

DRAFT MINUTE
UNITED STATES-COLOMBIA FREE TRADE COMMISSION MEETING
NOVEMBER 19, 2012

The first meeting of the United States-Colombia Free Trade Commission, established under Article 20.1.1 of the United States-Colombia Trade Promotion Agreement (the Agreement), took place on November 19, 2012, in Washington, D.C. United States Trade Representative Ron Kirk designated Deputy United States Trade Representative Miriam Sapiro to represent him and Minister of Commerce, Industry and Tourism Sergio Diaz-Granados designated Vice Minister for Trade Gabriel Duque Mildenberg to represent him. The agenda and list of participants for the meeting can be found in Annex I. Key discussion and action points arising from the meeting were as follows.

The two sides adopted a set of procedures their respective officials had worked out to ensure the smooth operation of the Commission going forward.

The two sides exchanged contact points for the different chapters to facilitate a fluid exchange of information at the level of issue leads on a broad range of matters.

Ambassador Sapiro and Vice Minister Duque signed a decision granting Colombia's request to transfer ECOPETROL from Section C of the Government Procurement Annex (Other Covered Entities) to Section D (Special Covered Entities) since it is no longer subject to Colombia's government procurement law and is required to conduct its procurement under private law.

Ambassador Sapiro and Vice Minister Duque instructed their respective experts to complete by the end of January work on the changes to the rules of origin to reflect the 2007 and 2012 changes to the Harmonized System nomenclature.

Ambassador Sapiro and Vice Minister Duque agreed to launch consideration of the acceleration of tariff phase outs under the Agreement as well as to consideration of modifications to the rules of origin other than those referenced above. Both sides indicated that they will follow their respective procedures for allowing any interested party to make a request in this regard. The two governments will then consult to determine whether there is a mutually agreed basis for accelerating tariff phase outs and/or modifying rules of origin, subject to each Party's applicable legal procedures.

Ambassador Sapiro and Vice Minister Duque received reports on the status of work to establish the several elements of the dispute settlement mechanism of the Agreement. They agreed to set a March 19 deadline for the completion of this work.

The Colombian authorities provided a report on the status of efforts to secure legislative reform of a commercial agents law as called for under the Agreement, as well as the status of the Constitutional Court's review of three intellectual property treaties the Colombian government committed to join under the Agreement.

The Free Trade Commission heard summary reports from the U.S. officials who had hosted the recent meetings under the Agreement: the Committee on Technical Barriers to Trade, the Committee on

Agricultural Trade, and the Standing Committee on Sanitary and Phytosanitary Matters. Ambassador Sapiro and Vice Minister Duque encouraged continuing engagement between their respective authorities to seek to resolve outstanding issues and to deepen cooperation and collaboration.

Vice Minister Duque presented a proposal for regional “cumulation” of the rules of origin for textiles and apparel trade under the Agreement. Ambassador Sapiro indicated that the U.S. Government would review the proposal.

Ambassador Sapiro and Vice Minister Duque heard a report on efforts to link U.S. and Colombian small business development centers and their small and medium enterprise clients for online trade opportunities and potential business partnerships.

ANNEX I

AGENDA

U.S.-COLOMBIA FREE TRADE COMMISSION MEETING

November 19, 2012 – 10 am to 12 pm

1724 F Street, NW – Rooms 1 and 2

Opening Remarks

Adoption of Agenda

Decisions

- Establishing Commission's Rules of Procedure
- Exchanging Contact Points for the Different Chapters
- Modifying Government Procurement Annex 9.1 re: ECOPETROL
- Updating Product Specific Rules of Origin to 2012 HTS
- Launching Consideration of Tariff Acceleration and Rules of Origin Modification
- Implementation of Dispute Settlement Mechanism

Status Reports

- Implementation of Commitment Related to Dealers Act
- Constitutional Court Review of IPR Treaties

Committee Reports

- TBT
- Agriculture
- SPS

Other

- Presentation of Colombian Proposal on Textiles and Apparel Rules of Origin Cumulation
- Small and Medium Enterprises in U.S.-Colombia Trade

Closing Remarks

LIST OF PARTICIPANTS:
U.S.-COLOMBIA FREE TRADE COMMISSION MEETING
November 19, 2012

U.S. DELEGATION

USTR

Ambassador Miriam Sapiro
Deputy United States Trade Representative

John Melle
Assistant USTR for the Western Hemisphere

Bennett Harman
Deputy Assistant USTR for Latin America

Maria Pagan
Chief Counsel for Negotiations, Legislation and Administrative Law

Leigh Bacon
Associate General Counsel

Jean Grier
Senior Procurement Negotiator

Kent Shigetomi
Director for Mexico and NAFTA

Brian Grunenfelder
Deputy Assistant USTR for Agricultural Affairs

Julia Doherty
Senior Director, Technical Barriers to Trade

Caroyl Miller
Deputy Special Textiles Negotiator

Christina Sevilla
Deputy Assistant USTR for Small Business

U.S. Department of State

Robert Manogue
Director, Bilateral Trade, Economic Bureau

Simon Henshaw
Director, Andean Affairs, Western Hemisphere Bureau

U.S. Department of Agriculture

Darci Vetter
Deputy Under Secretary

Charles Bertsch
Director, Bilateral Agreements and Enforcement Division

Mark Rowse
Director, Credit Programs Division

U.S. Environmental Protection Agency

Karl Simon
Director, Transportation and Climate Division
Office of Air and Radiation

U.S. Department of Commerce

Walter Bastian
Deputy Assistant Secretary for the Western Hemisphere

Julia Anglin
Colombia Desk

U.S. Department of the Treasury

William Schall
Deputy Director, Office of International Trade

COLOMBIAN DELEGATION

Ministry of Trade, Industry and Tourism

Gabriel Duque
Vice Minister of Foreign Trade

Juan Carlos Cadena
Director of Trade Relations

Javier Jiménez
Advisor to the Directorate of Trade Relations

Nicolas Torres
Chief of International Legal Affairs

Colombian Embassy

Carlos Urrutia
Ambassador

Ministry of Agriculture

Ricardo Sanchez
Vice Minister of Agriculture

FTA Implementation Directorate

Hernando Jose Gómez
Director

Colombian Government Trade Bureau in Washington

Claudia Candela
Director

Andres De la Cadena
Deputy Director

Monica De Narvaez
Commercial Counselor

Carolina Acosta
Commercial Counselor