

Colombia

A. Progress in the implementation of the minimum standard

Colombia has eleven tax agreements in force³⁹ as reported in its response to the Peer Review questionnaire, including the Decision 578 of the Andean Community Commission (Decision 578) for the members of the Andean Community (the Andean Community Agreement).⁴⁰ One of those agreements, the agreement with the United Kingdom, complies with the minimum standard.

Colombia signed the MLI in 2017 and listed its non-compliant bilateral agreements. The agreements modified by the MLI come into compliance with the minimum standard once the provisions of the MLI take effect.

Colombia indicated in its response to the Peer Review questionnaire that steps have been taken (other than under the MLI) to implement the minimum standard in the Andean Community Agreement and the agreement with Switzerland.

Colombia is implementing the minimum standard through the inclusion of the preamble statement and the PPT combined with the LOB.⁴¹

³⁹ Colombia has also concluded an agreement with Italy, which entered into force on 6 October 2021. Therefore, as of that date, Colombia has twelve tax agreements in force. The agreement with Italy complies with the minimum standard.

⁴⁰ The Decision of the Commission of the Andean Community 578 on the regime for the avoidance of double taxation and the prevention of fiscal evasion, adopted on 4 May 2004. The current members of the Andean Community are Bolivia*, Colombia, Ecuador* and Peru. In total, Colombia identified thirteen “agreements” in its List of Tax agreements: ten bilateral agreements and the Andean Community Agreement.

⁴¹ For its agreements listed under the MLI, Colombia is implementing the preamble statement (Article 6 of the MLI) and the PPT (Article 7 of the MLI). Colombia has also adopted the simplified LOB under Article 7(6) of the MLI and expressed a statement, in accordance with Article 7(17)(a) of the MLI, that while it accepts the application of PPT alone as an interim measure, it intends where possible to adopt an LOB provision in addition to or in replacement of the PPT through bilateral negotiation. Colombia has made a reservation pursuant to Article 6(4) of the MLI not to apply Article 6(1) of the MLI with respect to agreements that already contain the relevant preamble language (covering one agreement).

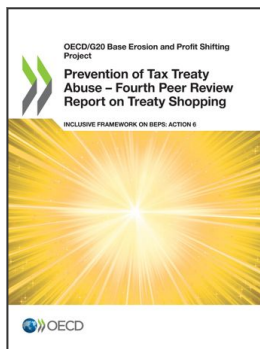
B. Conclusion

Recommendation

It is recommended that Colombia completes the steps to have the MLI take effect with respect to its agreements listed under the MLI as those agreements will only be modified by the MLI (and come into compliance with the minimum standard) once the provisions of the MLI take effect.

Summary of the jurisdiction response - Colombia

	1. Treaty partners	2. Compliance with the standard	3. Signature of a complying instrument	4. Minimum standard provision used
1	Bolivia*	No	No	PPT + LOB
2	Canada	No	Yes MLI	PPT
3	Chile	No	Yes MLI	PPT
4	Czech Republic	No	Yes MLI	PPT
5	Ecuador*	No	No	PPT + LOB
6	India	No	Yes MLI	PPT + LOB
7	Korea	No	Yes MLI	PPT
8	Mexico	No	Yes MLI	PPT
9	Peru	No	No	PPT + LOB
10	Portugal	No	Yes MLI	PPT
11	Spain	No	Yes MLI	PPT
12	Switzerland	No	No	PPT
13	United Kingdom	Yes other		PPT



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