

USCOLSALASEEM/COL/01/2023-C2En
ORIGINAL: Spanish

Bogotá D.C., January 30, 2024

Mr.
CÉSAR ERNESTO BARRERA MONTAÑEZ
Contract attorney
Judicial proceedings Team
MINISTRY OF ENVIRONMENT AND SUSTAINABLE DEVELOPMENT
Sent via email.

Subject: Extension for response to Submission USCOLSALASEEM/COL/01/2023

Dear Mr. Barrera,

We extend our gratitude for your letter received on Saturday, January 27, via email, in which you confirm the receipt, by the International Affairs Office of the Ministry of Environment and Sustainable Development of the Determination made in accordance with Article 18.8(4) of the Trade Promotion Agreement (hereinafter "TPA") between Colombia and the United States (hereinafter "U.S."), by the Secretariat for Environmental Enforcement Matters (hereinafter the "Secretariat"). With this Determination, the Colombian government was requested to provide a response to the submission on environmental enforcement matter filed by Colombian citizen Iván Salazar Penna, entitled "Reserva Natural de la Sociedad Civil – El Danubio" under code USCOLSALASEEM/COL/01/2023. In this submission, the submitter asserts the failure to effectively enforce environmental law, specifically concerning Article 11 of Decree 1996 of 1999 (now Article 2.2.2.1.17.11 of Decree 1076 of 2015).

Regarding the Determination to request a response to a submission, Article 18.8(5) of the TPA establishes that the government shall advise the Secretariat:

- (a) Whether the precise matter at issue is the subject of a pending judicial or administrative proceeding;
- (b) Any other information the government wishes to submit, such as:
 - (i) Whether the matter was previously the subject of a judicial or administrative proceeding,
 - (ii) Whether private remedies in connection with the matter are available to the submitter and whether they have been pursued, or
 - (iii) Information concerning relevant capacity-building activities under the Environmental Cooperation Agreement (ECA).

We appreciate being informed that the response to the submission USCOLSALASEEM/COL/01/2023 will be handled by the Legal Advisory Office of the Ministry of Environment and Sustainable Development. Additionally, we thank you for notifying us of

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the exceptional circumstances that have impeded an effective response within the initial 45-day period. We understand that, to date, no responses have been received to the information requests made to national and municipal entities to obtain the necessary inputs to respond to this Secretariat.

Therefore, and in accordance with Article 18.8(5) of the TPA, we look forward to receiving the response by February 10, 2023, corresponding to the 60 days deadline from the delivery of the Secretariat's last Determination.

We value the efforts and commitment made to collect the information that would serve to the response to the submission USCOLSALASEEM/COL/01/2023.

Sincerely,

(Original signed)

David Marín Cortés
Executive Director

Secretariat for Environmental Enforcement Matters

U.S. - COLOMBIA TRADE PROMOTION AGREEMENT

C.C. Sarah Flores, Department of State - U.S.
Sigrid Simpson, Office of the U.S. Trade Representative.
Daniela Almario, Ministry of Environment and Sustainable Development - Colombia.
Laura Constanza Hernández, Ministry of Commerce, Industry and Tourism Colombia
Iván Salazar Penna, Submitter.