

WORLD TRADE ORGANIZATION

G/SCM/Q3/COL/33
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**Committee on Subsidies and
Countervailing Measures**

Original: Spanish

SUBSIDIES

Requests Pursuant to Article 27.4 of the Agreement on
Subsidies and Countervailing Measures

Replies by COLOMBIA to Questions Posed by PERU¹

The following communication, dated 29 November 2004, is being circulated at the request of the delegation of Colombia.

Attached hereto are Colombia's replies to Peru's questions on the "Special Import-Export System for Capital Goods and Spare Parts" (SIEX programme).

¹ G/SCM/Q3/COL/32.

The Permanent Mission of Colombia to the World Trade Organization presents its compliments to the Secretariat of the World Trade Organization (Committee on Subsidies and Countervailing Measures) and in response to the questions posed by the Permanent Mission of Peru, with regard to the information requested on the "Special Import-Export System of Capital Goods and Spare Parts" (SIEX programme), would like to state the following:

The questions were posed a week before the meeting of the Committee and consequently could not be dealt with at that session.

Since 2002 Colombia has always fulfilled the commitments undertaken before the Committee on Subsidies and Countervailing Measures and, consequently, has not approved SIEX programmes which might be able to benefit from tariff exemptions beyond 31 December 2005.

Several constitutional and legal provisions in force in Colombia protect the confidentiality of business information. Thus, Article 19 of the Administrative Litigation Code, Article 15 of the Colombian Constitution and Articles 260, 261 and 265 of Decision 486 of the Commission of the Andean Community protect business, trade and industrial secrets and the confidentiality of specific information. Consequently, it is not possible to supply information consisting of data broken down by company, name and amounts per programme granted to each company.

Annexed hereto is a table providing aggregate information, by year, with the number of programmes approved, the total amount granted under such programmes and the final date for benefiting from tariff exemptions. It also indicates the main sectors to which the companies that have benefited from the programmes belong. The information covers the period up to September 2004.

ANNEX

| Year of Approval | Number of Programmes Approved | Final Date for Receiving Benefits | Value Approved US\$ |
|-------------------------|--------------------------------------|--|----------------------------|
| 2002 | 62 | 27/05/2003 | 629,354,710 |
| 2003 | 60 | 23/06/2004 | 373,150,519 |
| 2004 | 8 | 31/12/2004 | 70,000,000 |

Note:

The special import-export system programmes approved in 2002, 2003 and 2004 have been mainly directed towards the agricultural sector for the production of coffee, sugar and bananas, as well as to assist aquaculture projects.

These programmes have also been aimed at companies in the mining sector specializing in coal mining and oil exploitation.

In manufacturing industry the programmes have benefited enterprises in the mining sector, the clothing industry, ceramics, the publishing industry, the metallurgical industry, furniture making and plastics.

A small percentage of these programmes has been directed to the non-road transport sector as a means of assisting mining.
