



THE UNITED STATES TRADE REPRESENTATIVE
EXECUTIVE OFFICE OF THE PRESIDENT
WASHINGTON

February 14, 2018

The Honorable Maria Lorena Gutiérrez
Minister of Trade, Industry and Tourism
Ministry of Trade, Industry and Tourism
Bogotá, Colombia

Dear Minister Gutiérrez:

Thank you for your letter of February 6, 2018, regarding Colombia's accession to the OECD and the remaining outstanding concerns of interest to the United States in the Trade Committee review. I appreciate the information you provided on the status of the top remaining issues.

We would welcome a visit from you and a high-level delegation here in Washington, D.C., in late February or early March to discuss the actions that Colombia must complete to secure a positive opinion from the United States on Colombia's accession at the next Trade Committee meeting. We will coordinate with the Colombian Embassy and your Trade Office to determine a mutually agreeable date for such a meeting.

Below, I have set out the specific list of actions that we expect Colombia to complete in order for us to provide a positive opinion for the next OECD Trade Committee meeting.

1. U.S. heavy truck manufacturers continue to have serious concerns with the openness of Colombia's market, as well as the predictability and transparency of Colombia's regulatory system. Our request is to make the termination of the scrappage program effective no later than the April Trade Committee meeting, and for Colombia to commit not to reinstate the program, or any other program with a similar distorting effect, in order to ensure predictability of market access.
2. With regard to the copyright amendments to its copyright law, the Market Openness Review (MOR) on Colombia cites the commitments in the United States-Colombia Trade Promotion Agreement and your Association Agreement with the EU as the basis for a judgment that Colombia has an adequate intellectual property regime. However, our view is that as long as Colombia has not implemented the copyright amendments, Colombia's regime does not meet the high standards of the OECD as indicated in the MOR. Our request is that the Congress pass the amendments before the beginning of April 2018, as Colombia's

expeditious action on these issues is critical both from the perspective of the OECD schedule and in order to reflect progress made in USTR's review in March and April of Colombia's status under Special 301 of the Trade Act of 1974.

3. As you are aware, stakeholders have also raised a number of pharmaceutical-related concerns regarding provisions of Colombia's National Development Plan (NDP). Key stakeholders remain dissatisfied and doubt Colombia's willingness or ability to implement the additional commitments in a meaningful way. Because many stakeholders continue to harbor concerns in this area, we request that Colombia undertake, before the April meeting, a focused and sustained outreach and listening campaign to address, where possible, industry concerns.

We will look forward to your visit and will be happy to continue to work with your staff to answer any further questions that they might have in advance of any discussions in Washington.

Sincerely,



Ambassador Robert E. Lighthizer
United States Trade Representative