

## Colombia

### ARTICLE 9: MOVEMENT OF GOODS INTENDED FOR IMPORT UNDER CUSTOMS CONTROL

Considering the content of Article 9 of the TFA, the Colombian Customs regulations on Transit allow goods intended for import to be moved within its territory under Customs control from a Customs office of entry to another Customs office in its territory where the goods would be released or cleared. This is regulated in Articles 432 *et seq.* of Decree 1165 of 2019:

The Customs Statute (Decree 1165 of 2019):

[https://www.dian.gov.co/aduanas/Regimen-de-Aduanas/Presentacion/Documents/Presentacion\\_1165\\_2019.pdf](https://www.dian.gov.co/aduanas/Regimen-de-Aduanas/Presentacion/Documents/Presentacion_1165_2019.pdf)

(presentation summary)

<https://www.suin-juriscal.gov.co/viewDocument.asp?id=30036618>

(the complete regulation)

#### Relevant government agencies:

- Dirección de Impuestos y Aduanas Nacionales -DIAN. (National Tax and Customs Directorate). Customs Authorities.

<https://www.dian.gov.co/aduanas/Paginas/Inicio.aspx>

- Ministerio de Comercio Industria y Turismo. (Ministry of Commerce, Industry and Tourism)

<https://www.mincit.gov.co/>

- INVIMA Instituto Nacional de Vigilancia de Medicamentos y Alimentos. (“National Institute for the Surveillance of Medicines and Food”)

<https://www.invima.gov.co/>

- ICA Instituto Nacional Agropecuario. (National Agricultural Institute)

<https://www.ica.gov.co/>

- SIC Superintendency of Industry and Commerce – Technical regulations - certificates of compliance with technical standards

<https://www.sic.gov.co/reglamentos-tecnicos>

- Ministry of Defense (importation of war material)

<https://www.mindefensa.gov.co/iri/portal/Mindefensa>

- Ministry of foreign relations

<https://www.cancilleria.gov.co/>

- Ministry of Justice. Single Normative Information System (“Juriscol”)

<https://www.suin-juriscal.gov.co/>

- Andean Community

<https://www.comunidadandina.org/>

- World Customs Organization

<http://www.wcoomd.org/>

- World Trade Organization

<https://www.wto.org/>

- ALADI Asociación Latinoamericana de Integración

<https://www.aladi.org/sitioaladi/>

- Ministry of Health and Social Protection / National Narcotics Fund (“Fondo Nacional de Estupefacientes”)

<https://www.minsalud.gov.co/salud/MT/Paginas/fondo-nacional-de-estupefacientes-fne.aspx>

#### **Relevant private agencies and industry groups:**

- National Association of Industrials (Spanish abbrev. “ANDI”)

<https://www.andi.com.co/>

- The National Association of Shipowners and Maritime Agents (Spanish abbrev. “ASONAV”)

<https://www.asonav.org>

- National Trade Council ((Spanish abbrev. “CGN”)

<https://cqn.org.co/>

- Colombian Federation of Logistics Agents in International Trade (Spanish abbrev. “FITAC”)

<https://fitac.net/>

- Latin American Conference of Express Transport Companies (Spanish abbrev. “CLADEC”)

<https://cladec.org.co/>

- Colombian Association of Flower Exporters (Spanish abbrev. “ASOCOLFLORES”)

<https://asocolflores.org/es/>

- Association of the Automotive Sector and Its Parts (Spanish abbrev. "ASOPARTES")  
<https://asopartes.com/>
- Colombian Federation of Road Freight Transporters (Spanish abbrev. "COLFECAR").  
<https://www.colfecar.org.co/>

### **Case Study of National Customs Transit**

Problems were identified concerning the control and preserve of supporting documents and the traceability of transit operations, since the operations are presented in physical documents and lithographically.

The case is generated by the implementation of the systematization of Customs processes for Customs transits. This condition has a direct impact on the reduction of time for presentation, acceptance and authorization of transit operations.

The different procedures were systematized by applying the national Customs regulations, Decree 1165 of 2019. These are:

- Processing and presentation of the Transit Declaration via the computer service.
- Presentation of minimum documents required for the operation (transport documents, operation guarantees, commercial invoices, additional supporting documents.)
- Control the loading and verification of guarantees for tax coverage of the transit operation.
- Fulfillment of the Customs obligations using established regulations based on , minimum requirements related to time, mode and place.
- Presentation of inspection processes of transit operations by the customs authority.
- Recording information corresponding to the identification of the means of transport involved in moving the cargo by the transporters involved in the operation.
- Action by the ports that register the departure of the means of transport that mobilizes the traffic.
- Presentation of updates via the computer service concerning changes in means of transport, extensions and others.
- Completion of the transit via the computer service by the warehouses and free zones in order to prepare the goods for the nationalization process or relevant inspection processes.

The implementation of the computer service has allowed DIAN to have full control of the transit operation, from its beginning, with the incorporation of all the necessary documents for the acceptance of the transit at the Customs office of departure, until the end of the operation at the Customs office of destination, upon receipt of the merchandise at the destination warehouse or duty-free zone. This condition enables the generation of statistics for the monitoring and control of operations.

The technological development is aimed at all declarants of Customs transit operations, taking into account a reduced timeframe for the presentation and acceptance of the transit operation. It is 90% quicker than the time taken to present physical documents. Previously, it took approximately 48 hours to present a transit operation. Now, with the implementation of the computer service, the procedure is generated in 60 minutes. In addition, with this technological development, benefits are provided to users in terms of cost reduction, since the documents are uploaded in PDF format and printed documents are no longer required.

There have been some great challenges when it comes to implementing the computer system, such as how to control considerable volumes of transport documents in a single transit operation, the incorporation, management and monitoring of various means of transport within a single transit operation and how to connect electronically with other internal computer services and government entities.

Faced with these challenges, internal connections have been developed to verify the different Customs competencies, as well as verify the validity and amount of the Customs guarantee for transit operations., New web services are also being developed to facilitate the exchange of information between state entities.

In conclusion, the implementation of the service has improved the presentation of operations and resulted in several benefits for both the customs authority and the users:

- Online control and monitoring of operations.
- Verification of compliance for the presentation and upload of supporting documents such as the guarantee for merchandise under Customs control.
- Savings in terms of time and money for the presentation and execution of Customs transit operations.
- Centralization of information on transit operations in a single computer service.

# CUSTOMS TRANSIT PROCESS FLOW UNDER THE CUSTOMS COMPUTER SYSTEM ("CCS")

