RESOLUTION 439 OF 2016

(February 1)

Official Journal No. 49.780 dated February 8, 2016

MINISTRY OF FOREIGN AFFAIRS

By which the provisions on visa exemptions are established and Resolution 572 of Feburary 3, 2015 is repealed.

Summary of Validity Notes

VALIDITY NOTES:

* Amended by Resolution 6771 of 2017, by which Article 1 of Resolution 439 of February 1, 2016, published in Official Journal No. 50.341 of August 30, 2017, is amended.
* Amended by Resolution 5662 of 2017, by which Articles 1 and 3 of Resolution 439 of February 1, 2016 are amended in order to establish the conditions for visa exemption for citizens of the Republic of Nicaragua and rules to regulate fees for the Entrance and Permanence Permits are established, published in Official Journal No. 50.304 of July 24, 2017. This will be valid thirty (30) calendar days after the date of its publication.

THE MINISTER OF FOREIGN AFFAIRS

In exercise of her constitutional and legal powers, especially those conferred in Article 208 of the Political Constitution of Colombia, Article 61 of Law 489 of 1998, item 15 of Article 6 of Decree 3355 of 2009, and articles 1.1.1.1 and 2.2.1.11.1.4 of Decree 1067 of 2015, being the last one amended by Article 47 of Decree 1743 of August 31, 2015, and

WHEREAS:

Article 208 of the Political Constitution of Colombia establishes that the Ministers are in charge of the management, and under the direction of the President of the Republic, shall develop the policies related to the Ministry.

According to the regulatory residual power of the Ministry of Foreign Affairs, the procedural, administrative and own Visa process aspects will be regulated through a Ministerial Resolution, allowing a more effective management of migration dynamics.

Item 12 of Article 18 of Decree 3355 of 2009 “by which the structure of the Ministry of Foreign Affairs is amended and other provisions are established”, assigns the function of “Managing and coordinating the issuance of passports and visas, issue diplomatic and official passports and instruct and supervise the entities determined by the Ministry in the process of issuance of passports, apostilles and notarization of documents, as per agreements subscribed on this matter and manage their international recognition”.

According to Article 2.2.1.11.1.4 of Decree 1067 of 2015, amended by Article 47 of Decree 1743 of August 31, 2015, it is established that “The Ministry of Foreign Affairs shall rule all Visa affairs through Resolutions”.

Section 2 of Chapter 11 of Title 1 of Part 2 of Book 2 of Decree No. 1067 of 2015, defines the Entrance and Permanence Permits that can be granted to aliens not requiring visas.

Resolution 572 of February 2015 which establishes the list of countries whose citizens require or not, a visa to enter the national territory was issued as part of Decree 834 of April 24, 2013. This standard was compiled by Decree 1067 of May, 2015. According to the latest agreements subscribed by Colombia about visa exemptions, it is necessary to update these provisions.

For that reason, the following is

RESOLVED

ARTICLE 1. Citizens from the following countries can be authorized to enter Colombia without a visa and to temporarily remain in the national territory.

List modified by Article 1 of Resolution 6771 of 2017 The new text is the following:

1. Germany
2. Andorra
3. Antigua and Barbuda
4. Argentina
5. Australia
6. Austria
7. Azerbaijan
8. Bahamas
9. Barbados
10. Belgium
11. Belize
12. Bolivia
13. Brazil
14. Brunei-Darussalam
15. Bulgaria
16. Bhutan
17. Canada
18. Czech Republic
19. Chile
20. Cypress
21. Republic of Korea
22. Costa Rica
23. Croatia
24. Denmark
25. Dominica
26. Ecuador
27. El Salvador
28. Arab United Emirates
29. Slovakia
30. Slovenia
31. Spain
32. United States of America
33. Estonia
34. Fiji
35. Philippines
36. Finland
37. France
38. Georgia
39. Grenada
40. Greece
41. Guatemala
42. Guyana
43. Honduras
44. Hungary
45. Indonesia
46. Ireland
47. Iceland
48. Marshall Islands
49. Solomon Islands
50. Israel
51. Italy
52. Jamaica
53. Japan
54. Kazakhstan
55. Latvia
56. Liechtenstein
57. Lithuania
58. Luxembourg
59. Malaysia
60. Malta
61. Mexico
62. Micronesia
63. Monaco
64. Montenegro
65. Norway
66. New Zealand
67. Netherlands
68. Palau
69. Panama
70. Papua New Guinea
71. Paraguay
72. Peru
73. Poland
74. Portugal
75. United Kingdom of Great Britain and Northern Ireland
76. Dominican Republic
77. Romania
78. Federation of Russia
79. St. Kitts and Nevis
80. Samoa
81. San Marino
82. St. Lucia
83. Vatican
84. St. Vincent and the Grenadines
85. Singapore
86. Sweden
87. Switzerland
88. Surinam
89. Trinidad and Tobago
90. Turkey
91. Uruguay
92. Venezuela

Validity Notes:

* List amended by Article 1 of Resolution 6771 of 2017, by which Article 1 of Resolution 439 of February 1, 2016 published in the Official Journal No. 50.341 of August 30, 2017 is amended. This will be valid ten (10) calendar days after its publication in the Official Journal (Article 2).

Previous Legislation

Original Text of Resolution 439 of 2016

1. Germany
2. Andorra
3. Antigua and Barbuda
4. Argentina
5. Australia
6. Austria
7. Azerbaijan
8. Bahamas
9. Barbados
10. Belgium
11. Belize
12. Bolivia
13. Brazil
14. Brunei-Darussalam
15. Bulgaria
16. Bhutan
17. Canada
18. Czech Republic
19. Chile
20. Cypress
21. Republic of Korea
22. Costa Rica
23. Croatia
24. Denmark
25. Dominica
26. Ecuador
27. El Salvador
28. United Arab Emirates
29. Slovakia
30. Slovenia
31. Spain
32. United States of America
33. Estonia
34. Fiji
35. Philippines
36. Finland
37. France
38. Georgia
39. Grenade
40. Greece
41. Guatemala
42. Guyana
43. Honduras
44. Hungary
45. Indonesia
46. Ireland
47. Iceland
48. Marshall Islands
49. Solomon Islands
50. Israel
51. Italy
52. Jamaica
53. Japan
54. Kazakhstan
55. Latvia
56. Liechtenstein
57. Lithuania
58. Luxembourg
59. Malaysia
60. Malta
61. Mexico
62. Micronesia
63. Monaco
64. Norway
65. New Zealand
66. Netherlands
67. Palau
68. Panama
69. Papua New Guinea
70. Paraguay
71. Peru
72. Poland
73. Portugal
74. United Kingdom of Great Britain and Northern Ireland
75. Dominican Republic
76. Romania
77. Federation of Russia
78. St. Kitts and Nevis
79. Samoa
80. San Marino
81. St. Lucia
82. Vatican
83. St. Vincent and the Grenadines
84. Singapore
85. South Africa
86. Sweden
87. Switzerland
88. Surinam
89. Trinidad and Tobago
90. Turkey
91. Uruguay
92. Venezuela

PARAGRAPH 1. The citizens of those countries with which Colombia has subscribed valid visa exemption agreements, according to the terms in this article and the respective international document.

PARAGRAPH 2. Paragraph amended by Article 1 of Resolution 5622 of 2017. The new text reads as follows: “The holders of passports from Hong Kong – SARG China, Sovereign Military Order of Malta and Taiwan-China, as well as the citizens of the Republic of Nicaragua who prove being from the Autonomous Region of the Northern Caribbean Coast and the Autonomous Region of the Southern Caribbean Coast will also be exempt of visa, according to the terms of this article.

Validity Notes:

* Paragraph amended by Article 1 of Resolution 5622 of 2017, by which articles 1 and 2 of Resolution 439 of February 1, 2016 are amended, in order to establish visa exemption conditions for citizens of the Republic of Nicaragua and establishes the rules to regulate the fees for the Entrance and Permanence Permit published in Official Journal No. 50,304 of July 24, 2017. This will become valid thirty (30) calendar day after the date of its publication in the Official Journal (Article 5).

Previous Legislation

Original text of Resolution 439 of 2016

PARAGRAPH 2. Holders of Passports from Hong Kong – SARG China, Sovereign Military Order of Malta and Taiwan, China, will also be exempt of visa, according to the terms of this Article.

PARAGRAPH 3. Paragraph amended by Article 1 of Resolution 5622 of 2017. The new text reads as follows: For the citizens from the States mentioned in this Article, the Special Administrative Unit of Migration Colombia will be able to grant one of the Entrance and Permanence Permits (PIP) or Temporary Permanence Permits (PTP) described in Chapters 1 and 2 of Resolution 1220 of August 12, 2016, “by which the Entrance and Permanence Permits and the Temporary Permanence Permits are established, and the Border Transit in the national territory is regulated”, or in the standards that substitute, amend or complement them, as long as the occupation, purpose or intention for staying in Colombia is expressly stated for those permits”.

Validity Notes

* Paragraph amended by Article 1 of Resolution 5622 of 2017, by which Articles 1 and 3 of Resolution 439 of February 1, 2016 are amended, in order to establish the conditions for visa exemption for citizens from the Republic of Nicaragua and establishes rules to regulate the fees for the Entrance and Permanence Permits published in Official Journal No. 50.304 of July 24, 2017. This will be valid thirty (30) calendar days after its publication in the Official Journal (Article 5.)

Previous Legislation

Original Text of Resolution 439 of 2016:

PARAGRAPH 3. For citizens from the Countries mentioned in tis Article, the Special Administrative Unit of Migration Colombia may grant an Entrance and Permanence Permit (PIP) and Temporary Permanence Permit (PTP) described in Section 2 of Chapter 11 of Title 1 of Part 2 of Book 2 of Decree No. 1067 of 2015, or the standards which may substitute, modify or complement it, as long as the occupation, purpose or intention of the permanence in Colombia is expressly stated for those permits.

ARTICLE 2. Citizens from States not mentioned in this Article 1 of the present Resolution will require a visa in order to enter Colombia.

In order to grant a visa to these individuals, the Consulates of the Republic of Colombia shall request previous authorization by the Internal Visa and Immigration Group, except in the case of citizens from the following countries:

1. Albania
2. Argelia
3. Armenia
4. Bahrain
5. Benin
6. Byelorussia
7. Algeria
8. Bosnia and Herzegovina
9. Botswana
10. Burkina Faso
11. Burundi
12. Cabo Verde
13. Cameroon
14. Chad
15. Comoros
16. Congo
17. Ivory Coast
18. Egypt
19. Eritrea
20. Ethiopia
21. Gabon
22. Gambia
23. Ghana
24. Guinea
25. Guinea Bissau
26. Equatorial Guinea
27. Haiti
28. India
29. Kenya
30. Kirgizstan
31. Kiribati
32. Kosovo
33. Kuwait
34. Lesotho
35. Macedonia
36. Madagascar
37. Malawi
38. Maldives
39. Mali
40. Morocco
41. Mauritius
42. Mauritania
43. Moldavia
44. Mongolia
45. Montenegro
46. Namibia
47. Nauru
48. Nepal
49. Nicaragua
50. Niger
51. Oman
52. Qatar
53. Republic of Central Africa
54. Ruanda
55. St Tomé and Prince
56. Senegal
57. Serbia
58. Seychelles
59. Swaziland
60. Thailand
61. Tanzania
62. Tajikistan
63. Eastern Timor
64. Togo
65. Tonga
66. Tunisia
67. Turkmenistan
68. Tuvalu
69. Ukraine
70. Uzbekistan
71. Vanuatu
72. Vietnam
73. Zambia
74. Zimbabwe

ARTICLE 3. Article amended by Article 2 of Resolution 5622 of 2017. The new text reads as follows: For the citizens of Cambodia, India, Nicaragua, Myanmar, People’s Republic of China, Thailand and Vietnam, authorization to enter and temporarily remain in Colombia without a visa may be granted, as per terms and conditions in Article 1 of this Resolution, as long as at least one of the following conditions is complied with:

1. Hold a residence permit in a “Schengen” country or in the United States of America.
2. Hold a Schengen visa or visa of the United States of America, with a validity of at least one hundred and eighty (180) days counted from the date of arrival in the national territory.

PARAGRAPH 1. The same permit will apply for citizens from the Republic of Nicaragua who certify being holders of a visa issued by the Canadian government or holding a residence permit from Canada.

PARAGRAPH 2. For the effects of item b) and paragraph 1 of this article, a visa granted for airport transit will not be admissible.

Validity Note:

* Article amended by Article 2 of Resolution 5622 of 2017, by which Articles 1 and 3 of Resolution 439 of Feburary 1, 2016 are amended, to establish the visa exemption conditions for citizens of the Republic of Nicaragua, and establishes rules to regulate the fees for the Entrance and Permanence Permits published in the Official Journal No 50,304 of July 24, 2017. This will be valid after thirty (30) calendar days counted as of the date of its publication in the Official Journal (Article 5).

Agreements

Resolution MINRELATIONS 5622 of 2017; Article 4

Previous Legislation

Original Text of Resolution 439 of 2016

ARTICLE 3. Article amended by Article 2 of Resolution 5622 of 2017. The new text reads as follows: For the citizens of Cambodia, India, Nicaragua, Myanmar, People’s Republic of China, Thailand and Vietnam, authorization to enter and temporarily remain in Colombia without a visa may be granted, as per terms and conditions in Article 1 of this Resolution, as long as at least one of the following conditions is complied with:

1. Hold a residence permit in a “Schengen” country or in the United States of America.
2. Hold a Schengen visa or visa of the United States of America, with a validity of at least one hundred and eighty (180) days counted from the date of arrival in the national territory.

PARAGRAPH 1. For the effects of item b) of this Article, the visa granted for airport transit will not be admitted.

ARTICLE 4. Aliens who certify being holders of permits or authorizations of permanent residence in a country member of the Pacific Alliance may be authorized to enter without a visa and temporary remain in the national territory, according to the terms of Article 1 of this Resolution.

ARTICLE 5. The Head of the Diplomatic Mission of the Republic of Colombia before the People’s Republic of China may authorize granting a Courtesy or Business visa, in the Class or Category established by immigration standards, for citizens of the People’s Republic of China, when these are requested in such territory. Previous authorization from the Internal Visas and Immigration Work Group will not be necessary.

ARTICLE 6. The Diplomatic Missions and the Consulates of the Republic of Colombia do not require previous authorization to deny the issuance of a visa. However, in all cases in which this occurs, a clear and detailed justification must be filed in the Integrated System of Citizens’ Processes (SITAC).

ARTICLE 7. The present resolution will be valid as of its date of issuance, with exception of Article 4, which will be in effect as of February 1, 2016 and repeals the entire Resolution No. 0572 of February 3, 2015.

THIS SHALL BE PUBLISHED AND FULFILLED

Subscribed in Bogotá, D.C., on February 1, 2016

The Minister of Foreign Affairs

MARIA ANGELA HOLGUIN CUELLAR

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Normogram of the Ministry of Foreign Affairs

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