



Colombia

Indicators of Regulatory Policy and Governance 2021





Overview and recent developments

In Colombia, the National Development Plan for 2018-2022, and the policy document CONPES 3816/2014 create the framework for the country's regulatory policy. Based on these and other instruments, regulatory impact assessment (RIA) is carried out mostly for technical regulations. The uptake is low for the rest of subordinate regulations. Colombia could make a systemic analysis of the barriers to adopt RIA, develop an implementation plan and execute it. Securing commitment at the highest political level will be instrumental.

Regulators and line ministries are formally required to consult with stakeholders in the preparation of regulations. SUCOP is a digital platform that aims at centralising stakeholder engagement practices across all government entities, allowing the public to participate in the processes of consultation during the rule-making process. However, ministries still regularly use their own website to seek comments. Colombia could benefit from promoting the use of SUCOP.

Ex post evaluation is employed sporadically by the regulatory agencies in telecommunications, energy and water, and plans are on their way to use it with respect to technical regulations as outlined in Decree 1468 published in 2020.

Colombia's regulatory oversight consists of three main bodies. The National Planning Department (DNP), located at the centre of government, is responsible for systematic improvement and advocacy across the government, issuing guidance on regulatory management tools and ensuring co-ordination. The mandate of the Public Function Administrative Department (DAFP) includes identifying potential areas for red tape reduction. The Ministry of Trade, Industry and Commerce covers the development of technical regulation, overseeing public consultation and, since 2018, also *ex ante* evaluations in co-ordination with the DNP of these instruments.

Indicators presented on RIA and stakeholder engagement for primary laws only cover processes carried out by the executive, which initiates approximately 20% of primary laws in Colombia. There is no requirement in Colombia for conducting RIAs or consultation to inform the development of primary laws initiated by parliament.

Indicators of Regulatory Policy and Governance (iREG): Colombia, 2021

● Methodology
 ● Systematic adoption
 ● Transparency
 ● Oversight and quality control
 ■ Country total, 2018
 — OECD average, 2021



Notes: The more regulatory practices as advocated in the [OECD Recommendation on Regulatory Policy and Governance](#) a country has implemented, the higher its iREG score. The indicators on stakeholder engagement and RIA for primary laws only cover those initiated by the executive (20% of all primary laws in Colombia).

Source: Indicators of Regulatory Policy and Governance Surveys 2017 and 2021, <http://oe.cd/ireg>.

Colombia: Transparency throughout the policy cycle



Inform the public in advance that:

A public consultation is planned to take place	Some
Regulatory impact assessment (RIA) is due to take place	No
Ex post evaluations are planned to take place	Never



Consult with stakeholders on:

Draft regulations	All
Evaluations of existing regulations	Never



Publish online:

Ongoing consultations*	Some
Views of participants in the consultation process	Yes
RIAs	Some
Evaluations of existing regulations	No



Policy makers use:

Interactive website(s) to consult with stakeholders	Yes
Website(s) for the public to make recommendations on existing regulations	Yes



Policy makers provide a public response to:

Consultation comments	Yes
Recommendations made in ex post evaluations	Never

* Publish on a single central government website.

Note: The data reflects Colombia's practices regarding subordinate regulations initiated by the executive, since in Colombia primary laws are rarely initiated by the executive.

Source: Indicators of Regulatory Policy and Governance Survey 2021, <http://oe.cd/ireg>.



THE OECD REGULATORY INDICATORS SURVEY AND THE IREG COMPOSITE INDICATORS

The data presented in the 2021 Regulatory Policy Outlook are the results of the 2014, 2017 and 2021 Indicators of Regulatory Policy and Governance (iREG) surveys.

The iREG survey investigates in detail three principles of the 2012 OECD Recommendation of the Council on Regulatory Policy and Governance: stakeholder engagement, regulatory impact assessment (RIA) and *ex post* evaluation. Three composite indicators were developed based on information collected through the surveys for these areas. Each composite indicator is composed of four equally weighted categories:

- **Systematic adoption** comprises formal requirements and how often these requirements are conducted in practice;
- **Methodology** presents information on the methods used in each area, e.g. the type of impacts assessed or how frequently different forms of consultation are used;
- **Oversight and quality control** reflects the role of oversight bodies and publicly available evaluations; and
- **Transparency** comprises information which relates to the principles of open government e.g. whether government decisions are made publicly available.

The data underlying the composite indicators reflect practices and requirements in place at the national level of government, as of 1 January 2021. The indicators for stakeholder engagement

and RIA relate to regulations initiated by the executive, while the indicator on *ex post* evaluation relates to all regulations. Whilst the indicators provide an overview of a country's regulatory policy system, they cannot fully capture the complex realities of its quality, use and impact. In-depth country reviews are therefore required to complement the indicators and to provide specific recommendations for reform. A full score on the composite indicators does not imply full implementation of the Recommendation. To ensure full transparency, the methodology for constructing the composite indicators and underlying data as well as the results of sensitivity analysis are available publicly on the OECD website (<http://oe.cd/ireg>).

Related links:

- [Regulatory Policy Outlook 2021](#)
- [Indicators and underlying data and methodology](#)
- [2012 Recommendation of the Council on Regulatory Policy and Governance](#)
- [OECD Measuring Regulatory Performance Programme](#)
- [OECD work on regulatory policy](#)

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