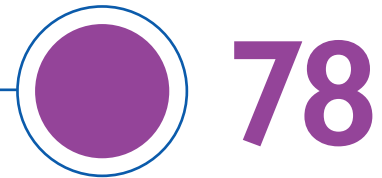


# Colombia



## Summary of Findings

### I. INDUSTRY PARTICIPATION IN POLICY DEVELOPMENT

The Ministry of Justice collaborated with Acción Técnica Social (ATS) on monitoring psychoactive substances. ATS promotes reduced-risk narrative and has ties with PMI. The current ATS director has previously worked with the government.

Congress members received assistance from tobacco industry (TI) front groups to promote bills on harm reduction for e-cigarettes/ENDS and heated tobacco products. Representative Juan Carlos Losada promoted a constitutional amendment on cannabis regulation with support from TI front groups. Bogotá's Secretary of Health, Alejandro Gómez, also received support from a TI front group and supported bills that will weaken tobacco control measures.

Law 534 of 1999 established the National Tobacco Fund for research. Public hearings involved TI and front groups discussing reduced-risk narrative and e-cigarettes/ENDS regulation. The Ministry of Justice received assistance from ATS on drug policies with a harm reduction approach.

The Republic of Colombia's delegation to the 9th session of COP in Geneva included representatives from the Ministry of Foreign Affairs, Ministry of Health, and Ministry of Commerce. The inclusion of Ministry of Health delegates was notable, but the reason for including Ministry of Commerce delegates is unknown.

### 2. INDUSTRY CSR ACTIVITIES

The Ministry of Culture endorsed the VII BAT Room of Popular Art event, and the BAT Foundation attended a conference coordinated by the Ministry of Justice. A campaign on cigarette butt collection, in partnership with

PMI, led to increased cigarette consumption in certain areas of Bogotá. The BAT Foundation, Chamber of Commerce of Medellín, and the Mayor's Office of Bello launched an exhibition called "I Salon de Talentos regionales en el arte" in January 2023.

### 3. BENEFITS TO THE INDUSTRY

Efforts to increase tobacco taxes faced TI interference, but Representative Carolina Giraldo promoted a bill to raise taxes on tobacco products including e-cigarettes.

Law 534 of 1999 requires tobacco producers to contribute to the National Tobacco Fund, despite conflicting with the FCTC. The Ministry of Agriculture supports the TI and provides incentives. There are no significant tax privileges for the TI, but they can benefit from tax benefits through donations to authorized non-profit organizations. Tobacco products are no longer VAT exempt. There are some concerns that arise from duty-free imports and potential loopholes in the special economic zone.

### 4. UNNECESSARY INTERACTION

PMI's CEO and regional president participated in the Concordia Annual Summit alongside Colombian government officials including former Colombian Presidents. The BAT Foundation held an event with the Minister of Justice, and the Colombian Association of Cannabis Industries held an event with the Minister of Justice and Minister of Agriculture, along with ATS representatives.

iNNpulsA, a government agency, collaborated with PMI to launch a smoke-free Colombia platform. PMI actively participated in the Latin American Anti-Smuggling Alliance (ALAC) meetings and entered into an investment agreement with the Federación Nacional de Departamentos



(FND) and other authorities. PMI provided monetary contributions to the FND for anti-smuggling efforts. PMI representatives were involved in events and conferences on anti-smuggling matters, including one held by the Governor's Office of Antioquia.

## 5. TRANSPARENCY

Public hearings in Congress lack clear guidelines for disclosing conflicts of interest. Red PaPaz has uncovered undisclosed, private meetings between the Secretary of Health of Bogota, TI front groups, and Congress members.

Colombia lacks specific rules for disclosing TI entities and lobbyists; though general transparency provisions do exist. The Ministry of Health has informal practices to prevent TI interference. Lobbyist registration is voluntary, and attempts to regulate lobbying have thus far failed. The TI actively participates in congressional hearings, often invited by congress members.

## 6. CONFLICT OF INTEREST

Colombian laws on political campaign funding do not prevent individuals with ties to the TI from donating to presidential candidates. Disclosure requirements make it difficult to identify specific candidates or party members receiving TI contributions.

Numerous individuals with ties to the TI hold influential positions in Colombia. They include former government officials who now work for tobacco companies or related organizations.

## 7. PREVENTIVE MEASURES

There is no formal requirement for disclosing interactions between the Colombian government and the TI. The Ministry of Health has voluntary practices not mandatory procedures for disclosure. The FND does not disclose its interactions with the TI. The TI and its front groups participate in congressional hearings, often equating their presence with civil society organizations.

There is no specific code of conduct for public officials when it comes to their interactions with the TI in Colombia; though there are general provisions and informal practices, specific regulation in the space is lacking.

Awareness of FCTC Article 5.3 is sparse in Colombian government departments, and health inspectors face intimidation from the TI. There is no comprehensive plan to address these issues.

There is no official policy in Colombia to reject TI assistance on policy drafts. While the Ministry of Health has an internal understanding of not accepting such contributions this strategy is isolated and does not constitute a government-wide policy.