

FOREIGN TRADE DIRECTORATE

Bogotá D.C., 15 March 2019

2-2019006694

Ambassador  
ECE ÖZTÜRK  
Ambassador of the Republic of Turkey in the Republic of Colombia  
Embassy of the Republic of Turkey in the Republic of Colombia  
Calle 76 No.8-47  
BOGOTA CUNDINAMARCA

Subject: Decree 367 of 2019, whereby a safeguard measure is adopted for imports of goods classified by tariff subheadings 7213.10.00.00 and 7214.20.00.00

Madame Ambassador:

Kindly and through you I request to inform the Government of your country, that National Government by Decree 367 of March 13, 2019, published in the Official Gazette 50.894 of 13 March 2019, within the framework of Decree 1407 of 1999, adopted a safeguard measure in the form of a tariff of 8,5 percentage points in addition to the Most Favored Nation tariff (10%), on imports of goods classified by tariff subheadings 7213.10.00.00 and 8214.20.00.00, for the term 2 years after its publication in the Official Gazette.

May I express my gratitude to the Ambassador for the attention to the present and my feelings of admiration and appreciation.

Cordially

Luis Fernando Fuentes Ibarra  
Foreign Trade Directorate  
Ministry of Commerce, Industry and Tourism

REPUBLIC OF COLOMBIA  
MINISTRY OF COMMERCE, INDUSTRY AND TOURISM  
DECREE NUMBER 367 OF MARCH 13, 2019

Whereby a safeguard measure is adopted for imports of goods classified by tariff subheading 7213.10.00.00 and 7214.20.00.00 of the Customs Tariff

THE PRESIDENT OF THE REPUBLIC OF COLOMBIA

In exercise of its constitutional and legal powers, especially those conferred by numeral 25 of article 189 of the Political Constitution, subject to the provisions of the Laws 7 of 1991 and 1609 of 2013, Decree 1407 of 1999, and

CONSIDERING

That Decree 1407 of 1999 establishes a special administrative procedure for the application of safeguard measures, which was extended by Decrees 2793 of December 29, 2000, 1268 of June 26, 2001 and 2681 of December 17, 2001.

That in accordance with the provisions of Article One of Decree 1407 of 1999, its provisions shall apply to imports of products regardless of their origin. In the event that the exporting country is a member of the World Trade Organization, they will only be applicable when the tariff increase requested does not exceed the level bound by Colombia before said organization.

That the Committee on Customs, Tariff and Foreign Trade Matters, in session 313 of December 19, 2018, analyzed the technical report corresponding to the special administrative investigation carried out and recommended to the Superior Council of Foreign Trade the application of a safeguard measure to Imports of merchandise classified by tariff subheadings 7213.10.00.00 and 7214.20.00.00 of the Customs Tariff, for a term of two (2) years.

That in the same session, in accordance with the provisions of Article Four of Decree 1407 of 1999, recommended that the measure be applied to all ordinary imports of the product under investigation, with the exception of those originating in the countries with which Colombia has entered into a Free Trade Agreement.

That in accordance with what was provided in the second paragraph of Article Twelfth of Decree 1407 of 1999, the Superior Council of Foreign Trade, in virtual session 101 convened on January 15, 2019, analyzed the recommendation given by the Committee on Customs, Tariffs and of Foreign Trade, and recommended to the National Government the application of a safeguard measure, in the form of a tariff of 8.5 additional percentage points to the Most Favored Nation tariff (10%) on imports of goods classified by tariff subheadings 7213.10 .00.00 and 7214.20.00.00 of the Customs Tariff, for a term of two (2) years.

That taking into account that the nature of the safeguard measure adopted is aimed at correcting the disturbance that the domestic industry might suffer due to the increase in imports or the realization of imports under unequal conditions, such as at low prices or important amounts, it is necessary to apply the exception established in paragraph 2 of article 2 of Law 1609 of 2013, in the sense that the measure adopted in this decree enters into force as of its publication in the official gazette.

That in accordance with what is established in the article 8 of Law 1437 of 2011 in the Administrative Procedure and Contentious Administrative Code, the draft decree was submitted to national public consultation from February 11 to February 27, 2019 in the Website of the Ministry of Commerce, Industry and Tourism, in order to receive comments and observations from interested parties.

#### DECREES

ARTICLE 1. To adopt a safeguard measure in the form of a tariff of 8.5 percentage points in addition to the Most Favored Nation tariff (10%), on imports of goods classified by tariff subheadings 7213.10.00.00 and 7214.20.00.00 of the Customs Tariff.

PARAGRAPH: To exclude the application of the safeguard measure established in this article to imports originating in countries with which Colombia has concluded a Free Trade Agreement, in accordance with the provisions of Article Four of Decree 1407 of 1999.

ARTICLE 2. The safeguard measure established in Article 1 of this decree, governs for a term of two (2) years counted from the effective date of this decree.

ARTICLE 3. The safeguard measure established in article 1 of this decree will not apply to imports that are carried out in the development of Special Import-Export Systems (Plan Vallejo).

ARTICLE 4. This decree applies from the date of its publication in the Official Gazette.

PUBLISH and COMPLY

Given in Bogotá D.C. at 13 days of March 2019

(President's Signature)

The Minister of Finance and Public Credit, (Signature) Alberto Carrasquilla Barrera

The Minister of Commerce, Industry and Tourism, (Signature) José Manuel Restrepo Abondano