colombia has criminalized embezzlement (art. 17 of the Convention) in article 397, on embezzlement by appropriation, article 398, on embezzlement by use, and article 399, on embezzlement by different official use. Colombia also provided examples of judicial decisions and statistics.

Colombian criminal law criminalizes the abuse of functions (art. 19 of the Convention) in article 413, on malfeasance by action, article 414, on malfeasance by failure to act, article 416, on abuse of authority by an arbitrary and unfair act, and article 428, on abuse of public functions, without making reference to the limiting element of the “purpose of obtaining an undue advantage”.

Colombia criminalizes illicit enrichment (art. 20 of the Convention) in article 412 of the Criminal Code, and illicit enrichment of private individuals in article 327.

The offence of embezzlement in the private sector (art. 22 of the Convention) is criminalized in article 250-B of the Criminal Code, on unfair administration, article 249, on breach of trust, and article 250, on aggravated breach of trust.

Obstruction of justice (art. 25)

The Criminal Code establishes under “Offences against the proper and effective administration of justice” the offences of bribery (art. 444), bribery in criminal proceedings (art. 444-A), and threats against witnesses (art. 454-A). Neither the use of physical force against a witness, nor explicitly the obstruction of justice in matters related to the production of evidence, are regulated.

The use of violence to interfere with the exercise of official duties is penalized in article 429, on violence against public servants, and article 430, on disruption of official acts; intimidation and threat for the same purpose are not regulated.

Liability of legal persons (art. 26)

Colombia provides that criminal liability falls on natural persons. Nevertheless, accessory criminal penalties are available in respect of legal persons, such as the suspension or cancellation of legal capacity (art. 91 of the Code of Criminal Procedure). The Anti-corruption Statute extends the sanctions to those cases in which there are advantages resulting from corruption offences. At the administrative level, the Superintendence of Companies may impose fines in accordance with article 86 of Act No. 222 of 1995, and the Office of the Attorney-General may exclude companies from public procurement. Colombia has provided statistical information and cases as examples of implementation. Regarding civil liability, a legal person may be linked to criminal proceedings as a civilly liable third party.

Participation and attempt (art. 27)

Articles 27 and 30 of the Criminal Code regulate the attempt to commit an offence, complicity in an offence and instigation to commit an offence. The preparation of corruption offences is not regulated.

Prosecution, adjudication and sanctions; cooperation with law enforcement authorities (arts. 30 and 37)

Colombia considers corruption offences as serious offences punishable by a broad range of sanctions. Senior officials, including the President of the Republic, are subject to a special investigation regime, but no official has immunity from prosecution. The Code of Criminal Procedure provides for the principle of prosecutorial discretion in articles 321 to 324, according to which the Public Prosecutor's Office may waive criminal proceedings, among other circumstances, where the person charged or accused cooperates effectively with the investigation. According to the Anti-corruption Statute, neither release pending trial or appeal, nor house arrest, nor early or conditional release are applied in cases of corruption (art. 314 of the Code of Criminal Procedure, art. 68-A of the Criminal Code). Colombia has a Single Disciplinary Code and has provided examples of its application. There is no provisional suspension of an official during criminal proceedings.

Articles 44, 45 and 52 of the Criminal Code and article 44 of the Single Disciplinary Code provide for disqualification from public office and any other office.

In criminal proceedings in Colombia, it is possible for persons under investigation and indictees to obtain legal benefits, including the termination of proceedings, in exchange for their effective cooperation, through outline agreements, prosecutorial discretion and sentence reduction.

Protection of witnesses and reporting persons (arts. 32 and 33)

Act No. 418 of 1997 establishes a framework for the protection of witnesses, victims and those involved in the trial and officials of the prosecution service, and creates a protection programme for those persons, under the responsibility of the Office for Protection and Assistance of the Public Prosecutor's Office. Although experience has been gained in applying this framework to cases involving drug offences, there is little experience in applying it to cases of corruption. There are no binding international agreements on the international relocation of witnesses.

All of the witness protection measures are applicable to reporting persons. Concerning employment, Act No. 1010 provides safeguards to prevent reprisals and workplace harassment. The Anti-corruption Statute seeks to provide greater guarantees and sanctions for those public officials who abuse their functions to the detriment of reporting persons. Notwithstanding these measures, it is noted with concern that reporting persons are in many cases still exposed to disadvantages and risks. Article 43 of Act No. 1474 of 2011 establishes as very serious misconduct any arbitrary or unjustified act against a public servant who has reported acts of corruption.

Freezing, seizing and confiscation; bank secrecy (arts. 31 and 40)

The legal system contains the concepts of confiscation of the proceeds and instrumentalities of crime (art. 100 of the Criminal Code, art. 82 of the Code of Criminal Procedure) and termination of ownership (Act No. 793 of 2002). It is noted that the practice of criminal investigation and prosecution is still not applied systematically to proceeds of crime in cases of corruption.

Articles 83 to 85 of the Code of Criminal Procedure regulate freezing and seizure by the Public Prosecutor's Office through the guarantee judge. The Office of the Comptroller-General has the power of administrative seizure. The Special Fund for the Administration of Assets of the Public Prosecutor's Office was set up on the basis of article 86 of the Code of Criminal Procedure.

Colombia has not legislated on the confiscation of funds transformed or converted in part or in full into other property, the confiscation based on value of property intermingled with property acquired from legitimate sources, or of benefits derived from property.

The "dynamic burden of proof" criterion is applied with regard to the termination of ownership, as opposed to the confiscation system. However, the case law on the subject is still being developed. The Constitutional Court recently ruled that with regard to the termination of ownership of the proceeds of illicit enrichment, the Public Prosecutor's Office is obliged to prove the illicit origin of the property.

In Colombia, bank secrecy may be lifted by order of the Financial Information and Analysis Unit, the Public Prosecutor's Office, the Office of Legal Affairs and the Office of the Comptroller-General, without the requirement of a court order.

Statute of limitations; criminal record (arts. 29 and 41)

The criminal legislation of Colombia provides that criminal proceedings shall be prescribed within a period equal to the maximum period of punishment fixed by law, if such punishment is deprivation of liberty, but in no case shall this be less than five (5) years nor more than twenty (20) years. For public officials the duration of the statute of limitations period is increased by half. Cases of suspected offenders who have evaded the administration of justice are not regulated. With corruption offences the statute of limitations period is between 6 and 20 years.

In Colombia, only national judgements constitute the criminal record.

Jurisdiction (art. 42)

Colombia has established most of the jurisdiction parameters set out in the Convention.

Consequences of acts of corruption; compensation for damage (arts. 34 and 35)

Colombia incorporates article 34 of the Convention through articles 22 and 101 of the Code of Criminal Procedure, in which the restoration of the earlier right is provided for in order to halt the effects of the offence. Additionally, Act No. 472 of 1988 protects diffuse or collective interests, allowing for the review of a contract by means of a "popular action". At the administrative level, the Attorney-General may request the suspension of an administrative procedure, contract or execution thereof in order to prevent damage to State property.

Articles 11(c) and 102 of the Code of Criminal Procedure regulate and supplement the criminal procedure as regards the full compensation of victims in a criminal trial. There is operational experience in implementing this law, although not yet in corruption offences. Furthermore, Act No. 610 of 2000 and the Anti-corruption Statute govern tax liability proceedings, in which the assets of officials who have, by their action or omission, damaged State assets are scrutinized, regardless of

whether their conduct constitutes a criminal offence. The Anti-corruption Statute amended article 401 of the Criminal Code, and at present compensation for damage or reimbursement of misappropriated assets is provided for as a ground for mitigating punishment.

Specialized authorities and inter-agency coordination (arts. 36, 38 and 39)

The independent authorities that are responsible for law enforcement and specialized in combating corruption are the Public Prosecutor's Office, the Office of Legal Affairs and the Office of the Comptroller-General.

The Public Prosecutor's Office, the Office of the Attorney-General and the Office of the Comptroller-General have an agreement allowing them to share information about cases. The Criminal Police does not have investigators specialized in corruption matters. There is also an Anti-corruption Coordination Committee comprising the three above-mentioned agencies and other relevant agencies. However, it was mentioned that information-sharing presented challenges and limitations, particularly with respect to evidence-sharing and the investigation phase.

Colombia cooperates very actively with the private sector, through the High Level Reporting Mechanism against Corruption, in cooperation with OECD and the Basel Institute, and through fact-finding meetings on specific cases. However, it was mentioned that in the private sector there is still a lack of knowledge of the rules and possibilities of participation. Colombia has taken measures to encourage its citizens to report corruption; however, it is noted with great concern that the reporting of offences in Colombia is not considered a safe practice in terms of the physical safety and employment security of the reporting person.

2.2. Successes and good practices

- Colombia has gained practical experience of implementation and judicial decisions finding an infringement with long statute of limitation periods and harsh sentences for offences established in accordance with the Convention, taking into account the overall punitive framework (art. 29, art. 30(1)).
- Colombia has issued judgements in which an act of corruption was the grounds for deciding to cancel or annul contracts to which the State was a party (art. 34).
- Colombia actively promotes cooperation with the private sector at national and international levels. In this regard, Colombia is the pilot country in the High Level Reporting Mechanism against Corruption, in cooperation with OECD and the Basel Institute, as well as the B20 Working Group of the Group of Twenty (art. 39(1)).

2.3. Challenges in implementation

It is recommended that Colombia:

- Follow up the implementation of articles 407 and 433 of the Criminal Code in order to monitor that they are being applied to cases of "promise" of an undue advantage. In the event of a change in case law, clarification might be considered through legislative reform (art. 15(a), art. 16(1));

- Consider the possibility of criminalizing the passive bribery of foreign public officials and officials of international organizations (art. 2(16));
- Consider the possibility of adapting legislation to article 18 of the Convention (paras. (a) and (b));
- Examine the possibility of adapting its domestic legislation to cover corruption in the private sector with respect to all employees of a private entity, without the requirement of damage incurred by the company (art. 21(a) and (b));
- Include within the scope of the offence of money-laundering the concept of “use” (art. 23(1)(b)(i));
- Officially furnish copies of its laws on laundering of proceeds of crime (art. 23(2)(d));
- Include within the scope of its legislation on obstruction of justice the elements of use of physical force against witnesses and, in a specific rule, the production of evidence (art. 25(a));
- Adapt its legislation to include threats to or intimidation of judicial or law enforcement officials (art. 25(b));
- Consider the measures necessary to establish as an offence the preparation for a corruption offence (art. 27(3));
- In cases where the alleged offender evades justice, establish a longer statute of limitations period (art. 29);
- Also consider increasing the statute of limitations period for private individuals so that it is equal to that of public officials in corruption cases (art. 29);
- Consider, in accordance with the fundamental principles of its legal system, establishing procedures under which public officials accused of a corruption offence may be removed, suspended or reassigned (art. 30(6));
- Include within the scope of its legislation on confiscation the confiscation of funds transformed or converted into other property, the confiscation based on value of property intermingled with other property acquired from legitimate sources, and income or other benefits derived from such proceeds of crime (art. 31(4) to (6));
- Consider entering into agreements or arrangements with other States for the relocation of witnesses, experts and victims (art. 32(3));
- Strengthen the effectiveness of protection for reporting persons in criminal, administrative and employment law. Consider efforts to provide the same protection in disciplinary proceedings (art. 33);
- Assist the relevant authorities in developing strategies for asset and financial investigations, confiscation and compensation for damage in corruption cases from the outset of the case, including through the exchange of information between agencies (arts. 31 and 35);
- Expose the staff of the Higher Council of the Judiciary to comparative experience as part of their continuous professional development;

- Take measures, in accordance with its domestic law, to allow its criminal investigation agencies and various disciplinary and tax administration agencies to share with one another, without prejudice to the confidentiality of the investigation phase, all relevant information on corruption cases at any stage of the proceedings, and improve mechanisms for exchanging information (art. 38);
- Continue to implement measures to promote anti-corruption policies in the private sector (art. 39(1)) and further strengthen anonymous and secure reporting mechanisms (art. 39(2));
- Consider adopting the principle of international recidivism (art. 41);
- Consider establishing jurisdiction over all cases where the offence is committed against one of its nationals (art. 42, para. 2 a);
- Undertake appropriate consultations in cases where several States parties are conducting an investigation, prosecution or judicial proceeding in respect of the same conduct (art. 42(5)).

2.4. Technical assistance needs identified to improve implementation of the Convention

The Colombian authorities have expressed interest in receiving technical assistance in the following areas to improve the implementation of Chapter III:

- Model legislation and summary of best practices and lessons learned (art. 16(2));
- Sharing best practices and international cooperation in seizure, confiscation and termination of ownership; in particular, training programmes for authorities responsible for tracing property and administering property that has been frozen, seized or confiscated.

3. Chapter IV: International cooperation

3.1. Observations on the implementation of the articles under review

Extradition; transfer of sentenced persons; transfer of criminal proceedings (arts. 44, 45 and 47)

The requirements for extradition are contained in article 35 of the Political Constitution, article 18 of the Criminal Code, articles 490 to 504 of the Code of Criminal Procedure and the extradition treaties. Colombia does not make extradition conditional on the existence of a treaty, but may extradite in accordance with domestic legislation on the basis of reciprocity. The Convention may be used as a legal basis for extradition, although where a bilateral agreement exists preference is given to the application thereof. Currently, Colombia has signed 13 bilateral and 2 multilateral extradition treaties.

Colombia requires dual criminality, and further demands a minimum sentence of four years (art. 493 of the Code of Criminal Procedure), which is provided for most, but not all, corruption offences. However, domestic legislation only applies when no applicable international instrument provides for a lower minimum sentence.

It is common practice for Colombia to extradite its nationals for conduct committed after 17 December 1997. With respect to conduct committed prior to that date, Colombia applies the principle of *aut dedere aut judicare* on the basis of its treaties or as a general principle of international law.

The extradition system under Colombian law is a mixed (judicial and administrative) system. Extradition must be requested through a diplomatic note in Spanish. Under article 492 of the Code of Criminal Procedure, the offer or granting of extradition is at the discretion of the Government, but requires prior approval of the Supreme Court, which reviews issues of formality. There is no appeal. It is possible to lodge an appeal for reversal of the final decision of the National Government. Under the simplified procedure, the person sought may waive the proceedings before the Court.

Regarding corruption, there have been no cases of passive extradition and only two cases of active extradition.

Extradition for related offences is not provided for in the legal system of Colombia. Extradition is not granted for political offences; corruption offences are not considered political offences.

The bilateral treaties concluded by Colombia and article 509 of the Code of Criminal Procedure establish the legal basis for the provisional arrest of the person sought for extradition.

The statutory procedure does not provide for the possibility for the Colombian authorities to consult with the Government of the requesting State prior to deciding to refuse extradition.

Colombia is a party to three bilateral agreements on the transfer of sentenced persons.

Colombia cannot waive its own jurisdiction; however, in the event that several States have jurisdiction, Colombia may refer the case to another State.

Mutual legal assistance (art. 46)

Judicial cooperation is regulated in articles 484 to 489 of the Code of Criminal Procedure and the 16 bilateral treaties on mutual legal assistance and two multilateral treaties to which Colombia is a party.

Colombia does not require dual criminality and may provide assistance in proceedings against legal persons.

Bilateral and multilateral agreements take precedence over domestic law and paragraphs 7 and 9 to 29 may be applied directly, although there have been no such cases yet.

Colombia has designated four central authorities to handle mutual legal assistance requests: the Public Prosecutor's Office and Ministry of Justice in criminal matters, the Office of the Attorney-General in disciplinary matters and the Office of the Comptroller-General in tax and recovery matters. Requests for mutual legal assistance are received directly by the central authorities or through diplomatic channels. The competent authorities executing the request may communicate

directly with their foreign counterparts. The exchange of information is carried out in a formal manner and upon prior request.

It appears that there may be cases in which the competencies and responsibilities of the four authorities may overlap or the authorities may handle the same conduct from different angles. It also appears that there is a lack of clarity among all the domestic and foreign authorities regarding the designation of the central authorities.

Requests may be made orally, by telex, facsimile or e-mail in emergency situations, although oral requests are not the preferred means of communication. Testimony by videoconferencing is a common practice.

Colombia does not limit the application of article 46 exclusively to international cooperation in criminal matters, but also extends it to administrative matters.

It takes, on average, between six months and one year to execute a request; simple requests may be processed within two or three days.

In accordance with the law, the party seeking legal assistance shall bear the costs thereof; however, a number of treaties to which Colombia is a party contain regulations that are in line with the Convention.

Law enforcement cooperation; joint investigations; special investigative techniques (arts. 48, 49 and 50)

Colombia considers the Convention as the basis for mutual law enforcement cooperation. The Colombian police cooperate with the police forces of other countries, directly or through INTERPOL. Various authorities have concluded memorandums of understanding with their foreign counterparts. There is interaction with the Egmont Group (UIAF) and the World Customs Organization (National Customs), the Ibero-American Legal Assistance Network (IberRed, Public Prosecutor's Office) and the StAR/INTERPOL Global Focal Point Initiative on asset recovery (Office of the Comptroller-General). The Public Prosecutor's Office is promoting the initiation of cooperation through the Hemispheric Network of the Organization of American States.

Article 487 of the Code of Criminal Procedure regulates joint investigations.

Colombia has regulated controlled delivery, electronic surveillance and undercover operations, in addition to techniques such as selective searching in databases, without prior judicial authorization; no bilateral or multilateral agreements or arrangements on the use of such techniques have been signed, but it is possible to proceed in this matter on the basis of the Convention.

3.2. Successes and good practices

- Colombia has submitted an extradition request based on the Convention (art. 44).
- With the adoption of the simplified procedure, it has been demonstrated that Colombia is implementing new solutions to ensure that extradition is as expeditious as possible (art. 44(9)).
- Colombia has no recorded cases in which mutual legal assistance has been refused in corruption cases (art. 46).

- Colombia cooperates through international networks such as IberRed in order to expedite the process of mutual legal assistance (art. 46(24)).
- Colombia has adopted the special investigative techniques referred to in the Convention and additional techniques, and the Public Prosecutor's Office has approved a resolution on application thereof in international cooperation (art. 50(1)).

3.3. Challenges in implementation

Colombia may:

- Consider amending its legislation in order to be able to grant extradition where there is no dual criminality (art. 44(2));
- Advise its authorities to implement the Convention directly where the extradition request includes various related offences, some of which are not extraditable owing to the stipulated minimum punishment (art. 44(3)).

It is recommended that Colombia:

- Consider regulating the issue of discrimination specifically in the context of extradition, or, failing that, apply the Convention directly (art. 44, para. 15);
- Adapt its legal system so that the requesting State has the opportunity to present its views before extradition is refused (art. 44(17)).

Colombia may, without prior request, transmit information on criminal matters to a competent authority in another State party if it believes that such information might assist the authority in its inquiries and criminal proceedings, and Colombia is encouraged to consider this possibility (art. 46(4) and (5)).

It is recommended that Colombia:

- Apply paragraphs 9 to 29 of the Convention to requests for mutual legal assistance in the absence of a bilateral treaty or in lieu of a treaty if they facilitate cooperation (art. 46, para. 7, 9-29);
- Apply the Convention directly to guarantee the safe conduct of a person transferred from another State to testify or otherwise provide assistance in obtaining evidence with regard to convictions prior to his or her departure from that other State (art. 46(12));
- Ensure that the competences and responsibilities of the four central authorities dealing with mutual legal assistance matters are well defined and explained in the UNODC's directory of central authorities. Colombia is also encouraged to establish a mechanism to ensure the rapid exchange of information between the four central authorities and to raise awareness of its existence among all stakeholders of the institutional set-up (art. 46(13));
- Encourage the Office of the Attorney-General and the Public Prosecutor's Office to notify the Secretary-General of the United Nations of the language or languages acceptable to it (art. 46(14));
- Directly apply article 46(20) on confidentiality of requests received (art. 46(20));

- Directly apply the Convention as a priority over other instruments where such instruments contain broader grounds for refusal (art. 46(21));
- With regard to costs, apply the international instruments directly, as well as any arrangements between the States parties (art. 46(28));
- Consider promoting the exchange of personnel and other experts, including the posting of liaison officers (art. 48(1)(e)).

3.4. Technical assistance needs identified to improve implementation of the Convention

Colombia has requested technical assistance in improving its international cooperation:

- Training officials on mutual legal assistance and awareness-raising on the use of the Convention in that area (art. 46);
 - Strengthening the practice of special investigative techniques in cases of corruption (art. 50);
 - Building capacity in international cooperation as regards asset recovery.
-