

Migration Policies in Colombia 2017-2019

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IMISEM

EVERY IMMIGRANT IS AN EMIGRANT
How Migration Policies Shape
the Paths to Integration

IMISEM CASE REPORT
Migration Policies in

Colombia


2017-2019

Coordinated by:


Luicy Pedroza
Pau Palop-García
So Young Chang

January 2022

G I G A

German  Institute for Global and Area Studies
Leibniz-Institut für Globale und Regionale Studien

Imprint

The IMISEM CASE REPORTS are Open Access publications licensed under the CC BY 4.0  available for download free of charge at our Project Website: www.imisem.info as well as in the Social Science Open Access Repository, which will also host the IMISEM Dataset.

“Every Immigrant is an Emigrant” (IMISEM) is a 4-year project that was funded by the Leibniz-Gemeinschaft and developed at the German Institute for Global and Area Studies (GIGA) from April 2017 until August 2021. The IMISEM project was led by Dr. Luicy Pedroza.

The case reports were authored by a multinational team of researchers coordinated by Luicy Pedroza, Pau Palop-García and So Young Chang. The team of authors (i.e., data collectors) comprised 18 persons (3 core researchers plus 15 student assistants and interns), in alphabetical order: Daniel Braga Nascimento, So Young Chang, Natalia Chudoba, Jenny García Ruales, Belén Goyeneche, Paula Koller, Elena Korshenko, Zihao Lin, Charlotte Metzger, Eduardo Pagés, Pau Palop-García, Luicy Pedroza, Barbara Pilz, Neslihan Önder, Mayya Solonina, Béla Soltész, Arnaz Tejakusuma, and Girindra Wiratni Puspa. For their commitment in the final editing phase, we acknowledge the valuable contributions of Great Uchechukwu Udochi and Micaela Lincango. We are also grateful for the institutional support of the GIGA, especially Peter Peetz, Petra Brandt, Sabine Barth, Jan Lüth, Bert Hoffmann and Verena Schweiger. We also thank Sonia Octavio and Bertram Richter for their support in the cover design and Andrew Crawford for his work in programming the website for the publication of these reports in addition to all the visualizations linked to the IMISEM dataset. Authors alone are responsible for the content of the reports. GIGA and the editors cannot be held liable for any errors and omissions, or for any consequences arising from the use of the information provided.

The data collection for IMISEM took place in Berlin (Germany) from 2017 to 2019 and reflects the state of migration policy at the time of data collection. For maximal transparency, this report follows the structure of the original questionnaire which the team used to collect the information. That tool -an empty questionnaire- is also available in our Project Website for anyone who would like to work further, either to update the cases in the IMISEM sample, or to collect information for cases which were not included in the IMISEM sample. The IMISEM Team encourages both kinds of extensions, which would be very valuable contributions to the scholarly community working on comparative migration policies.

This report you are about to open has been automatically created based on the information contained in the IMISEM dataset, with an R script (version 2.0) coded by Pau Palop-García. Editors of the IMISEM Case Reports: Dr. Luicy Pedroza & Dr. Pau Palop-García.

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About IMISEM

“Every Immigrant is an Emigrant (IMISEM)” is a 4-year project that was funded by the Leibniz-Gemeinschaft and hosted at the German Institute for Global and Area Studies (GIGA) from April 2017 until August 2021. Its main distinctive feature is that it adopts a comprehensive view of migration policy. This includes not only the policies that regulate the stages of entry, immigrant residence and integration to citizenship access, but also encompasses the stages of emigration, emigrant rights abroad, and retention of citizenship. Thus, this project bridges for the first time the two sides of migration policy which both the policy and research communities have assumed to exist, but which so far have not been systematically analyzed in their connections. By collecting information on a vast array of information for policies across these six areas (three “stages” * two “sides”) for 32 cases from three world regions, we hope to offer the scholarly and policy communities the resources to discover connections between the different areas of migration policy within and across cases as well as noteworthy migration policy innovations in so far little-known cases in the world. The IMISEM project was led by Dr. Luicy Pedroza. The data collection for IMISEM took place in Berlin (Germany) from 2017 to 2019 and reflects the state of migration policy at the time of data collection. This report has been created based on the information contained in the IMISEM dataset.

The IMISEM case sample

The sample of 32 cases across Asia, Europe, and Latin America were selected based on heterogeneity in the level of economic development, levels of both flows and stocks of emigrants as well as immigrants, and then finally chosen upon taking into consideration the linguistic abilities and other pragmatic concerns that were decisive for the research team’s ability to explore and understand legal sources and policy regulations of the polities. The cases included in the sample are Argentina, Austria, Bolivia, Brazil, Chile, People’s Republic of China, Colombia, Costa Rica, Dominican Republic, East Timor, Ecuador, El Salvador, France, Germany, Guatemala, Hong Kong, Hungary, Indonesia, Ireland, Japan, Macau, Malaysia, Mexico, Peru, Philippines, Portugal, Singapore, South Korea, Spain, Taiwan, Trinidad and Tobago, and Uruguay.

We use the terms “country” and “state” in all the reports for purposes of consistency, but we are aware that some of the *polities* that we have included in the sample would require a different treatment because of situations of subordination to a higher-level political community (as in the cases of Hong Kong and Macau as Special Administrative Regions) or contested sovereignty issues (as in the case of Taiwan). We kindly ask our readers to bear in mind these important characteristics for any interpretation of the data presented.

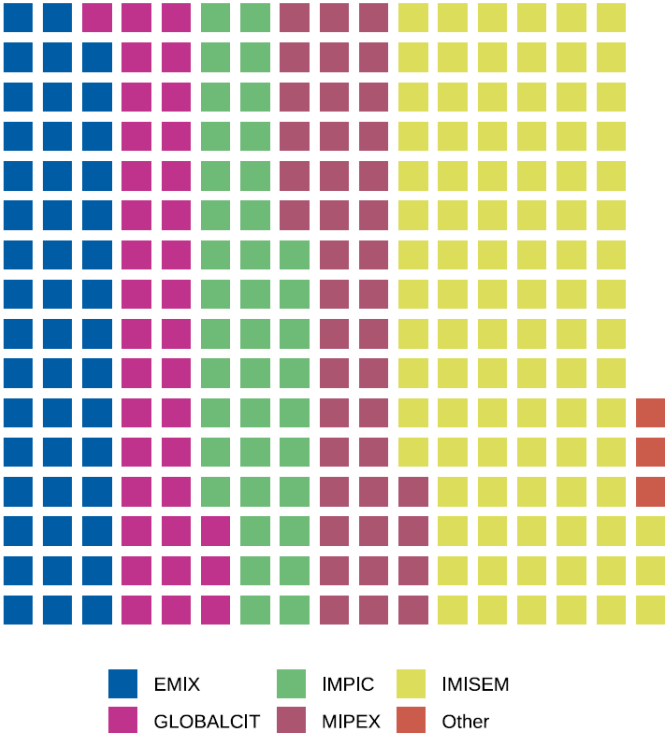
About the IMISEM Questionnaire

For maximal transparency, this report follows the same structure of the IMISEM Data Collection Tool (a questionnaire) which the team used to gather the information. This questionnaire was not distributed to experts to be filled in, but rather served as a systematic tool with which the data collectors/authors were able to collect information in an orderly, systematic, and comparable manner across cases. A template of the IMISEM Data Collection Tool is available for download on our website. It is important for us, the IMISEM Team, to acknowledge how the IMISEM Data Collection Tool builds on previous efforts in

data collection on migration policies. The strategy behind the selection of questions was the following: first, based on a wide survey of the literature, we decided which dimensions and sub-dimensions of policies were relevant for our research goals and noted down the questions that we deemed necessary to gather the information for each of the IMISEM dimensions. Second, we did a thorough review of all the questionnaires produced by previous projects and selected from them those that covered the policy dimensions identified in our initial literature review. As a final step, we came up with new questions that covered those areas that had not been addressed by previous projects and yet seemed crucial to understand migration policies comprehensively and across the three regions that we cover.

The final version includes 288 main questions (and over 800 sub-questions), 90 of which (31.3 %) are original formulations of the IMISEM project and 198 are based on questions developed previously by projects such as [IMPIC](#), [EMIX](#), [GLOBALCIT](#) and [MIPEX](#). The first draft of our Data Collection Tool was piloted on a case from each region and thereafter went through several revisions to refine and modify the wording of questions. As none of the existing tools we drew on had included Asian cases in their original sample, it was important that our tool itself reflected policies that we might encounter in the broader sample pool with their apparent priorities and specificities. An example of this is the addition of questions on broker agencies that assist potential migrants with emigration and immigration, which are highly visible actors in several Asian cases. Adapting questions coming from projects that had originally focused on European cases only also meant discarding items that captured regulations applicable only for European migrants/citizens (i. e. for the European cases in our sample we collect information that applies to “third-country nationals”). The iterative process of piloting and refining questions led to the final version of the IMISEM Data Collection Tool. Figure 1 shows the origin of the questions that are included in our questionnaire.

Figure 1: Origin of the questions included in the IMISEM Data Collection Tool



Each square represents a main question of the IMISEM Questionnaire/Data Collection Tool.

Source: Own elaboration.

Format of the answers contained in this report

The format of the answers that we present in this report follows the needs of the team to have comparable answers, so that we could more easily assign a numerical code later and therefore produce a dataset which lends itself to different analyses. Yet, we also wanted to include an explanation of the answer in some detail so that our readers can understand how we interpreted the sources and why we assigned a certain code. The importance of including an explanation for each answer cannot be understated. The explanations allow us to add nuance to the instances where there is room for debate and contestation over the interpretation of regulations. By explaining our answers, we hope to increase the transparency of the steps between data collection and data coding, and to invite other researchers to draw their own interpretations and conclusions, which may differ from our own.

Each of the answers in this report is composed of four fields:

Answer: this field contains the qualitative answer to the given question (for instance, “yes” or “no”).

Code: this field contains the quantitative answer to the given question. This reflects how we translated the qualitative answer into a number or code (for instance, “yes” can be coded as 0, and “no” as 1). The codes allow us to create composite indicators and compare across cases. The transformation of the qualitative answers into codes have been carried out following the IMISEM Codebook, the free access to which is also available on our website.

Explanation: this field contains the interpretation for the answer. It is meant to help the reader understand the logic behind the qualitative answer given by the coder. It often refers to the regulations -or lack thereof- and explains how we understood it.

Sources: this field contains a description of the sources consulted by the collector/author to come up with the answer and the explanation. Usually, primary sources (such as laws, all kinds of regulations and official government websites) are provided first, followed by consultations with official authorities (if the team considered necessary to corroborate information or decide for an interpretation), and secondary sources.

Format of the sources

We used a shortened version of the Chicago style for the citation of the different sources to reduce the length of the reports. The sources include the name of the web page, publication, report or legal document in the original language, followed by the translation in English within “[]”. Given the complexity of the questions, answering many of them required using more than one source. Therefore, in a single question, several references appear in the same paragraph. They are separated by the following sign: “/”.

For example, the following format was used for legal documents, the most used type of source:

Name of regulation in original language [Name of regulation in English]. Year of enactment (Year of the version). Art. X.

Example: Constitución Española [Spanish Constitution]. 1978 (1992). Art. 78.

Varieties of Standard English

In accordance with the diversity of nationalities and backgrounds in our team, we decided against homogenizing the use of English, which means that readers will find different spelling norms being applied across reports. We followed the use that is customary in the case we collected information for or that which our collectors felt at ease with. The same principle applies to other languages, such as Spanish or German.

Contact

We sincerely hope that our dataset proves useful for your purposes. Please let us know if you have any feedback at: lpedroza@colmex.mx or find us through our ORCID numbers:

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1. Emigration policies

1.1. General

EMIGRATION_1. The attempt to leave the country is punishable by law.

Answer: No

Code: 1

Explanation: As established by Art. 24 of the Constitution of 1991, Colombians can leave the country as long as they: (a) have a valid Colombian passport or travel document; (b) have a minor travel consent form (for minors under 18 years of age); (c) do not have any restraint to leave the country.

Sources: Decreto 0834 [Decree 0834]. 2013. / Constitución Política de Colombia [Political Constitution of Colombia]. 1991. Art. 24.

EMIGRATION_2: Exit fees.

Prospective emigrants need to pay a fee before emigrating.

Answer: No

Code: 1

Explanation: No provision in main regulations.

Sources: Decreto 0834 [Decree 0834]. 2013. Art. 52.

Amount of the fee in country of origin currency:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Amount of the fee in US Dollars:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Prospective emigrants need to make a deposit before emigrating:

Answer: No

Code: 1

Explanation: No provision in main regulations.

Sources: Decreto 0834 [Decree 0834]. 2013. Art. 52.

Amount of the deposit in the currency of the country of origin:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Amount of the deposit in US Dollars:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

EMIGRATION_3: Citizens can only stay abroad for a given maximum of days.

Citizens can only stay abroad for a given maximum of days

Answer: No

Code: 1

Explanation: Neither the Colombian Constitution nor the Migration Decree mention any restriction regarding the time nationals can spend abroad.

Sources: Constitución Política de Colombia [Political Constitution of Colombia]. 1991. / Decreto 0834 [Decree 0834]. 2013. Art. 52.

Maximum number of days that citizens can stay abroad:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

1.2. Documentation

1.2.1. Passport

EMIGRATION_4: Cost of ordinary passport.

Cost of ordinary passport in country currency (if there are different costs for passports with different validity, register the cost of the cheapest ordinary passport):

Answer: 166000

Code: 166000

Explanation: \$166,000 COP (Outside of Bogota the departmental tax will be added to this price). If the passport is issued in Europe or Cuba it will have a cost of € 107. If the passport is issued in any other country of the world it will have a cost of \$145 USD.

Sources: Cancillería de Colombia. "Pasaportes Costos y Medios de Pago [Passports Fees and Payment]". Accessed May 3, 2019.
https://www.cancilleria.gov.co/tramites_servicios/pasaportes/costos.

Cost of ordinary passport in US Dollars (if there are different costs for passports with different validity, register the cost of the cheapest ordinary passport):

Answer: 47.45

Code: 47.45

Explanation: \$166,000 COP (Outside of Bogota the departmental tax will be added to this price). If the passport is issued in Europe or Cuba it will have a cost of € 107. If the passport is issued in any other country of the world it will have a cost of \$145 USD.

Sources: Cancillería de Colombia. "Pasaportes Costos y Medios de Pago [Passports Fees and Payment]". Accessed May 3, 2019.
https://www.cancilleria.gov.co/tramites_servicios/pasaportes/costos.

EMIGRATION_5: Maximum length of procedure to process passport.

Maximum length of procedure to process passport is specified in the regulations or information on the average length is provided by official sources (if there are different lengths, use the minimum):

Answer: Yes

Code: 1

Explanation: The official website of the chancellery notes that once the payment is done the passport will be delivered after 24 hours in Bogota and 48 hours in the rest of the country. Once the passport is issued, the holder has six (6) months to claim the passport, otherwise it will be cancelled and the individual will have to apply for another passport.

Sources: Cancillería de Colombia. "Pasaportes Costos y Medios de Pago [Passports Fees and Payment]". Accessed May 3, 2019.

https://www.cancilleria.gov.co/tramites_servicios/pasaportes/costos. / Cancillería de Colombia. "Pasaportes [Passports]". Accessed May 3, 2019.

https://www.cancilleria.gov.co/tramites_servicios/pasaportes.

Maximum length of procedure to process passport (in days):

Answer: 2

Code: 2

Explanation: The official website of the chancellery notes that once the payment is done the passport will be delivered after 24 hours in Bogota and 48 hours in the rest of the country. Once the passport is issued, the holder has six (6) months to claim the passport, otherwise it will be cancelled and the individual will have to apply for another passport.

Sources: Cancillería de Colombia. "Pasaportes Costos y Medios de Pago [Passports Fees and Payment]". Accessed May 3, 2019.

https://www.cancilleria.gov.co/tramites_servicios/pasaportes/costos. / Cancillería de Colombia. "Pasaportes [Passports]". Accessed May 3, 2019.

https://www.cancilleria.gov.co/tramites_servicios/pasaportes.

Maximum length of procedure to process passport (by categories):

Answer: From 0 to 2 months

Code: 1

Explanation: The official website of the chancellery notes that once the payment is done the passport will be delivered after 24 hours in Bogota and 48 hours in the rest of the country. Once the passport is issued, the holder has six (6) months to claim the passport, otherwise it will be cancelled and the individual will have to apply for another passport.

Sources: Cancillería de Colombia. "Pasaportes Costos y Medios de Pago [Passports Fees and Payment]". Accessed May 3, 2019.

https://www.cancilleria.gov.co/tramites_servicios/pasaportes/costos. / Cancillería de Colombia. "Pasaportes [Passports]". Accessed May 3, 2019.

https://www.cancilleria.gov.co/tramites_servicios/pasaportes.

EMIGRATION_6. Renewal of passport from abroad is possible:

Answer: Yes

Code: 1

Explanation: The renewal of the passport can be done in any Colombian consulate around the world. For the renewal it is necessary to schedule an appointment through the chancellery's website where Colombians are also required to fill out an online pre-application. At the Consulate, they will have to

show their Colombian ID or birth certificate and hand the old passport over. All nationals have to meet the same requirements disregarding if they do the process in Colombia or at a consular office.

Sources: Cancillería de Colombia. "Guía de Usuario: Registro Ciudadano En Línea [User Guide: Online Citizen Registration]". Accessed July 5, 2019. https://www.cancilleria.gov.co/sites/default/files/FOTOS2019/registro_ciudadano_en_linea_web.pdf. / Cancillería de Colombia. "Pasaportes: Requisitos [Passport requirements]". Accessed July 5, 2019. https://www.cancilleria.gov.co/tramites_servicios/pasaportes/requisitos. / Cancillería de Colombia. 2019. "Preguntas frecuentes [FAQ]". Accessed July 5, 2019. <https://www.cancilleria.gov.co/especial-pasaporte>.

1.2.2. Other requirements

EMIGRATION_7. Local police certificate is necessary to emigrate:

Answer: No

Code: 1

Explanation: Neither the Colombian Constitution nor the Migration Law (Law 1465 of 2011) mention such restrictions for its nationals to emigrate. Art. 24 of the Constitution of 1991 declares the mobility right.

Sources: Constitución Política de Colombia [Political Constitution of Colombia]. 1991. Art.24. / Ley 1465 [Law 1465]. 2011.

EMIGRATION_8. Superior/employer's permission is necessary to emigrate:

Answer: No

Code: 1

Explanation: Neither the Colombian Constitution nor the Migration Law (Law 1465 of 2011) mention such restrictions for its nationals to emigrate. Art. 24 of the Constitution of 1991 declares the mobility right.

Sources: Constitución Política de Colombia [Political Constitution of Colombia]. 1991. Art.24. / Ley 1465 [Law 1465]. 2011.

EMIGRATION_9. Proof of income is necessary to emigrate:

Answer: No

Code: 1

Explanation: Neither the Colombian Constitution [1] nor the Migration Law (Law 1465 of 2011) mention such restrictions for its nationals to emigrate. Art. 24 of the Constitution of 1991 declares the mobility right.

Sources: Constitución Política de Colombia [Political Constitution of Colombia]. 1991. Art.24. / Ley 1465 [Law 1465]. 2011.

EMIGRATION_10. Registration abroad is mandatory.

Answer: No

Code: 1

Explanation: According to Art. 3 from the Decree 642 of 2014 every Colombian has the right to registered at the consulate with jurisdiction in the place of residence. Those who go through this voluntary process will get a consular registration card which provides some benefits to Colombians residing in certain countries.

Sources: Decreto 642 [Decree 642]. 2014. Art. 3.

1.3. Quotas and restrictions

EMIGRATION_11. Quotas to emigrate based on ethnicity.

Quotas to emigrate based on ethnicity exist in the country:

Answer: No

Code: 1

Explanation: Neither the Migration Degree 0834 of 2013 nor the Law 1465 of 2011 include any migration quotas.

Sources: Ley 1465 [Law 1465]. 2011. / Decreto 0834 [Decree 0834]. 2013.

Quota to emigrate for 2017:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

EMIGRATION_12: Quotas to emigrate based on income.

Quotas to emigrate based on income exist in the country:

Answer: No

Code: 1

Explanation: Neither the Migration Degree 0834 of 2013 nor the Law 1465 of 2011 include any migration quotas.

Sources: Ley 1465 [Law 1465]. 2011. / Decreto 0834 [Decree 0834]. 2013.

Quota to emigrate for 2017:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

EMIGRATION_13. Those who are liable for military conscription are allowed to emigrate:

Answer: Yes

Code: 1

Explanation: The military service is mandatory for all Colombian males between 18 and 24 years old. However, Colombian nationals who have lived abroad for over three (3) years can apply for a permanent military passbook (libreta military permanente). This process can be done at a Consulate. If the residence abroad does not exceed this time, the individual can only apply for a provisional military passbook (libreta military provisional), which is only valid for two years. Dual nationals who have already settled their military service status in the country of their other nationality are not obliged to define it in Colombia. (Art. 2.3.1.4.6.2. of the Decree 977 of 2018). Moreover, based on Law 1448 males, victims of the armed conflict, are exempted of serving in the military.

Sources: Decreto 977 [Decree 977]. 2018. / Ejercito Nacional de Colombia. "Definición Situación Militar: Colombianos Residentes en el Exterior [Military Service for Colombians Living Abroad]". Accessed August 23, 2018. <https://www.ejercito.mil.co/?idcategoria=221604> / Ley 1448 [Law 1448]. 2011.

EMIGRATION_14: Banned countries for emigration.

There are countries that are banned as destination for emigrants:

Answer: No

Code: 1

Explanation: There are no provisions in the main regulations (Colombian Constitution of 1992).

Sources: Constitución Política de Colombia [Political Constitution of Colombia]. 1991.

List of countries banned for citizens in 2017:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Number of countries banned for citizens in 2017:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

EMIGRATION_15. Higher education graduates must pay an education tax (or compensation) to be able to emigrate:

Answer: No

Code: 1

Explanation: There are no provisions in the main regulations (neither in the Constitution of 1991 nor in the Migration Degree 0834 of 2013)

Sources: Constitución Política de Colombia [Political Constitution of Colombia]. 1991. / Decreto 0834 [Decree 0834]. 2013.

EMIGRATION_16. Recipients of state scholarship are banned from emigrating:

Answer: Yes

Code: 0

Explanation: Yes, depending on the scholarship they were granted. Namely, those awarded by the Bank of the Republic of Colombia (Banco de la República de Colombia) to study at a graduate school abroad, require all beneficiaries to return and work in Colombia for a minimum period of two (2) year depending on the length of the studies.

Sources: Banco de la República. "Reglamento Programas de Capacitación Para Estudios de Posgrado En El Exterior Dirigidos a Particulares [Regulation for Programs for Postgraduates Studies Abroad]". Accessed May 10, 2019. <http://www.banrep.gov.co/sites/default/files/paginas/reglamento-pde.pdf>.

EMIGRATION_17: Ban for specific civil professional groups.

There is an emigration ban for specific professional group(s):

Answer: No

Code: 1

Explanation: There are no provisions in the main regulations (Neither in the Constitution of 1991 nor in the Decree 834 of 2013) regarding a ban for a distinct civil professional group.

Sources: Constitución Política de Colombia [Political Constitution of Colombia]. 1991. / Decreto 0834 [Decree 0834]. 2013.

There is a ban for medical doctors:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

There is a ban for other professions:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

EMIGRATION_18. The ban can be overcome by a letter signed by a supervisor:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

EMIGRATION_19. The ban can be overcome by a letter signed by an official authority.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

1.4. Policy incentives

EMIGRATION_20. Existence during 2017 of campaigns to encourage emigration:

Answer: No

Code: 0

Explanation: There are no records or evidence of any information campaign encouraging emigration.

Sources: Cancillería de Colombia. "Inicio [Home]". Access date not available. <https://www.cancilleria.gov.co/>. / Migración Ministerio Relaciones Exteriores. "Inicio rápido portal web migración Colombia [Quick Start Web Portal Migration Colombia]". Access date not available. <https://www.migracioncolombia.gov.co/>. / ELESPECTADOR.COM. "Últimas noticias de Colombia y el mundo hoy [Latest News from Colombia and the World Today]". Access date not available. <https://www.elespectador.com/>. / El Tiempo. "Noticias principales de Colombia y el Mundo [Main News from Colombia and the World]". Access date not available. <https://www.eltiempo.com/>.

EMIGRATION_21. Existence during 2017 of campaigns to discourage emigration:

Answer: No

Code: 0

Explanation: There are no records or evidence of any information campaign discouraging emigration.

Sources: Cancillería de Colombia. "Inicio [Home]". Access date not available. <https://www.cancilleria.gov.co/>. / Migración Ministerio Relaciones Exteriores. "Inicio rápido portal web migración Colombia [Quick Start Web Portal Migration Colombia]". Access date not available. <https://www.migracioncolombia.gov.co/>. / ELESPECTADOR.COM. "Últimas noticias de Colombia y el mundo hoy [Latest News from Colombia and the World Today]". Access date not available. <https://www.elespectador.com/>. / El Tiempo. "Noticias principales de Colombia y el Mundo [Main News from Colombia and the World]". Access date not available. <https://www.eltiempo.com/>.

EMIGRATION_22. Existence of license system to recognize and authorize emigration brokers (i.e. persons or companies dedicated to facilitating the immigration process to emigrants):

Answer: No

Code: 0

Explanation: There is no provision in the emigration regulation about recognized and/or authorized brokers. Both the Decrees 1067 of 2015 and 0834 of 2013 only recognize the Colombia Migration - Special Administrative Unit (Unidad Administrativa Especial Migración Colombia) as the institution in charge of dealing with emigration procedures and providing services). Moreover, according to the information provided by Colombian Consul in Berlin, in 2019, all migration brokers are illegal.

Sources: Decreto 1067 [Decree 1067]. 2015. / Decreto 0834 [Decree 0834]. 2013. / Consultation with Martha, Medina, Colombian Consul General in Berlin. 2019.

EMIGRATION_23: Emigration lump sum.

State of origin pays a lump sum incentive to citizens willing to emigrate:

Answer: No

Code: 0

Explanation: There is no provision on the emigration regulation (Decree 1067 of 2015, Decree 834 of 2013 and the Law 1465 of 2011).

Sources: Decreto 0834 [Decree 0834]. 2013. Art. 52. / Decreto 1067 [Decree 1067]. 2015. / Ley 1465 [Law 1465]. 2011.

Register the amount of the sum in country currency:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Register the amount of the sum in US Dollars:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

EMIGRATION_24. State of origin allows citizens willing to emigrate the withdrawal of accumulated social benefits (e.g. unemployment benefits) in a single transfer.

Answer: Yes

Code: 1

Explanation: Unemployment benefits, also called Cesantías, work in Colombia as an individual saving. The employer has to deposit the equivalent to one-month-salary per year at a Cesantía Fund (unemployment fund). The money can then be withdrawn from the savings account either in the case that the contract is up or that the individual is no longer employed or changes from employer. The unemployment savings can be withdrawn in a single or in periodic transfers. They can also be withdrawn to either invest in housing or in education (in national institutions). Thus, in these cases the accumulated benefits could not be transferred out of the country. There is only one state fund, National Savings Fund (Fondo Nacional del Ahorro, FNA), there rest are all private. Nevertheless, they all are regulated by the same law.

Sources: Código Sustantivo del Trabajo [Labour Code]. 1951. Art. 249 and 256.

1.5. Penalties

EMIGRATION_25: Loss of private property.

Risk of losing real state in case of emigration:

Answer: No

Code: 1

Explanation: There is no provision in the main legislations. Art. 58 and Art. 59 of the Constitution of 1991 guarantees private property to all civilians and do not mention the risk of expropriation as a consequence of emigration. Moreover, Art. 2.2.1.11.6.1. of the Decree 1067 of 2015 on the conditions to exit the country does not mentions any risk either.

Sources: Constitución Política de Colombia [Political Constitution of Colombia]. 1991. Art. 58 and 59. / Decreto 1067 [Decree 1067]. 2015. Art. 2.2.1.11.6.1.

Risk of losing bank accounts in case of emigration:

Answer: No

Code: 1

Explanation: There is no provision in the main legislations. Art. 58 and Art. 59 of the Constitution of 1991 guarantees private property to all civilians and do not mention the risk of expropriation as a consequence of emigration. Moreover, Art. 2.2.1.11.6.1. of the Decree 1067 of 2015 on the conditions to exit the country does not mentions any risk either.

Sources: Constitución Política de Colombia [Political Constitution of Colombia]. 1991. Art. 58 and 59. / Decreto 1067 [Decree 1067]. 2015. Art. 2.2.1.11.6.1.

EMIGRATION_26: Re-entry ban.

Existence of a re-entry ban after residence abroad for nationals by naturalization:

Answer: No

Code: 1

Explanation: There is no provision in the main legislation on re-entry ban. The Constitution of 1991 establishes the right for all Colombians to entry and exit the country freely (Art. 24) (Asamblea Nacional Constituyente 1991). Moreover, neither the Return Plan mentioned in the Art. 8th of the law 1465 of 2011 nor the law on return mentioned in Chapter 8 of the Decree 1067 of 2015 mention any re-entry ban.

Sources: Decreto 1067 [Decree 1067]. 2015. Ch.8. / Ley 1465 [Law 1465]. 2011. Art. 8. / Constitución Política de Colombia [Political Constitution of Colombia]. 1991.

Re-entry ban applies after how many months of residence abroad?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Existence of a re-entry ban after residence abroad for nationals by birth:

Answer: No

Code: 1

Explanation: There is no provision in the main legislation on re-entry ban. The Constitution of 1991 establishes the right for all Colombians to entry and exit the country freely (Art. 24) (Asamblea Nacional Constituyente 1991). Moreover, neither the Return Plan mentioned in the Art. 8th of the law 1465 of 2011 nor the law on return mentioned in Chapter 8 of the Decree 1067 of 2015 mention any re-entry ban.

Sources: Decreto 1067 [Decree 1067]. 2015. / Ley 1465 [Law 1465]. 2011. Art. 8. / Constitución Política de Colombia [Political Constitution of Colombia]. 1991.

Re-entry ban after residence abroad for nationals by birth after how many months of residence abroad?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Existence of a re-entry ban after residence abroad for nationals with dual or multiple nationality:

Answer: No

Code: 1

Explanation: There is no provision in the main legislation on re-entry ban. The Constitution of 1991 establishes the right for all Colombians to entry and exit the country freely (Art. 24) (Asamblea Nacional Constituyente 1991). Moreover, neither the Return Plan mentioned in the Art. 8th of the law 1465 of 2011 nor the law on return mentioned in Chapter 8 of the Decree 1067 of 2015 mention any re-entry ban.

Sources: Decreto 1067 [Decree 1067]. 2015. Ch.8. / Ley 1465 [Law 1465]. 2011. Art. 8. / Constitución Política de Colombia [Political Constitution of Colombia]. 1991.

Re-entry ban after residence abroad for nationals with dual or multiple nationality after how many months of residence abroad?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

EMIGRATION_27. Existence of sanctions (other than a re-entry ban) for overstaying abroad:

Answer: No

Code: 1

Explanation: No provision in main regulations.

Sources: Constitución Política de Colombia [Political Constitution of Colombia]. 1991.

1.6. Administration

EMIGRATION_28. Existence of institution/agency with competencies for exit and/or emigration:

Existence of institution/agency with competencies for exit and/or emigration:

Answer: Yes

Code: 1

Explanation: The Colombia Migration - Special Administrative Unit (Unidad Administrativa Especial Migración Colombia), an institution attached to the Ministry of Foreign Affairs, is the one in charge of overseeing the migration flow of both nationals and foreign.

Sources: Decreto 4062 [Decree 4062]. 2011. Art. 4.

Name of the institution with competencies for exit and/or emigration in original language:

Answer: Unidad Administrativa Especial Migración Colombia

Name of the institution with competencies for exit and/or emigration in English:

Answer: Colombia Migration - Special Administrative Unit

Place in the administrative hierarchy:

Answer: 3rd Rank in the public administration

Code: 0.5

Explanation: The Colombia Migration - Special Administrative Unit (Unidad Administrativa Especial Migración Colombia), an institution attached to the Ministry of Foreign Affairs, is the one in charge of overseeing the migration flow of both nationals and foreign.

Sources: Decreto 4062 [Decree 4062]. 2011. Art. 4.

2. Emigrant policies

2.1. Policies of representation

2.1.1. Electoral rights

EMIGRANT_1. Voting is mandatory for citizens residing abroad:

Answer: No

Code: 0

Explanation: Voting is not mandatory neither for nationals living in Colombia nor for those living abroad. As Art. 40 and Art. 258 of the Constitution state that voting is a right and a duty of every Colombian.

Sources: Constitución Política de Colombia [Political Constitution of Colombia]. 1991. Art. 40 and 258.

Does the country have presidential elections?

Answer: Yes

Code: 1

Does the country have a bicameral system (e.g. composed of a lower house and an upper house, or an originating chamber and a reviewer chamber)?

Answer: Yes

Code: 1

Presidential elections

EMIGRANT_2. Can non-resident citizens vote in national presidential elections from abroad?

Answer: Generally enfranchised

Code: 1

Explanation: According to Art. 116 of the Electoral Code, all nationals including the ones living abroad can vote in the presidential elections as long as they have registered at their local embassy or consular office.

Sources: Decreto 2241 [Decree 2241]. 1986. Art. 116.

EMIGRANT_3. Can non-resident citizens stand as candidates in national presidential elections from abroad?

Answer: Generally enfranchise

Code: 1

Explanation: There is no provision in the main regulation. Art. 191 of the Colombian Constitution states that all Colombian born nationals, who are citizens and are at least 30 years old can be candidates for the presidency. The law does not differentiate between residents and not residents.

Sources: Constitución Política de Colombia [Political Constitution of Colombia]. 1991. Art. 191. / Decreto 2241 [Decree 2241]. 1986. Art. 98, 99 and 191.

Legislative elections

Lower House (National Elections)

EMIGRANT_4. Can non-resident citizens vote in national legislative elections (lower house) from abroad?

Answer: Generally enfranchise

Code: 1

Explanation: For the House of Representatives (Cámara de Representantes) non-residents can only for one of the special constituencies (international, indigenous or afro). According to Art. 176 of the Colombian Constitution the House of Representatives will have a special constituency for Colombians living abroad. Since the last elections in 2018 non-residents have only a seat in the Lower House (they used to have two).

Sources: Constitución Política de Colombia [Political Constitution of Colombia]. 1991. Art. 176. / Acto Legislativo 2 [Legislative Act 2]. 2015.

EMIGRANT_5. Can non-resident citizens stand as candidates in national legislative elections (lower house) from abroad?

Answer: Generally enfranchise

Code: 1

Explanation: Non-resident citizens can stand as candidates (Art. 1 and 4 of Law 649 of 2001 and Art. 177 and 179 of Constitution).

Sources: Ley 649 [Law 649]. 2001. Art. 1 and 5. / Constitución Política de Colombia [Political Constitution of Colombia]. 1991. Art. 177 and 179.

Upper house (National Elections)

EMIGRANT_6. Can non-resident citizens vote in national legislative elections (upper house) from abroad?

Answer: Generally enfranchise

Code: 1

Explanation: According to Art. 171 of the Colombian, all nationals, included the ones living abroad can vote in the senate elections as long as they have registered at their local embassy or consular office. The votes for the Senate of the non-residents will be counted separately and will then be incorporated in the total votes.

Sources: Constitución Política de Colombia [Political Constitution of Colombia]. 1991. Art. 171.

EMIGRANT_7. Can non-resident citizens stand as candidates in national legislative elections (upper house) from abroad?

Answer: Generally enfranchise

Code: 1

Explanation: Art. 172 of the Colombian Constitution states that all Colombian born nationals, who are citizens enjoying all civil and political rights, who are at least 30 years old on the election's date can be candidates for the senate. The law does not differentiate between residents and not residents. Dual citizens, who are Colombians by naturalization, cannot stand as candidates (Art. 179).

Sources: Constitución Política de Colombia [Political Constitution of Colombia]. 1991. Art. 172 and 179.

Registration

EMIGRANT_8. Registration in the electoral roll for non-resident citizens:

Answer: Active registration, once-off

Code: 0.67|

Explanation: Voting registration is automatic when identity cards are issued. When there is a change of residence, non-resident citizens have to re-register. When an identity card is issued at a consular office it is automatically enabled to vote at that poll.

Sources: Decreto 1066 [Decree 1066]. 2015. Art. 2.3.1.4.3. / Resolucion 2020 [Resolution 2020]. 2017.

Remote voting

EMIGRANT_9. Voting methods from abroad:

Voting methods available to cast votes from abroad - Electronic voting:

Answer: No

Code: 0

Explanation: Votes can be cast at all consulates. Some consulates with a high population density offer special polling stations for non-resident citizens to vote. Since 2014, voting polls for Colombians residing abroad are be open for a whole week. The polls open Monday before the election's day in the national territory.

Sources: Decreto 2241 [Decree 2241]. 1986. Art. 116. / Ley Estatutaria 1475 [Statutory Law 1475]. 2011. Art. 51.

Voting methods available to cast votes from abroad - Proxy voting:

Answer: No

Code: 0

Explanation: Votes can be cast at all consulates. Some consulates with a high population density offer special polling stations for non-resident citizens to vote. Since 2014, voting polls for Colombians residing abroad are be open for a whole week. The polls open Monday before the election's day in the national territory.

Sources: Decreto 2241 [Decree 2241]. 1986. Art. 116. / Ley Estatutaria 1475 [Statutory Law 1475]. 2011. Art. 51.

Voting methods available to cast votes from abroad - Postal voting:

Answer: No

Code: 0

Explanation: Votes can be cast at all consulates. Some consulates with a high population density offer special polling stations for non-resident citizens to vote. Since 2014, voting polls for Colombians residing abroad are be open for a whole week. The polls open Monday before the election's day in the national territory.

Sources: Decreto 2241 [Decree 2241]. 1986. Art. 116. / Ley Estatutaria 1475 [Statutory Law 1475]. 2011. Art. 51.

Voting methods available to cast votes from abroad - Personal voting in consulates or embassies:

Answer: Yes

Code: 1

Explanation: Votes can be cast at all consulates. Some consulates with a high population density offer special polling stations for non-resident citizens to vote. Since 2014, voting polls for Colombians residing abroad are be open for a whole week. The polls open Monday before the election's day in the national territory.

Sources: Decreto 2241 [Decree 2241]. 1986. Art. 116. / Ley Estatutaria 1475 [Statutory Law 1475]. 2011. Art. 51.

Voting methods available to cast votes from abroad - Ad hoc polling stations:

Answer: Yes

Code: 1

Explanation: Votes can be cast at all consulates. Some consulates with a high population density offer special polling stations for non-resident citizens to vote. Since 2014, voting polls for Colombians residing abroad are be open for a whole week. The polls open Monday before the election's day in the national territory.

Sources: Decreto 2241 [Decree 2241]. 1986. Art. 116. / Ley Estatutaria 1475 [Statutory Law 1475]. 2011. Art. 51.

Special representation

EMIGRANT_10: Emigrant special representation.

Is there a special extraterritorial constituency (i.e. reserved seats) for non-resident voters in the country's lower house?

Answer: Yes

Code: 1

Explanation: For the House of Representatives (Cámara de Representantes) non-residents can vote for one emigrant special constituencies.

Sources: Decreto 2241 [Decree 2241]. 1986. Art. 116 and 187.

Number of special seats reserved for non-resident candidates in the lower house:

Answer: 2

Code: 2

Explanation: For the House of Representatives (Cámara de Representantes) non-residents can only vote for two of the special constituencies (international, indigenous or afro), after Acto Legislativo 12 de 2012 introduced a second one for Colombian emigrants.

Sources: Decreto 2241 [Decree 2241]. 1986. Art. 116 and 187.

Number of special emigrant districts in the lower house:

Answer: 2

Code: 2

Explanation: For the House of Representatives (Cámara de Representantes) non-residents can only vote for two of the special constituencies (international, indigenous or afro), after Acto Legislativo 12 de 2012 introduced a second one for Colombian emigrants.

Sources: Decreto 2241 [Decree 2241]. 1986. Art. 116 and 187.

Is there a special extraterritorial constituency (i.e. reserved seats) for non-resident voters in the country's upper house?

Answer: No

Code: 0

Explanation: For the Senate, non-resident citizens can vote for both the national and the indigenous constituencies.

Sources: Decreto 2241 [Decree 2241]. 1986. Art. 116 and 187.

Number of special seats reserved for non-resident candidates in the upper house:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Number of special emigrant districts in the upper house:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Remote voting implementation

EMIGRANT_11. External voting has been implemented (non-resident citizens have been able to vote from abroad in the past elections):

Answer: yes

Code:

Explanation: The legal provisions for external voting exist and have been implemented.

Sources: Not applicable

EMIGRANT_12. In case external voting has not been implemented after its adoption, what are the main reasons?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

2.1.2. Regulation of political competition abroad

Party offices in the state of reception

EMIGRANT_13. Offices of political parties are legally allowed abroad:

Answer: No specific regulation of offices abroad

Code: 0.5

Explanation: There are no provisions in the main regulation (Law 130 of 1994).

Sources: Ley 130 [Law 130]. 1994.

EMIGRANT_14. Actual existence of permanent offices of home country parties abroad which target emigrants in order to capture funding for campaigns or political support:

Answer: No

Code: 0

Explanation: No information of any office of home country parties abroad was found. Furthermore, there is no provision regulating party offices abroad.

Sources: Information was consulted for main Colombian parties (i.e. Partido Liberal, Centro Democrático, Cambio Radical, Partido Conservador Colombiano).

EMIGRANT_15. Register the list of countries (in English) in which the three biggest political parties of the state of origin have offices abroad (consider parties or political movements with the highest number of votes in the last national legislative election).

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

EMIGRANT_16. Could external party offices receive public funding from state of origin?

Answer: No specific regulation

Code: 0.5

Explanation: There is no regulation on funding for external offices, but they may redirect funds they receive.

Sources: Ley 1475 [Law 1475]. 2011. Art. 17.

Political campaigns

EMIGRANT_17. Electoral campaigns abroad for home elections are legally regulated:

Answer: No specific regulation of campaigns abroad

Code: 0.5

Explanation: There is no provision in the main regulation on campaigns abroad, however there is a regulation forbidding foreign funding of the campaigns (Art. 27 of the Law 1475 of 2011 forbids any kind of foreign funding regardless of whether it is from a government, legal entity or natural person) and there is a maximum amount that each candidate for the constituency of non-residents can invest.

Sources: Ley Estatutaria 1475 [Statutory Law]. 2011. Art. 27. / Resolución 0521 [Resolution 521]. 2009. Art. 2.

EMIGRANT_18. Actual existence of campaigns abroad for home elections:

Answer: Yes

Code: 1

Explanation: Yes, for instance, the Democratic Center Party (Centro Democrático) carried a campaign for the 2018 presidential and legislative elections. The campaign was oriented towards Colombians registered to vote in the United States.

Sources: Centro Democrático US. 2018. "Centro Democrático US - Publicaciones." Facebook Page Centro Democrático US. May 11, 2018. "URL not available".

EMIGRANT_19. Existence of public funding for electoral campaigns in state of residence:

Answer: No mention to public funding for campaigns abroad in main electoral regulations

Code: 0.5

Explanation: Public funding for political campaigns will be reimbursed depending on the percentage of the votes. There is no provision in the main regulations (Statutory Law 1475 of 2011) regulation the public funding of political campaigns outside of the national territory.

Sources: Ley Estatutaria 1475 [Statutory Law 1475]. 2011. Art. 20 and 21.

Membership in political parties

EMIGRANT_20. Emigrant membership to home country political parties:

Answer: Legally allowed AND same status for emigrants as for residents

Code: 1

Explanation: According to the Art. 40 of the Constitution of 1991, all Colombian citizens are free to enroll and quit any political party. The law does not differentiate between residents and non-residents. However, the restrictions on membership are up to the parties. The vast majority of the parties (e.g. Partido Centro Democrático, Partido de la U, Partido Cambio Radical) do not have any clause on residency in their statute. Nevertheless, the Social Party of National Unity (Partido de la U) has one, which allows residents as well as non-residents to enroll in the party.

Sources: Constitución Política de Colombia [Political Constitution of Colombia]. 1991. Art. 40. / Estatuto Del Partido de La U [Statute of the Social Party of National Unity]. 2012. / Estatuto Del Partido Centro Democrático [Statute of the Democratic Centre Party]. 2017. / Estatuto Del Partido Cambio Radical [Statute of the Radical Change Party]. 2018. Art.4. / Ley Estatutaria 1475 [Statutory Law 1475]. 2011. Art. 4.

2.1.3. Consultative bodies

2.1.4. Consultative bodies at the national level

EMIGRANT_21. Existence of a consultative body on emigrant issues:

Answer: No

Code: 0

Explanation: The Law 1465 of 2011 foresees the creation of the National Civil Society Round Table for Migrations (Mesa Nacional de la Sociedad Civil para las Migraciones) gathers Colombian emigrants, returnees, private corporations, unions, NGO's academia, ethnic, sexual and gender minorities, among others. the National Civil Society Round Table for Migrations was conceived as part of the National Migration System (Sistema Nacional de Migraciones – SNM), an array of civil society organizations, institutions, norms, processes and programs which seek to improve and guarantee the rights of the migrant community and improve the quality of life of Colombian emigrants. The National Civil Society Round Table for Migrations has not been created.

Sources: Ley 1465 [Law 1465]. 2011. Art. 4 and 5. / Cancillería de Colombia. "Verdades Sobre La Mesa Nacional de La Sociedad Civil [Information about the National Civil Society Round Table for Migrations]". Accessed June 14, 2019. https://www.colombianosune.com/sites/default/files/cartilla_mesa_nacional.pdf.

EMIGRANT_22. The consultation is structural or ad hoc:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

EMIGRANT_23. Composition of the consultative body:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

EMIGRANT_24. Who chairs the consultative body?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

EMIGRANT_25. The body has the right of initiative to make its own reports or recommendations, even when not consulted:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

EMIGRANT_26. Beyond consultation on policies affecting emigrants the body has the right to get a response from national authorities to its advice/recommendations:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

EMIGRANT_27. Selection criteria to ensure representativeness

Existence of selection criteria to ensure a gender-balanced consultative body:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Existence of selection criteria to ensure a geographically-balanced consultative body:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Consultative bodies at the consular level

EMIGRANT_28. Existence of a consultative body of emigrants at the consular level.

Answer: No

Code: 0

Explanation: No provision for a consultative body at the consular level in main regulations.

Sources: Ley 1465 [Law 1465]. 2011. Art. 4 and 5.

EMIGRANT_29. The consultation is structural or ad hoc:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

EMIGRANT_30. Composition of the consultative body:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

EMIGRANT_31. Who chairs the consultative body?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

EMIGRANT_32. The body has the right of initiative to make its own reports or recommendations, even when not consulted:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

EMIGRANT_33. Beyond consultation on policies affecting emigrants the body has the right to get a response from national authorities to its advice/recommendations:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

EMIGRANT_34. Selection criteria to ensure representativeness

Existence of selection criteria to ensure a gender-balanced consultative body:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Existence of selection criteria to ensure a geographically-balanced consultative body:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

2.1.5. Funding of emigrant associations

EMIGRANT_35. Existence of consular support (in kind or financial) to independent emigrant associations

Answer: No

Code: 0

Explanation: There are no provisions in the main regulation of any financial support from the states to independent emigrant associations (Decree 4976 of 2011, Law 1465 of 2011, Resolution 5831 of 2011, Law 76 of 1993). However, the program Colombia nos une, managed by the Directorate of Migrant Affairs, Consulates and Citizen Services, among other functions offers support to emigrant associations.

Sources: Decreto 4976 [Decree 4976]. 2011.

2.2. Economic Policies

2.2.1. Remittances

EMIGRANT_36. Government program/strategy to attract remittances from emigrants.

Existence of a government program to attract remittances from emigrants:

Answer: Yes

Code: 1

Explanation: There are measures to improve banking channels and investments. The Savings Account programme (Cuenta de Ahorro de Trámite Simplificado-CATS) was introduced in 2011 to facilitate transactions between residents and non-residents. Before the Regulation DCIN-83, Ch. 10, non-residents were not able to have an account in Colombia. Through the CATS, emigrants can either save the money or use it as a down-payment for a property.

Sources: Banco de la República. "JDS-17399". Accessed 4 June 2019.
<http://www.banrep.gov.co/es/node/28857>.

Measures to improve banking channels for remittances:

Answer: Yes

Code: 1

Explanation: There are measures to improve banking channels and investments. The Savings Account programme (Cuenta de Ahorro de Trámite Simplificado-CATS) was introduced in 2011 to facilitate transactions between residents and non-residents. Before the Regulation DCIN-83, Ch. 10, non-residents were not able to have an account in Colombia. Through the CATS, emigrants can either save the money or use it as a down-payment for a property.

Sources: Banco de la República. "JDS-17399". Accessed 4 June 2019.
<http://www.banrep.gov.co/es/node/28857>.

Existence of fee controls for remittances:

Answer: No

Code: 0

Explanation: No provisions to establish fee controls for remittances found.

Sources: Not applicable

Remittances used for a co-development scheme (if remittances are used by the state of origin to fund development policies):

Answer: No

Code: 0

Explanation: No provisions to establish co-development schemes found.

Sources: Not applicable

2.2.2. Investment

EMIGRANT_37. Existence of a government program to attract investments from emigrants (i.e. investment in housing, local enterprises, etc.):

Answer: Yes

Code: 1

Explanation: The platform "Colombia Nos Une" organizes real estate exhibitions abroad to promote the investment in Colombia. In 2018 there were exhibitions in Madrid, Montreal, Lima, New York, Santiago and in Florida.

Sources: Ministerio de Relaciones Exteriores. "Ferias de servicios para colombianos en el exterior [Service Fairs for Colombians Abroad]". Accessed June 4, 2019.

<https://www.colombianosune.com/index.php/ejes/sistema-de-servicios-para-colombianos/ferias-colombianos>. / Ministerio de Relaciones Exteriores. “Feria Inmobiliaria Invierte en Colombia [Real Estate Fair Invest in Colombia]”. Accessed June 4, 2019.
<https://www.colombianosune.com/evento/feria-inmobiliaria-invierte-en-colombia-0>.

2.2.3. Brain circulation networks

EMIGRANT_38. Are there formally constituted networks aiming to build connections between emigrants and the state of origin to share knowledge?

Answer: Yes

Code: 1

Explanation: The government’s initiative, “Colombianos destacados en el exterior” works under the direction of the Directorate of Migratory, Consular and Citizen Services (Dirección de Asuntos Migratorios, Consulares y Servicio al Ciudadano) and through the program Colombia Nos Une. It aims to create a link between “outstanding” Colombians abroad and professionals in Colombia, in order to contribute to the country’s social capital. The program focuses on several fields, e.g. cultural, academic, business, social labor.

Sources: Ministerio de Relaciones Exteriores. “Colombianos destacados en el exterior [Outstanding Colombians abroad]”. Accessed June 4, 2019. <https://www.colombianosune.com/ejes/plan-comunidad/colombianos-destacados-en-el-exterior>.

2.2.4. Return policies

EMIGRANT_39. Recognition of academic and professional qualifications acquired in the state of residence:

Recognition in state of origin of academic and professional qualifications emigrants acquired in the state of residence:

Answer: Yes

Code: 1

Explanation: The National Ministry of Education is the entity responsible for the recognition of academic and professional qualifications acquired abroad. The process must be started by the individual. For higher education qualifications the process, which varies depending on the country and institution of expedition, can last between two (2) to four (4) months. The recognition of early childhood education qualifications only lasts fifteen (15) business days.

Sources: Resolución 20797 [Resolution 20797]. 2017. / Ministerio de Educación Nacional de Colombia. 2019. “Validations”. Accessed May 22, 2019. <https://www.mineduacion.gov.co/1759/w3-article-355508.html>. / Ministerio de Educación Nacional de Colombia. “Costo y duración [Costo and Duration]”. Accessed May 22, 2019. <https://www.mineduacion.gov.co/1759/w3-article-357008.html>. / Resolución 2020 [Resolution 2020]. 2017.

Timeframe for the recognition of academic/professional qualifications obtained abroad. If there are several processes (i.e. automatic, for higher education, for primary education.), register the one with the lengthier timeframe:

Answer: 6 months or less

Code: 1

Explanation: The National Ministry of Education is the entity responsible for the recognition of academic and professional qualifications acquired abroad. The process must be started by the individual. For higher education qualifications the process, which varies depending on the country and institution of expedition, can last between two (2) to four (4) months. The recognition of early childhood education qualifications only lasts fifteen (15) business days.

Sources: Resolución 20797 [Resolution 20797]. 2017. / Ministerio de Educación Nacional de Colombia. 2019. "Validations". Accessed May 22, 2019. <https://www.mineducacion.gov.co/1759/w3-article-355508.html>. / Ministerio de Educación Nacional de Colombia. "Costo y duración [Costo and Duration]". Accessed May 22, 2019. <https://www.mineducacion.gov.co/1759/w3-article-357008.html>. / Resolución 2020 [Resolution 2020]. 2017.

EMIGRANT_40. Communication campaigns aiming to convince emigrants to return to home country:

Answer: Yes

Code: 1

Explanation: The Return Law 1565 of 2015 regulates a program to promote the return of emigrants. The Ministry of Foreign Affairs together with the Interdepartmental Commission for Return are the institutions in charge of implementing the law. Its goal is to create incentives for the return of Colombian emigrants from a multidimensional perspective offering guidance to the returnees as well as economic benefits, among others. Moreover, the website of the program Colombia nos une announces the discounts for returnees at two (2) higher education institutions. In addition, article 204 of the Law 1448 of 2011, guarantees through the Ministry of Foreign Affairs, that victims living abroad are informed and receive guidance about their rights, and the measures and resources they are entitled to. Henceforth, the victims of forced displacement should receive information about their rights to return to Colombia.

Sources: Ley 1565 [Law 1565]. 2012. Art.1. / Ministerio de Relaciones Exteriores. "Descuentos En Educación Para Colombianos En El Exterior, Aquellos Que Retornan Al País y Sus Familias [Discounts on Education for Colombians Abroad, Those Returning to the Country and Their Families]". Colombianosune. Accessed May 22, 2019. <https://www.colombianosune.com/ejes/sistema-de-servicios-para-colombianos/educacion/descuentos-educativos/descuentos-en-educacion-para-colombianos-en-el-exterior-aquellos-que-retornan-al-pais-y-sus-familias>. / Ley 1448 [Law 1448]. 2011. Art. 66, 70 and 204.

EMIGRANT_41. Existence of brain gain programs developed by the government targeting highly qualified emigrants:

Answer: No

Code: 0

Explanation: In 2014 the government open a program that was only active that year. The program “Es tiempo de volver” (It is time to go back) sought to encourage the incorporation of Colombian scientists who had studied or worked abroad, into universities and research institutes.

Sources: Colciencias. “Convocatoria ‘Es Tiempo de Volver 2014’ [Call for Applications “It’s Time to Go Back 2014”]”. Accessed July 25, 2016. <http://www.colciencias.gov.co/node/669>.

EMIGRANT_42. Existence of welfare provisions or benefits that aim at facilitating the reintegration of emigrants in the home society:

Answer: Yes

Code: 1

Explanation: The Return Law 1565 of 2012 offers returnees financial and tax incentives. The law defines four (4) different categories of return: (1) Solidary return, (2) Humanitarian or due to special causes, (3) Labor return, (4) Productive return. In addition, Law 1448 of 2011 establishes that the victims of forced are the only ones eligible for return or relocation programs. Returnees covered under the solidary return will receive governance assistance to help them with their re-settlement in Colombia and to access health and education services. They can also access psychological and legal assistance. Furthermore, victims of homicide, enforced disappearance and abduction, injuries resulting in permanent disability, injuries that do not cause permanent disability, torture or inhuman and degrading treatment, crimes against sexual freedom and integrity, forced recruitment and/or forced displacement are entitled to receive a compensation for damages. The payment can be made both at a national or an international bank account.

Sources: Ley 1565 [Law 1565]. 2012. Art. 3, 4 and 5. / Ley 1448 [Law 1448]. 2011. Art. 47.

2.3. Social Policies

2.3.1. Retirement benefits

EMIGRANT_43. Retirement benefits after emigration (i.e. pensions):

Answer: Yes

Code: 1

Explanation: The pension system in Colombia is composed of the Solidary System of Average Price with Defined Benefit (RPM) and the Individual Solidarity Savings Scheme. The former is managed by the State through the Colombian Pension Administrator (Administradora Colombiana de Pensiones-COLPENSIONES) and the latter is managed by private insitutions. Colpensiones offers a scheme for Colombians living abroad (programa “Colombianos en el exterior”) which enables the contribution payment from abroad. The retirement benefits include: Retirement pension, survivor’s pension - pension substitution, disability pension, funeral assistance, substitutive indemnity of the pension. Once the Colombian living abroad wants to retire, he/she has to submit, among other documents, a proof of the residence abroad. There is no constraint in the number of years of residence abroad to retain the entitlement.

Sources: Cancillería de Colombia. “Sistema General de Pensiones. [General Pension System]”. Accessed July 9, 2019. <http://www.colombianosune.com/index.php/ejes/sistema-general-de-pensiones>. / Colpensiones. “Preguntas frecuentes - Colombianos en el Exterior [Frequently Asked

Questions - Colombians Abroad]”. May 22, 2019. Accessed July 9, 2019.
https://www.colpensiones.gov.co/pensiones/Publicaciones/colombianos_en_el_exterior/preguntas_frecuentes_colombianos_en_el_exterior. / Colpensiones. “Cartilla digital programa colombianos en el exterior [Digital Booklet for Colombians Abroad Program]”. Accessed July 9, 2019.
https://www.colpensiones.gov.co:8070/publicaciones/128/Cartilla-Digital-Colom_Exterior_13.pdf.

2.3.2. Health care benefits

EMIGRANT_44. Health care benefits.

Health coverage can be extended abroad (access to health services covered by the healthcare system in country of origin):

Answer: No

Code: 0

Explanation: The Colombian law foresees the access to health care for all its residents. However, the General Social Security Health System is bound by the principle of territoriality (Art. 162, Law 100 of 1994). Therefore, if the main beneficiary and its immediate family fix their residence abroad it will lead to a termination of their affiliation and they will not be able to keep on making contributions to their Health Promotion Agency (Entidad Promotora de Salud -EPS). The main beneficiary will have to notify his/her EPS on their emigration and in the case of returning to Colombia, he/she will have to affiliate him-/herself at the same EPS.

Sources: Ley 100 [Law 100]. 1993. Art. 3 and 162. / Decreto 780 [Decree 780]. 2016. Art. 2.1.3.17.

Emigrants can keep their health insurance in the state of origin and access health care services when they visit the state of origin:

Answer: No

Code: 0

Explanation: The Colombian law foresees the access to health care for all its residents. However, the General Social Security Health System is bound by the principle of territoriality (Art. 162, Law 100 of 1994). Therefore, if the main beneficiary and its immediate family fix their residence abroad it will lead to a termination of their affiliation and they will not be able to keep on making contributions to their Health Promotion Agency (Entidad Promotora de Salud -EPS). The main beneficiary will have to notify his/her EPS on their emigration and in the case of returning to Colombia, he/she will have to affiliate him-/herself at the same EPS.

Sources: Ley 100 [Law 100]. 1993. Art. 3 and 162. / Decreto 780 [Decree 780]. 2016. Art. 2.1.3.17.

Emigrants can pay for their families' contributions to the public health care scheme of the state of origin:

Answer: No

Code: 0

Explanation: The Colombian law foresees the access to health care for all its residents. However, the General Social Security Health System is bound by the principle of territoriality (Art. 162, Law 100 of 1994). Therefore, if the main beneficiary and its immediate family fix their residence abroad it will lead to a termination of their affiliation and they will not be able to keep on making contributions to their Health Promotion Agency (Entidad Promotora de Salud -EPS). The main beneficiary will have to notify his/her EPS on their emigration and in the case of returning to Colombia, he/she will have to affiliate him-/herself at the same EPS.

Sources: Ley 100 [Law 100]. 1993. Art. 3 and 162. / Decreto 780 [Decree 780]. 2016. Art. 2.1.3.17.

2.3.3. Education

EMIGRANT_45. Education programs for emigrants.

Emigrants can access scholarships awarded by the state of origin in the same conditions as resident citizens:

Answer: Yes

Code: 1

Explanation: The Insitituto Colombiano de Crédito Educativo y Estudios en el Exterior (ICETEX) offers the possibility for emigrants to apply for credits and scholarships to found studies in Colombia and abroad. In addition, the National, Open and Distance University (Universidad Nacional, Abierta y a Distancia-UNAD) and the EAN University, have both and agreement with the network Colombia Nos Une, through which emigrants and returnees can access to discounts on their education programs. The discounts apply for several undergraduate and graduate programs as well as for online and language courses (depending on the university). Family members can also beneficiate from the agreement.

Sources: Cancillería de Colombia. "Becas y Créditos En Educación Para Colombianos En El Exterior [Scholarships and Credits in Education for Colombians Abroad]". Accessed June 5, 2019. <https://www.colombianosune.com/becas-y-creditos-en-educacion-para-colombianos-en-el-exterior/>. / Cancillería de Colombia. "La UNAD Ofrece Descuentos En Estudios de Pregrado y Posgrado Para Colombianos En El Exterior, Retornados y Sus Familias [The UNAD Offers Discounts on Undergraduate and Graduate Studies for Colombians Abroad, Returnees and Their Families]". Accessed 5 June 2019. <https://www.colombianosune.com/ejes/sistema-de-servicios-para-colombianos/educacion/descuentos-educativos/unad>.

State of origin has created schools abroad where emigrants can access education provided by the state of origin (i.e. follow the same curricula as schools in country of origin):

Answer: No

Code: 0

Explanation: There are no provisions in the main regulation.

Sources: Decreto 1067 [Decree 1067 of 2015 on the Regulation of the Foreign Affairs Administrative Sector]. 2015.

State of origin offers language courses to emigrants to learn the language of the state of reception:

Answer: Yes

Code: 1

Explanation: The National Learning Service (Servicio Nacional de Aprendizaje-SENA) has a broad offer on online courses on health, art, music, sports, entrepreneurship, tourism, among other topics. The courses are open for both residents as well as non-residents. Colombia also offers education events of children of emigrants.

Sources: SENA. "Cursos Cortos – Blackboard Learn [Short Courses – Blackboard Learn]". SENA. Accessed June 5, 2019. https://sena.blackboard.com/webapps/portal/execute/tabs/tabAction?tabId=_477728_1&tab_tab_group_id=_224_1. / SENA. "Curso Corto Virtual English Dot Works [Short Course Virtual English Dot Works]". Accessed June 5, 2019. https://sena.blackboard.com/webapps/cgn-file_community_manager-BBLEARN/folders_comunidades/pagina_catalogo/enlaces_catalogo/documentos/ingles/english_1.pdf.

2.4. Cultural policies

2.4.1. Visits to country of origin

EMIGRANT_46. State of origin organizes visits to the origin country for emigrants on a regular basis:

Answer: No

Code: 0

Explanation: There are no programs run by the government.

Sources: Decreto 1067 [Decree 1067]. 2015

2.4.2. Language courses for emigrants

EMIGRANT_47. State of origin finances cultural courses for learning the culture and traditions of the country of origin (this could include language courses to learn the language of origin):

Answer: No

Code: 0

Explanation: There are no cultural programs or courses run by the government.

Sources: Decreto 1067 [Decree 1067]. 2015

2.5. Obligations

2.5.1. Military service

EMIGRANT_48. Emigrants have the obligation to comply with military service:

Answer: Military service mandatory for residents, but not for nonresidents

Code: 0

Explanation: Military service is mandatory for all Colombian males between the age of 18 and 24. Only those who have been living abroad for at least three (3) years, can apply for a permanent military passbook (libreta militar permanente) and do not have to comply with military service. This process can be done at a Consulate. If the residence abroad does not exceed this minimum time frame, the individual can only apply for a provisional military passbook (libreta militar provisional), which is only valid for two (2) years. Once the two years are over the individual has to return to Colombia to settle its military situation permanently.

Sources: Decreto 977 [Decree 977]. 2018.

2.5.2. Social service

EMIGRANT_49. Emigrants have the obligation to comply with social service:

Answer: No existence of social service

Code: Not applicable

Explanation: A general social service does not exist in Colombia. Social service is only mandatory for nationals and foreigners doing their secondary education in Colombia or studying in the health care, agriculture or agro-industry sector.

Sources: Ley 115 [Law 115]. 1994. Art. 97. / Resolución 2358 [Resolution 2358]. 2014

2.5.3. Taxes

EMIGRANT_50. Obligation to pay taxes in state of origin

Emigrant must pay income taxes in state of origin:

Answer: No

Code: 0

Explanation: Non-resident citizens with a fiscal residence outside Colombia must not pay taxes in Colombia. Colombian nationals are not fiscal residents in Colombia if fifty percent (50%) or more of their annual income comes from the country in which they are residents and/or fifty percent (50%) or more of their assets are located in the jurisdiction in which they are residents.

Sources: Dirección de Impuestos y Aduanas Nacionales. "Residencia para efectos y tributarios [Residence for Tax and Customs Purposes]". Accessed July 10, 2019. <https://www.dian.gov.co/impuestos/personas/RentaNaturales/2016/Paginas/residente.aspx>. / Decreto 2442 [Decree 2442]. 2018.

There are special taxes for emigrants:

Answer: No

Code: 0

Explanation: Non-resident citizens with a fiscal residence outside Colombia must not pay taxes in Colombia. Colombian nationals are not fiscal residents in Colombia if fifty percent (50%) or more of their annual income comes from the country in which they are residents and/or fifty percent (50%) or more of their assets are located in the jurisdiction in which they are residents.

Sources: Dirección de Impuestos y Aduanas Nacionales. "Residencia para efectos y tributarios [Residence for Tax and Customs Purposes]". Accessed July 10, 2019. <https://www.dian.gov.co/impuestos/personas/RentaNaturales/2016/Paginas/residente.aspx>. / Decreto 2442 [Decree 2442]. 2018.

2.6. Administration

2.6.1. Home country administration

EMIGRANT_51. Existence of a home country administration agency/body for emigrants in state of origin.

Existence of institution/agency with competencies for emigrant policies:

Answer: Yes

Code: 1

Explanation: Colombia Nos Une is the administration in charge of managing emigrant policies. It depends from the Directorate of Migratory and Consular Affairs which is part of the Ministry of Foreign Affairs.

Sources: Decreto 4062 [Decree 4062]. 2011. / Cancillería de Colombia. "El programa [The Program]". Accessed June 5, 2019. <https://www.colombianosune.com/el-programa>.

Name of the institution with competencies for emigrant policies in original language:

Answer: Colombia Nos Une

Name of the institution with competencies for emigrant policies in English:

Answer: Colombia Unites Us

EMIGRANT_52. Place in the administrative hierarchy:

Answer: 3rd Rank in the public administration

Code: 0.5

Explanation: Colombia Nos Une is the administration in charge of managing emigrant policies. It depends from the Directorate of Migratory and Consular Affairs which is part of the Ministry of Foreign Affairs.

Sources: Decreto 4062 [Decree 4062]. 2011. / Cancillería de Colombia. "El Programa [The Program]". Accessed June 5, 2019. <https://www.colombianosune.com/el-programa>.

2.6.2. Consular network

EMIGRANT_53: Number of consulates.

Number of consular missions deployed by the state of origin (including consular sections in embassies but excluding honorary consulates):

Answer: 113

Code: 113

Explanation: In 2018, there was 59 Colombian embassies and 113 consulates. There are 59 consulates in America, 9 in Africa, 3 in Oceania, 14 in Asia and 29 in Europe.

Sources: Decreto 4062 [Decree 4062]. 2011. / Cancillería de Colombia. "El Programa [The Program]". Accessed June 5, 2019. <https://www.colombianosune.com/el-programa>.

Number of countries in which the state of origin has a consular mission (including consular sections in embassies but excluding honorary consulates):

Answer: 59

Code: 59

Explanation: In 2018, there was 59 Colombian embassies and 113 consulates. There are 59 consulates in America, 9 in Africa, 3 in Oceania, 14 in Asia and 29 in Europe.

Sources: Cancillería de Colombia. "Consulados y Embajadas de Colombia en el Exterior [Consulates and Embassies of Colombia Abroad]". Accessed June 12, 2019. <https://www.cancilleria.gov.co/embajadas-consulados-colombia-exterior>.

2.6.3. New consular functions

EMIGRANT_54: Extensions to the consular network services.

Existence of mobile consulates:

Answer: Yes

Code: 1

Explanation: Certain Consulates like the one in Pittsburgh and in Madrid offer this service. The Consulates in New York and in Connecticut are offering the service for the first time on the second half of 2019.

Sources: Consulado de Colombia en Madrid. "Consulados móviles [Mobile Consulates]". Accessed 5 June 2019. <https://madrid.consulado.gov.co/otros-servicios/consuladosmoviles/>. / Colombia en Pittsburgh. "Consulado móvil de Colombia [Mobile Consulate of Colombia]". Accessed June 5, 2019. <https://www.facebook.com/events/latino-family-center/consulado-m%C3%B3vil-de-colombia/460061867719438/>.

Consulates open on weekends on a regular basis (e.g. once monthly):

Answer: Yes

Code: 1

Explanation: Some Consulates like the one in Boston, Newark and New York are open on the first Saturday of the month. There is also a call center available 24 hours for Colombians abroad.

Sources: Consulado de Colombia en Nueva York. "El primer sábado consular Del 2019 es el 26 de enero. Verifique aquí la programación [The First Consular Saturday of 2019 Is January 26. Check Here the Schedule]". Accessed 5 June 2019. <http://nuevayork.consulado.gov.co/node/news/18988/primer-sabado-consular-del-2019-26-enero-verifique-aqui-la-programacion>.

Consulates offer some services online:

Answer: Yes

Code: 1

Explanation: It is also possible to legalize documents with the apostille. However, this procedure is offer to all Colombians (residents and non-residents).

Sources: Consulado de Colombia en Nueva York. "Pasos para hacer su trámite [Steps to Do Your Paperwork]". Accessed June 5, 2019. http://nuevayork.consulado.gov.co/tramites_servicios/apostilla_legalizacion_en_linea/tramite.

EMIGRANT_55: Adoption of new consular functions.

Consulates offer financial consultancy:

Answer: No

Code: 0

Explanation: No provision in main regulations.

Sources: Dirección de Unidad para las Víctimas. “Orientaciones generales para colombianos/as víctimas en el exterior sobre el acceso a medidas de atención, asistencia y reparación en el marco de la Ley 1448 de 2011 [General Guidelines for Colombian Victims Abroad on Access to Care, Assistance and Reparation Measures within The Framework of Law 1448 of 2011]”. Accessed June 18, 2019.

<https://www.restituciondetierras.gov.co/documents/10184/365104/Cartilla+Para+Victimas+En+el+Exterior/acac5012-9062-49cc-a756-b863f696470e>. / Consulado de Colombia en Berlín. “Asistencia a connacionales [Assistance to Nationals]”. Accessed June 7, 2019.

<https://berlin.consulado.gov.co/otros-servicios/asistencia-a-connacionales>.

Consulates offer psychological consultancy:

Answer: Yes

Code: 1

Explanation: The Consulates offer psychological and medical support, as well as housing to the victims of human trafficking. As part of the documentation services, since 2011, all Colombian consulates serve as an intermediary between The Unit for the Victims Assistance and Reparation is a Colombian (Unidad para la Atención y Reparación Integral a las Víctimas) and the victims that want to covered by the Law 1448 of 2011.

Sources: Dirección de Unidad para las Víctimas. “Orientaciones generales para colombianos/as víctimas en el exterior sobre el acceso a medidas de atención, asistencia y reparación en el marco de la Ley 1448 de 2011 [General Guidelines for Colombian Victims Abroad on Access to Care, Assistance and Reparation Measures within The Framework of Law 1448 of 2011]”. Accessed June 18, 2019.

<https://www.restituciondetierras.gov.co/documents/10184/365104/Cartilla+Para+Victimas+En+el+Exterior/acac5012-9062-49cc-a756-b863f696470e>. / Consulado de Colombia en Berlín. “Asistencia a connacionales [Assistance to Nationals]”. Accessed June 7, 2019.

<https://berlin.consulado.gov.co/otros-servicios/asistencia-a-connacionales>.

Consulates offer health services:

Answer: Yes

Code: 1

Explanation: The Consulates offer psychological and medical support, as well as housing to the victims of human trafficking. As part of the documentation services, since 2011, all Colombian consulates serve as an intermediary between The Unit for the Victims Assistance and Reparation is a Colombian (Unidad para la Atención y Reparación Integral a las Víctimas) and the victims that want to covered by the Law 1448 of 2011.

Sources: Dirección de Unidad para las Víctimas. “Orientaciones generales para colombianos/as víctimas en el exterior sobre el acceso a medidas de atención, asistencia y reparación en el marco de la Ley 1448 de 2011 [General Guidelines for Colombian Victims Abroad on Access to Care, Assistance and Reparation Measures within The Framework of Law 1448 of 2011]”. Accessed June

18, 2019.

<https://www.restituciondetierras.gov.co/documents/10184/365104/Cartilla+Para+Victimas+En+el+Exterior/acac5012-9062-49cc-a756-b863f696470e>. / Consulado de Colombia en Berlín. "Asistencia a connacionales [Assistance to Nationals]". Accessed June 7, 2019.
<https://berlin.consulado.gov.co/otros-servicios/asistencia-a-connacionales>.

2.6.4. Special offices

EMIGRANT_56. Existence of special migrant offices in state of reception created by state of origin (e.g. offices for migrant workers):

Answer: No

Code: 0

Explanation: However Colombian offers offices and centers for returnees and to advice nationals who want to travel or to emigrate. There are nine 9 offices, each in a different department in Colombia.

Sources: Cancillería de Colombia. "Centros de referenciación y oportunidades para el retorno [Referral Centers and Return Opportunities]". Accessed 5 June 2019.
<https://www.colombianosune.com/ejes/retorno/oficinas-de-atencion-al-migrante>.

3. Emigrant citizenship and nationality policies

CITNAT: Does the country make a distinction between citizenship and nationality?

Answer: Yes

Code: 1

Explanation: The Colombian Constitution, on the one hand refers to nationality as the official membership to Colombia (Art. 96). Nationality can be acquired by birth or by naturalization. On the other hand, Art. 98 and Art. 99 of the Colombian Constitution refer to citizenship as the political participatory right. In order to acquire the citizenship, it is necessary to be a Colombian-national and at least 18 years old. The right to citizenship can be suspended by the judiciary or by law.

Sources: Constitución Política de Colombia [Political Constitution of Colombia]. 1991. Art. 96, 98 and 99.

3.1. Emigrant nationality

3.1.1. Dual nationality for emigrants

EMINAT_1. Deprivation of nationality for having acquired a foreign nationality.

Loss of nationality for acquisition of foreign citizenship (nationals by birth):

Answer: No provision

Code: 1

Explanation: Art. 96 of the Colombian Constitution (Art. 2 and Art. 22 of the Law 43 of 1993) states that no Colombian by birth will be deprived of their nationality, not even when they acquire a foreign nationality.

Sources: Constitución Política de Colombia [Political Constitution of Colombia]. 1991. Art. 96 and 179. / Ley 43 [Law 43]. 1993. Art. 2 and 22.

Nationality can be withdrawn only if person resides abroad:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Nationality can be withdrawn only if person was born abroad:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Nationality can be withdrawn only if person acquires citizenship of other country voluntarily:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Loss of nationality can be prevented:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

3.1.2. Dual nationality only for some countries of residence

EMINAT_2. Dual nationality only tolerable if citizen by birth naturalizes in certain countries.

Dual nationality is only tolerable if citizen by birth naturalizes in certain countries with which state of origin has signed treaties:

Answer: No

Code: 1

Explanation: Art. 96 of the Colombian Constitution (Art. 2 and Art. 22 of the Law 43 of 1993) states that no Colombian by birth will be deprived of their nationality, not even when they acquire a foreign nationality.

Sources: Constitución Política de Colombia [Political Constitution of Colombia]. 1991. Art. 96. / Ley 43 [Law 43]. 1993. Art. 2 and 22.

Which countries:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

3.1.3. Loss of nationality after residence abroad

EMINAT_3: Loss of nationality after residence abroad.

Country of origin deprives their national citizens by birth who emigrated of that nationality because of residence abroad:

Answer: No provision

Code: 1

Explanation: According to the Constitution no Colombian by birth cannot be deprived of his or her nationality (Art. 1 Law 43 of 1993 or Art. 98 of the Consitution). The nationality will only be lost if the person relinquishes it.

Sources: Constitución Política de Colombia [Political Constitution of Colombia]. 1991. Art. 98. / Ley 43 [Law 43]. 1993. Art. 43.

Nationality can be withdrawn only if person resides abroad for 20 years or more:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Nationality can be withdrawn only if person has another citizenship:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Country of origin deprives their national citizens by naturalization who emigrated of that nationality because of residence abroad:

Answer: No provision

Code: 1

Explanation: There are no provisions on the loss of nationality because of residence abroad. Naturalized persons can lose their Colombian nationality due to renouncement, for crimes against the existence and security of the State and the constitutional regime.

Sources: Ley 43 [Law 43]. 1993. Art. 24.

3.1.4. Jus sanguinis for emigrants

EMINAT_4: Transfer of nationality to children born abroad.

Country of origin permit parents to confer their nationality on their children who are born abroad:

Answer: Yes

Code: 1

Explanation: It is possible to acquire the Colombian nationality if at least one of the parents is a national. When the child is born abroad it is entitled to the nationality and will have to either register at a consulate or establish residence in Colombia in order to acquire it.

Sources: Constitución Política de Colombia [Political Constitution of Colombia]. 1991. Art. 96.

Transfer of nationality is applicable to:

Answer: No limit

Code: 0

Explanation: It is possible to acquire the Colombian nationality if at least one of the parents is a national. When the child is born abroad it is entitled to the nationality and will have to either register at a consulate or establish residence in Colombia in order to acquire it.

Sources: Constitución Política de Colombia [Political Constitution of Colombia]. 1991. Art. 96.

3.1.5. Jus sanguinis across generations

EMINAT_5: Transfer of nationality to children born abroad from former citizens.

Country of origin permits children who are born abroad to adopt the nationality of parents who are former citizens

Answer: No

Code: 0

Explanation: It is possible to acquire the Colombian nationality if at least one of the parents is a national. When the child is born abroad it is entitled to the nationality and will have to either register at a consulate or establish residence in Colombia in order to acquire it.

Sources: Constitución Política de Colombia [Political Constitution of Colombia]. 1991. Art. 96.

Transfer of nationality is applicable to:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

3.1.6. Renunciation of nationality is possible

EMINAT_6: Voluntary renunciation of nationality abroad is possible.

Country of origin provides for a national citizen that resides abroad to voluntarily renounce his/her nationality:

Answer: Renunciation is possible

Code: 1

Explanation: According to Art. 23 of the Law 43 of 1993, those who desire to renounce their Colombian nationality, will have to present a written will at the Ministry of Foreign Affairs or at a Colombian Consulate. A copy of the act will be then forwarded to the National Registry of Civil Status, the Administrative Department of Security and the Ministry of Foreign Affairs (if the process was made at a consulate).

Sources: Ley 43 [Law 43]. 1993. Art. 23.

Renunciation abroad is only possible if person has another nationality:

Answer: No, person renouncing does not have to show proof of another nationality

Code: 0

Explanation: According to Art. 23 of the Law 43 of 1993, those who desire to renounce their Colombian nationality, will have to present a written will at the Ministry of Foreign Affairs or at a Colombian Consulate. A copy of the act will be then forwarded to the National Registry of Civil Status, the Administrative Department of Security and the Ministry of Foreign Affairs (if the process was made at a consulate).

Sources: Ley 43 [Law 43]. 1993. Art. 23.

Renunciation abroad is only possible if person was born outside of the country or acquired citizenship of the country by naturalization:

Answer: No

Code: 0

Explanation: According to Art. 23 of the Law 43 of 1993, those who desire to renounce their Colombian nationality, will have to present a written will at the Ministry of Foreign Affairs or at a Colombian Consulate. A copy of the act will be then forwarded to the National Registry of Civil Status, the Administrative Department of Security and the Ministry of Foreign Affairs (if the process was made at a consulate).

Sources: Ley 43 [Law 43]. 1993. Art. 23.

3.1.7. Reacquisition of nationality

EMINAT_7. Country of origin provides for reacquisition of nationality for former nationals:

Answer: Yes

Code: 1

Explanation: According to the Constitution of 1991 (Art. 96) and the Law 43 (Art. 25), all Colombians (by birth and by naturalization) who relinquished their nationality, can reacquire it by submitting an application at the Ministry of Foreign Affairs or at a Consulate. In this application they have to express their willingness to support and abide the Political Constitution. Colombians by naturalization must be residing in Colombia for at least a year. Naturalized citizens can also reacquire the nationality.

Sources: Constitución Política de Colombia [Political Constitution of Colombia]. 1991. Art. 96. / Ley 43 [Law 43]. 1993. Art. 25.

3.2. Emigrant citizenship

3.2.1. Citizenship restrictions for dual nationals

EMICIT_1. Conditions or restrictions for the exercise of citizen rights if individual has dual or multiple nationalities (nationals by naturalization):

Answer: Restrictions if less than 5 years living abroad

Code: 0

Explanation: Colombian dual-nationals by naturalization, cannot access to a position in Congress (Art. 179 (7) Colombian Constitution of 1991), nor to a position as Minister or director of any Public Administrative Department (Art. 29 Law 43 of 1993 [2]). Also, they cannot occupy any of the following positions. President or Vice-president, Senator, Attorney General, Member of the Army, Director of any intelligence and security agencies, Magistrate of the Constitutional Court, Supreme Court of

Justice or the Superior Judiciary Council, Members of the National Electoral Council and National Registrar of Civil Status, Comptroller General of the Republic (Art. 28 Law 43 of 1993).

Sources: Constitución Política de Colombia [Political Constitution of Colombia]. 1991. Art. 39 and 179. / Ley 43 [Law 43]. 1993. Art. 28 and 29.

3.2.2. Different citizenship for emigrants

EMICIT_2. Is there a special status for nationals who are located temporarily or permanently outside the national territory such that they fall in an official category that is different to resident nationals/citizens and which carries legal consequences (e.g. Overseas Indians)?

Answer: No

Code: 0

Explanation: There are no provisions to this effect in the main relevant regulations.

Sources: Constitución Política de Colombia [Political Constitution of Colombia]. 1991.

3.2.3. Loss or suspension of citizen rights after residence abroad

EMICIT_3: Country deprives their national citizens by birth who emigrated of their citizen rights.

Does the country deprive their national citizens by birth who emigrated of their citizenship rights (i.e. political rights mostly) or suspend them because of residence abroad?

Answer: No

Code: 0

Explanation: Citizenship rights will only be lost either when the nationality was relinquished or when determined by law.

Sources: Constitución Política de Colombia [Political Constitution of Colombia]. 1991. Art. 98.

Conditions for the exercise of citizen rights if individual resides abroad (nationals by birth) *If it is not specified in the regulation, it is coded as restrictions not conditional to return:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

4. Immigration policies

4.1. General

4.1.1. Number of entry tracks

IMMIGRATION_1: How many visa types does the country have?

Answer: 4

Code: 4

Explanation: Since 2017 has Colombia four (4) visa types.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 7. / Decreto 1067 [Decree]. 2015. / Decreto 831 [Decree 831]. 2017.

IMMIGRATION_2: Categorical organization of visas

Are the visas organized by overarching categories?

Answer: Yes

Code: 1

Explanation: Yes, although there is no hierarchy: Visitor visa (Type V), Migrant visa (Type M), Resident visa (Type R). In addition, the special Resident Peace Visa (Visa Residente Especial de Paz). This visa is only granted to former members of the FARC who were not Colombian nationals.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 7. / Resolución 10001 [Resolution 10001]. 2017.

How many categories?

Answer: 4

Code: 4

Explanation: There is no hierarchy: Visitor visa (Type V), Migrant visa (Type M), Resident visa (Type R). In addition, the special Resident Peace Visa (Visa Residente Especial de Paz). This visa is only granted to former members of the FARC who were not Colombian nationals.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 7. / Resolución 10001 [Resolution 10001]. 2017.

4.1.2. Biometric information

IMMIGRATION_3: Collection of biometric information.

Does the state collect biometric information from all citizens for example for passports?

Answer: Yes

Code: 1

Explanation: Finger prints and photographs. Biometric passports were introduced in 2015. In addition, in 2017 the chancellery launched a project of Migratory Corridors with Biometric Recognition by Iris. It was conceived for both nationals and foreigners who want to register. However, until 2019 the registration was only allowed for Colombian nationals.

Sources: Cancillería de Colombia. “A partir del 24 de noviembre de 2015 el pasaporte convencional perderá validez. Cancillería comenzará a expedir pasaporte electrónico. (Quienes tengan el de código de barras podrán seguirlo usando sin problema) [As of November 24, 2015, the Conventional Passport will lose its validity. The Ministry of Foreign Affairs will begin to issue an Electronic Passport. (Those who have the barcode will be able to continue using it without problem)”. Accessed March 8, 2015. <https://www.cancilleria.gov.co/newsroom/news/partir-24-noviembre-2015-pasaporte-convencional-perdiera-validez-cancilleria-comenzara>. / Cancillería de Colombia. “Evite filas para salir del país o regresar a él. Con migración automática usted puede hacer su proceso de control migratorio en menos de 30 segundos [Avoid Queues to Leave or Return to the Country. With Automatic Migration You Can Do Your Immigration Control Process in Less than 30 Seconds]”. Access date not available. <https://www.cancilleria.gov.co/en/newsroom/news/evite-filas-salir-pais-o-regresar-migracion-automatica-usted-puede-hacer-su-proceso>. / Decreto 19 [Decree 19]. 2012. Art. 17. / Migración Colombia. “BIOMIG - Migración Biométrica [BIOMIG – Biometric Migration]”. Accessed June 28, 2019. <http://migracioncolombia.gov.co/index.php/es/prensa/comunicados/comunicados-2018/febrero-2018/6505-biomig-migracion-biometrica>.

Does the state collect biometric information from immigrants for example for passports?

Answer: Yes

Code: 1

Explanation: Finger prints and photographs. Biometric passports were introduced in 2015. In addition, in 2017 the chancellery launched a project of Migratory Corridors with Biometric Recognition by Iris. It was conceived for both nationals and foreigners who want to register. However, until 2019 the registration was only allowed for Colombian nationals.

Sources: Cancillería de Colombia. “A partir del 24 de noviembre de 2015 el pasaporte convencional perderá validez. Cancillería comenzará a expedir pasaporte electrónico. (Quienes tengan el de código de barras podrán seguirlo usando sin problema) [As of November 24, 2015, the Conventional Passport will lose its validity. The Ministry of Foreign Affairs will begin to issue an Electronic Passport. (Those who have the barcode will be able to continue using it without problem)”. Accessed March 8, 2015. <https://www.cancilleria.gov.co/newsroom/news/partir-24-noviembre-2015-pasaporte-convencional-perdiera-validez-cancilleria-comenzara>. / Cancillería de Colombia. “Evite filas para salir del país o regresar a él. Con migración automática usted puede hacer su proceso de control migratorio en menos de 30 segundos [Avoid Queues to Leave or Return to the Country. With Automatic Migration You Can Do Your Immigration Control Process in Less than 30 Seconds]”. Access date not available. <https://www.cancilleria.gov.co/en/newsroom/news/evite-filas-salir-pais-o-regresar-migracion-automatica-usted-puede-hacer-su-proceso>. / Decreto 19 [Decree 19]. 2012. Art. 17. / Migración Colombia. “BIOMIG - Migración Biométrica [BIOMIG – Biometric Migration]”. Accessed June 28, 2019. <http://migracioncolombia.gov.co/index.php/es/prensa/comunicados/comunicados-2018/febrero-2018/6505-biomig-migracion-biometrica>.

4.1.3. Visa waivers

IMMIGRATION_4. Is there in the immigration law a specific provision by which the state can determine that certain countries or individuals under specific circumstances can be exempted from the regular visa procedures that apply to residence and work visas (excluding tourists, and regional migrants) (e.g. entry of Spaetaussiedler or Jewish immigrants in Germany)?

Answer: Yes

Code: 1

Explanation: In accordance with Art. 3 of the Resolution 6045 of 2017, the Ministry of Foreign Affairs has the authority under specific circumstances to exempt an individual of a visa, authorizing it to work and execute other activities in Colombian territory. The visa exemption must be processed by the Migration Colombia-Special Administrative Unit under the coordination of the Ministry of Foreign Affairs.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 3.

4.2. Documentation

IMMIGRATION_5: Issue of legal compulsory identification documents.

Are all immigrants issued legal compulsory identification documents (e.g. residence permit, IDs)?

Answer: Yes

Code: 1

Explanation: All foreign immigrants whose visa is valid for more than three (3) months (excluding visitor and preferential visas) will be issued a Colombian ID. However, there is no provision in the main regulation (neither in the Decree 1743 nor in the Police Code) compelling immigrants and citizens to carry identification documents at all times.

Sources: Decreto 1743 [Decree 1743]. 2015. / Decreto 555 [Decree 555]. 2017.

Are they required to carry them at all times?

Answer: No

Code: 0

Explanation: All foreign immigrants whose visa is valid for more than three (3) months (excluding visitor and preferential visas) will be issued a Colombian ID. However, there is no provision in the main regulation (neither in the Decree 1743 nor in the Police Code) compelling immigrants and citizens to carry identification documents at all times.

Sources: Decreto 1743 [Decree 1743]. 2015. / Decreto 555 [Decree 555]. 2017.

4.3. Quotas and restrictions

4.3.1. General quota

IMMIGRATION_6: General quota for immigration.

Is there a general quota (numerical limit) for immigration?

Answer: No

Code: 1

Explanation: There is no provision in the main regulation indicating the existence of a general quota for immigration (Decree 1067 of 2015, Resolution 6045 of 2017, Law 1465 of 2011, Political Constitution of 1991)

Sources: Decreto 1067 [Decree 1067]. 2015 / Resolución 6045 [Resolution 6045]. 2017. / Ley 1465 [Law 1465]. 2011.

Number of people that make up the quota:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

4.3.2. Specific quotas

IMMIGRATION_7: Quota for high-skilled migrants.

Is there a quota (numerical limit) on the number of high-skilled migrants that were allowed to enter the country?

Answer: No

Code: 1

Explanation: There is no provision in the main regulation indicating the existence of a quota for high skilled migrants (Decree 1067 of 2015, Resolution 6045 of 2017, Law 1465 of 2011, Political Constitution of 1991).

Sources: Decreto 1067 [Decree 1067]. 2015 / Resolución 6045 [Resolution 6045]. 2017. / Ley 1465 [Law 1465]. 2011.

Number of people that make up the quota:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRATION_8: Quota for low-skilled migrants.

Is there a quota (numerical limit) on the number of low-skilled migrants that are allowed to enter the country?

Answer: No

Code: 1

Explanation: There is no provision in the main regulation indicating the existence of a general quota for low-skilled migrants (Decree 1067 of 2015, Resolution 6045 of 2017, Law 1465 of 2011, Political Constitution of 1991).

Sources: Decreto 1067 [Decree 1067]. 2015 / Resolución 6045 [Resolution 6045]. 2017. / Ley 1465 [Law 1465]. 2011.

Number of people that make up the quota:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRATION_9: Quota for refugees.

Is there a quota (numerical limit) on the number of refugees?

Answer: No

Code: 1

Explanation: There is no provision in the main regulation (Decree 2840 of 2013).

Sources: Decreto 2840 [Decree 2840]. 2013.

Number of people that make up the quota:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRATION_10: Quota for co-ethnics.

Is there a quota (numerical limit) on the number of co-ethnics that are allowed to enter the country?

Answer: Not applicable (no co-ethnic proxy)

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Number of people that make up the quota:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

4.3.3. List of excluded persons

IMMIGRATION_11: Categories of excluded persons.

Are there categories of excluded persons from immigration?

Answer: Yes

Code: 0

Explanation: In accordance with the provisions of Art. 2.2.1.11.3.2 of the Decree 1067 of 2015 (Art. 29 of the Decree 834 of 2013), the entrance to Colombia can be denied to the persons who fall into the following categories: Not having vaccination card or proof of vaccination when required by the national health authorities, to lack economic resources to guarantee subsistence and the possibility of performing the declared activities, not having a ticket to exit Colombia, in the case of migrants with entry permits or temporary visas (in accordance with the previous visa regulation), to have previous records of transnational crimes or crimes related to drug traffic, any person with an ongoing prosecution for crimes with deprivation of liberty of two (2) or more years in foreign territory, persons who have been deported or expelled from the country, unless a new visa was granted afterwards, persons who have been extradited from the country, unless they can prove that they have been

cleared from the charges, to not present a visa when required, to be registered in the special files of the international police, have no economic activity, profession, occupation, industry, trade or other lawful means of life or any other circumstance considered inconvenient to enter the country, to have previous records of human or organ traffic, child pornography and/or common crimes, have been convicted of the same misconduct more than three (3) times, to try to enter the country with false information, forged documents or without the legally required documents, having engaged in conduct that, in the opinion of the immigration authority, qualifies the foreigner as dangerous for national security or social tranquility, to have left the national territory evading the migratory control, temporary Visa or Business Visa carriers who did not pay the economic sanctions (in accordance with the previous visa regulation), disrespecting or threatening an official of the Migration Colombia-Special Administrative Unit for carrying out their duties, have exceeded a total of hundred and eighty (180) day visit limit time in a year, to have been sanctioned the same misdemeanor more than three (3) times, suffering from a disease with epidemic potential as defined in the International Health Regulations and that constitutes a threat to public health, in accordance with certification or assessment issued by the corresponding health authority, when the migratory authority has information from national or foreign intelligence agencies in which the person is qualified as a risk to national security (amended by art. 51 of the Decree 1743 of 2015), when the migration authority decides so by means of a procedure indicated in an administrative act., when the traveler presents conditions that make it impossible to carry out the migration interview (amended by art. 51 of the Decree 1743 of 2015).

Sources: Decreto 1067 [Decree 1067]. 2015. Art. 2.2.1.11.3.2. / Decreto 834 [Decree 834]. 2013. Art. 29. / Decreto 1743 [Decree 1743]. 2015.

List of categories of excluded persons:

Answer: In accordance with the provisions of Art. 2.2.1.11.3.2 of the Decree 1067 of 2015 (Art. 29 of the Decree 834 of 2013), the entrance to Colombia can be denied to the persons who fall into the following categories: Not having vaccination card or proof of vaccination when required by the national health authorities, to lack economic resources to guarantee subsistence and the possibility of performing the declared activities, not having a ticket to exit Colombia, in the case of migrants with entry permits or temporary visas (in accordance with the previous visa regulation), to have previous records of transnational crimes or crimes related to drug traffic, any person with an ongoing prosecution for crimes with deprivation of liberty of two (2) or more years in foreign territory, persons who have been deported or expelled from the country, unless a new visa was granted afterwards, persons who have been extradited from the country, unless they can prove that they have been cleared from the charges, to not present a visa when required, to be registered in the special files of the international police, have no economic activity, profession, occupation, industry, trade or other lawful means of life or any other circumstance considered inconvenient to enter the country, to have previous records of human or organ traffic, child pornography and/or common crimes, have been convicted of the same misconduct more than three (3) times, to try to enter the country with false information, forged documents or without the legally required documents, having engaged in conduct that, in the opinion of the immigration authority, qualifies the foreigner as dangerous for national security or social tranquility, to have left the national territory evading the migratory control, temporary Visa or Business Visa carriers who did not pay the economic sanctions (in accordance with the previous visa regulation), disrespecting or threatening an official of the Migration Colombia-Special Administrative Unit for carrying out their duties, have exceeded a total of hundred and eighty (180) day visit limit time in a year, to have been sanctioned the same misdemeanor more than three (3) times, suffering from a disease with epidemic potential as defined in the International Health Regulations and that constitutes a threat to public health, in accordance with certification or assessment issued by the corresponding health authority, when the migratory authority has information from national or foreign intelligence agencies in which the person is qualified as a risk to national security (amended by art. 51 of the Decree 1743 of 2015), when the migration authority decides so by means of a procedure indicated in an administrative act., when the traveler presents conditions that make it impossible to carry out the migration interview (amended by art. 51 of the Decree 1743 of 2015).

Sources: Decreto 1067 [Decree 1067]. 2015. Art. 2.2.1.11.3.2. / Decreto 834 [Decree 834]. 2013. Art. 29. / Decreto 1743 [Decree 1743]. 2015. / Decreto 1743 [Decree 1743]. 2015.

4.3.4. List of excluded countries

IMMIGRATION_12: Countries excluded.

Is there a list of countries whose nationals are banned for immigration in this country?

Answer: No

Code: 1

Explanation: There is no provision in the main regulation (Resolution 6045 of 2017, Decree 1067 of 2015).

Sources: Resolución 6045 [Resolution 6045]. 2017. / Decreto 1067 [Decree 1067]. 2015.

List of countries excluded:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

4.4. Policy incentives

4.4.1. Recognized brokers

IMMIGRATION_13. State has a license system to recognize and authorize immigration brokers (i.e. persons or companies dedicated to facilitate the immigration process for immigrants):

Answer: No

Code: 0

Explanation: There is no provision in the emigration regulation about recognized and/or authorized brokers. Both the Decrees 1067 of 2015 and 0834 of 2013 only recognize the Colombia Migration - Special Administrative Unit (Unidad Administrativa Especial Migración Colombia) as the institution in charge of dealing with emigration procedures and providing services). According to the information provided by Colombian Consul in Berlin, in 2019, all migration brokers are illegal. However, some law firms do offer legal assistance for immigration procedures and act as intermediaries act as intermediaries to Colombian consulates and Migration Colombia.

Sources: Decreto 1067 [Decree 1067]. 2015. / Decreto 0834 [Decree 0834]. 2013. / Consultation with Martha, Medina, Colombian Consul General in Berlin. 2019.

IMMIGRATION_14. State offers pecuniary incentives to citizens willing to immigrate:

Answer: No

Code: 0

Explanation: There are no incentives to citizens willing to immigrate. Also, the national tax law does not differentiate between nationals and no-nationals as long as they are residents (Art. 9, Art. 10 and Art. 592 lay down the provisions on fiscal residence).

Sources: Decreto [Decree 624]. 1989. Art. 9, 10 and 592. / Decreto 834 [Decree 834]. 2013.

4.5. Immigration control and penalties

4.5.1. Irregular residence

IMMIGRATION_15: Illegal residence.

Is illegal residence in the country considered a criminal offense?

Answer: No

Code: 1

Explanation: As Art. 15 of the Resolution 714 of 2015 lays down, the failure to comply with the migratory provision of legal residence represents a major infraction. Depending on the case, an economic penalty or deportation will follow. Art. 2.2.1.13.1 of the Decree 1067 of 2015 lays down economic sanctions for irregular residence under special circumstances in which the individual's irregular status does not affect its constitutional guarantees. If no special circumstances can be proved which would warrant an economic sanction, the individual will be deported (Art. 2.2.1.13.1.2). Irregular residence, as defined in the Decree 834 of 2013, Art. 27 [4] (or Art. 2.2.1.11.2.12 of the Decree 1067 of 2015) occurs when: Enters the country through a non habilitated place, enters the country evading all migration control, enters the country without the necessary documents or with forged document, a foreign overstays its visa or permit, a foreign stays in Colombia with forged documents, the permit was canceled. The Resolution 1238 of 2018 established the criteria and the disciplinary procedures for the breach of migration provisions. Herewith, Art. 24 defines the irregular residence as a severe infraction for which, if no special circumstances could be proved, the individual would face deportation. Herewith a clear classification of the infractions was done.

Sources: Resolución 714 [Resolution 714]. 2015. Art. 15 / Decreto 1067 [Decree 1067]. 2015. Art. 2.2.1.13.1 and 2.2.1.11.2.12. / Resolución 1238 [Resolution 1238]. 2018. Art. 24. / Decreto 834 [Decree 834]. 2018. Art. 27.

Is illegal residence considered an administrative offense?

Answer: Yes

Code: 0

Explanation: As Art. 15 of the Resolution 714 of 2015 lays down, the failure to comply with the migratory provision of legal residence represents a major infraction. Depending on the case, an economic penalty or deportation will follow. Art. 2.2.1.13.1 of the Decree 1067 of 2015 lays down economic sanctions for irregular residence under special circumstances in which the individual's irregular status does not affect its constitutional guarantees. If no special circumstances can be proved which would warrant an economic sanction, the individual will be deported (Art. 2.2.1.13.1.2). Irregular residence, as defined in the Decree 834 of 2013, Art. 27 [4] (or Art. 2.2.1.11.2.12 of the Decree 1067 of 2015) occurs when: Enters the country through a non habilitated place, enters the country evading all migration control, enters the country without the necessary documents or with forged document, a foreign overstays its visa or permit, a foreign stays in Colombia with forged documents, the permit was canceled. The Resolution 1238 of 2018 established the criteria and the disciplinary procedures for the breach of migration provisions. Herewith, Art. 24 defines the irregular residence as a severe infraction for which, if no special circumstances could be proved, the individual would face deportation. Herewith a clear classification of the infractions was done.

Sources: Resolución 714 [Resolution 714]. 2015. Art. 15 / Decreto 1067 [Decree 1067]. 2015. Art. 2.2.1.13.1 and 2.2.1.11.2.12. / Resolución 1238 [Resolution 1238]. 2018. Art. 24. / Decreto 834 [Decree 834]. 2018. Art. 27.

4.5.2. Forged documents

IMMIGRATION_16: Penalties for immigrants with forged documents.

Are there penalties for immigrants for forged documents?

Answer: Yes

Code: 0

Explanation: Entering the country with forged documents will be a cause for expulsion (Art. 2.2.1.13.2.1 of the Decree 1067 of 2015 [1], Art. 24 of the Resolution 1238 of 2018).

Sources: Decreto [Decree 1067]. 2015. Art. 2.2.1.13.2.1. / Resolución 1238 [Resolution 1238]. 2018. Art. 24.

Penalty is expulsion:

Answer: Yes

Code: 2

Explanation: Entering the country with forged documents will be a cause for expulsion (Art. 2.2.1.13.2.1 of the Decree 1067 of 2015 [1], Art. 24 of the Resolution 1238 of 2018).

Sources: Decreto [Decree 1067]. 2015. Art. 2.2.1.13.2.1. / Resolución 1238 [Resolution 1238]. 2018. Art. 24.

Penalty is a fine:

Answer: No

Code: 1

Explanation: Entering the country with forged documents will be a cause for expulsion (Art. 2.2.1.13.2.1 of the Decree 1067 of 2015 [1], Art. 24 of the Resolution 1238 of 2018).

Sources: Decreto [Decree 1067]. 2015. Art. 2.2.1.13.2.1. / Resolución 1238 [Resolution 1238]. 2018. Art. 24.

Penalty is detention:

Answer: No

Code: 1

Explanation: Entering the country with forged documents will be a cause for expulsion (Art. 2.2.1.13.2.1 of the Decree 1067 of 2015 [1], Art. 24 of the Resolution 1238 of 2018).

Sources: Decreto [Decree 1067]. 2015. Art. 2.2.1.13.2.1. / Resolución 1238 [Resolution 1238]. 2018. Art. 24.

Penalty is imprisonment:

Answer: No

Code: 1

Explanation: Entering the country with forged documents will be a cause for expulsion (Art. 2.2.1.13.2.1 of the Decree 1067 of 2015 [1], Art. 24 of the Resolution 1238 of 2018).

Sources: Decreto [Decree 1067]. 2015. Art. 2.2.1.13.2.1. / Resolución 1238 [Resolution 1238]. 2018. Art. 24.

IMMIGRATION_17: Penalties for immigrants with expired documents.

Are there penalties for immigrants with expired documents?

Answer: Yes

Code: 0

Explanation: For the year 2017, immigrants who did not renew their ID card in the following 15 days after the expiration date, would face monetary sanctions (2.2.1.13.1 of the Decree 1067 of 2015). Immigrants who did not changed their visa when they had to would face deportation (Art 2.2.1.13.1.2 of the Decree 1067 of 2015).

Sources: Decreto 1067 [Decree 1067]. 2015. Art. 2.2.1.13.1 and 2.2.1.13.1.2.

Penalty is expulsion:

Answer: Yes

Code: 2

Explanation: For the year 2017, immigrants who did not renew their ID card in the following 15 days after the expiration date, would face monetary sanctions (2.2.1.13.1 of the Decree 1067 of 2015). Immigrants who did not changed their visa when they had to would face deportation (Art 2.2.1.13.1.2 of the Decree 1067 of 2015).

Sources: Decreto 1067 [Decree 1067]. 2015. Art. 2.2.1.13.1 and 2.2.1.13.1.2.

Penalty is a fine:

Answer: Yes

Code: 2

Explanation: For the year 2017, immigrants who did not renew their ID card in the following 15 days after the expiration date, would face monetary sanctions (2.2.1.13.1 of the Decree 1067 of 2015). Immigrants who did not changed their visa when they had to would face deportation (Art 2.2.1.13.1.2 of the Decree 1067 of 2015).

Sources: Decreto 1067 [Decree 1067]. 2015. Art. 2.2.1.13.1 and 2.2.1.13.1.2.

Penalty is detention:

Answer: No

Code: No

Explanation: For the year 2017, immigrants who did not renew their ID card in the following 15 days after the expiration date, would face monetary sanctions (2.2.1.13.1 of the Decree 1067 of 2015). Immigrants who did not changed their visa when they had to would face deportation (Art 2.2.1.13.1.2 of the Decree 1067 of 2015).

Sources: Decreto 1067 [Decree 1067]. 2015. Art. 2.2.1.13.1 and 2.2.1.13.1.2.

Penalty is imprisonment:

Answer: No

Code: 1

Explanation: For the year 2017, immigrants who did not renew their ID card in the following 15 days after the expiration date, would face monetary sanctions (2.2.1.13.1 of the Decree 1067 of 2015). Immigrants who did not changed their visa when they had to would face deportation (Art 2.2.1.13.1.2 of the Decree 1067 of 2015).

Sources: Decreto 1067 [Decree 1067]. 2015. Art. 2.2.1.13.1 and 2.2.1.13.1.2.

4.5.3. Aiding undocumented migrants

IMMIGRATION_18: Penalties for aiding undocumented migrants.

Are there penalties for aiding undocumented migrants?

Answer: Yes

Code: 0

Explanation: In 2017 the law would enforce a monetary penalty on those who transport foreigners without the corresponding legal documentation (2.2.1.13.1 of the Decree 1067 of 2015).

Sources: Decreto 1067 [Decree 1067]. 2015. Art. 2.2.1.13.1.

Penalty is a fine:

Answer: Yes

Code: 2

Explanation: In 2017 the law would enforce a monetary penalty on those who transport foreigners without the corresponding legal documentation (2.2.1.13.1 of the Decree 1067 of 2015).

Sources: Decreto 1067 [Decree 1067]. 2015. Art. 2.2.1.13.1.

Penalty is imprisonment:

Answer: No

Code: 1

Explanation: In 2017 the law would enforce a monetary penalty on those who transport foreigners without the corresponding legal documentation (2.2.1.13.1 of the Decree 1067 of 2015).

Sources: Decreto 1067 [Decree 1067]. 2015. Art. 2.2.1.13.1.

4.5.4. Employment obligations

IMMIGRATION_19: Penalties for employers who hire migrant workers without a legal work permit.

Are there sanctions for employers hiring migrant workers without a legal work permit?

Answer: Yes

Code: 0

Explanation: According to Art. 2.2.1.13 of the Decree 1067 of 2015, employers who hire or allow a foreigner to work without complying with immigration requirements will have to pay a fine. Employers are compelled to provide documentation relating to the hiring of foreign workers to the authorities.

Sources: Decreto 1067 [Decree 1067]. 2015. Art. 2.2.1.13.1.

Sanction is a fine:

Answer: Yes

Code: 2

Explanation: According to Art. 2.2.1.13 of the Decree 1067 of 2015, employers who hire or allow a foreigner to work without complying with immigration requirements will have to pay a fine. Employers are compelled to provide documentation relating to the hiring of foreign workers to the authorities.

Sources: Decreto 1067 [Decree 1067]. 2015. Art. 2.2.1.13.1.

Penalty is imprisonment:

Answer: No

Code: 1

Explanation: According to Art. 2.2.1.13 of the Decree 1067 of 2015, employers who hire or allow a foreigner to work without complying with immigration requirements will have to pay a fine. Employers are compelled to provide documentation relating to the hiring of foreign workers to the authorities.

Sources: Decreto 1067 [Decree 1067]. 2015. Art. 2.2.1.13.1.

4.5.5. Landlord obligations

IMMIGRATION_20: Penalties for landlords who rent shelter to migrants without a regular migrant status.

Are there penalties for landlords who rent shelter to migrants without a regular migrant status?

Answer: No

Code: 1

Explanation: Even though there is no regulation that punishes anyone who rents shelter to migrants without a regular migrant status all landlords who rent or lend any kind of housing to a foreigner are compelled to inform Migration Colombia about the transaction (Art. 2.2.1.11.5.8. of the Decree 1067 of 2015 or Art. 47 of the Decree 834 of 2013). Once the official handover of the property is made, the landlord has 5 days to inform the authorities before having to pay a fine (Art. 2.2.1.13.1. of the Decree 1067 of 2015).

Sources: Decreto 1067 [Decree 1067]. 2015. Art. 2.2.1.11.5.8 and 2.2.1.13.1. / Decreto 834 [Decree 834]. 2013. Art. 47.

Penalty is a fine:

Answer: Yes

Code: 2

Explanation: Not applicable

Sources: Not applicable

Penalty is imprisonment:

Answer: No

Code: 1

Explanation: Not applicable

Sources: Not applicable

4.5.6. Airline penalties

IMMIGRATION_21: Penalties for airlines carrying immigrants without documentation.

Are airlines or other carriers subject to penalties (fines, imprisonment and/or other penalties) for letting travel passengers lacking relevant documentation (such as entry permits or passports)?

Answer: No

Code: 1

Explanation: There are no provisions in the main regulation (Decree 1067 of 2015).

Sources: Decreto 1067 [Decree 1067]. 2015.

Sanction is a fine:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Penalty is more than a fine:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

4.6. Amnesty programs

IMMIGRATION_22: Existence of amnesty program.

In the past decade, did any amnesty program for irregular immigrants or any permanent regularization mechanism exist?

Answer: Yes

Code: 1

Explanation: In 2008, the government offered the possibility to all irregular immigrants to legalize their status in Colombia. In addition, there is a Special Permit to Stay (Permiso Especial de Permanencia-PEP) that grants residence to Venezuelans that are in Colombia since December 17th 2018, have entered Colombia as a regular immigrant, with a passport through a migration control, do not have any criminal record and do not have a deportation order (Resolution 3548 of 2019).

Sources: Decreto 3970 [Decree 3970]. 2008. / Resolución 5797 [Resolution 5797]. 2017. / Decreto 1067 [Decree 1067]. 2015. Art. 2.2.1.11.4.9. / Resolución 1238 [Resolution 1238]. 2018. Art. 30 and 31.

The amnesty program is/was:

Answer: Exceptional (once in the timeframe analyzed)

Code: 1

Explanation: The Special Permit to Stay (Permiso Especial de Permanencia-PEP) grants residence to Venezuelans that are in Colombia since December 17th 2018, have entered Colombia as a regular immigrant, with a passport through a migration control, do not have any criminal record and do not have a deportation order (Resolution 3548 of 2019).

Sources: Resolución 5797 [Resolution 5797]. 2017. / Decreto 1067 [Decree 1067]. 2015. Art. 2.2.1.11.4.9. / Resolución 1238 [Resolution 1238]. 2018. Art. 30 and 31.

Being employed is/was a condition to qualify for the amnesty program:

Answer: No

Code: 0

Explanation: The Special Permit to Stay (Permiso Especial de Permanencia-PEP) grants residence to Venezuelans that are in Colombia since December 17th 2018, have entered Colombia as a regular immigrant, with a passport through a migration control, do not have any criminal record and do not have a deportation order (Resolution 3548 of 2019).

Sources: Resolución 5797 [Resolution 5797]. 2017. / Decreto 1067 [Decree 1067]. 2015. Art. 2.2.1.11.4.9. / Resolución 1238 [Resolution 1238]. 2018. Art. 30 and 31.

A given duration of stay is/was a condition to qualify for the amnesty program:

Answer: Yes

Code: 1

Explanation: The Special Permit to Stay (Permiso Especial de Permanencia-PEP) grants residence to Venezuelans that are in Colombia since December 17th 2018, have entered Colombia as a regular immigrant, with a passport through a migration control, do not have any criminal record and do not have a deportation order (Resolution 3548 of 2019).

Sources: Resolución 5797 [Resolution 5797]. 2017. / Decreto 1067 [Decree 1067]. 2015. Art. 2.2.1.11.4.9. / Resolución 1238 [Resolution 1238]. 2018. Art. 30 and 31.

Having a certain nationality is/was a condition to qualify for the amnesty program:

Answer: Yes

Code: 1

Explanation: The Special Permit to Stay (Permiso Especial de Permanencia-PEP) grants residence to Venezuelans that are in Colombia since December 17th 2018, have entered Colombia as a regular immigrant, with a passport through a migration control, do not have any criminal record and do not have a deportation order (Resolution 3548 of 2019).

Sources: Resolución 5797 [Resolution 5797]. 2017. / Decreto 1067 [Decree 1067]. 2015. Art. 2.2.1.11.4.9. / Resolución 1238 [Resolution 1238]. 2018. Art. 30 and 31.

Does a case by case regularization for irregular immigrants existed?

Answer: No

Code: 0

Explanation: No provision in main regulations.

Sources: Decreto 1067 [Decree 1067]. 2015. Art. 2.2.1.11.4.9.

Being employed is a condition to qualify for the case by case regularization program:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

A given duration of stay is a condition to qualify for the case by case regularization program:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Having a certain nationality is a condition to qualify for the case by case regularization program:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Is regularization through marriage possible:

Answer: No

Code: 0

Explanation: No provision in main regulations.

Sources: Decreto 1067 [Decree 1067]. 2015. Art. 2.2.1.11.4.9.

IMMIGRATION_23. The amnesty defines the types of irregular migrants as:

Answer: The Special Permit to Stay was only granted to Venezuelan immigrants registered in the Administrative Registry of Venezuelan Migrants (Registro Administrativo de Migrantes Venezolanos-RAMV) and are irregular immigrants.

Code: The Special Permit to Stay was only granted to Venezuelan immigrants registered in the Administrative Registry of Venezuelan Migrants (Registro Administrativo de Migrantes Venezolanos-RAMV) and are irregular immigrants.

Explanation: The Special Permit to Stay was only granted to Venezuelan immigrants registered in the Administrative Registry of Venezuelan Migrants (Registro Administrativo de Migrantes Venezolanos-RAMV) and are irregular immigrants.

Sources: Resolución 5797 [Resolution 5797]. 2017.

4.7. Administration

IMMIGRATION_24_1: Administration in charge of immigration regulation.

Which institution is in charge of immigration regulation (in original language)?

Answer: Migración Colombia and Ministerio de Relaciones Exteriores

Code: Migración Colombia and Ministerio de Relaciones Exteriores

Explanation: It is the responsibility of the National Government to authorize the entry, stay and exit of foreigners to Colombian territory (Decree 1067 of 2015, Art. 2.2.1.11.2.[1], Decree 834 of 2013, Art. 2 [2]). The Ministry of Foreign Affairs, together with Migration Colombia -Special Administrative Unit, an institution ascribed to the Ministry, are the two authorities in charge of the immigration regulation. Both entities are the ones that formulate, orient and execute and evaluate the national migration policy.

Sources: Decreto 1067 [Decree 1067]. 2015. Art. 2.2.1.11.2. / Decreto 834 [Decree 834]. 2013. Art. 2. / Decreto 869 [Decree 869]. 2016.

Which institution is in charge of immigration regulation (in English language)?

Answer: The Ministry of Foreign Affairs, together with Migration Colombia

IMMIGRATION_24_2: Administration in charge of implementing immigration policies.

Which institution is in charge of the implementation of immigration policies (in original language)?

Answer: Migración Colombia and Ministerio de Relaciones Exteriores

Code: Migración Colombia and Ministerio de Relaciones Exteriores

Explanation: It is the responsibility of the National Government to authorize the entry, stay and exit of foreigners to Colombian territory (Decree 1067 of 2015, Art. 2.2.1.11.2.[1], Decree 834 of 2013, Art. 2 [2]). The Ministry of Foreign Affairs, together with Migration Colombia -Special Administrative Unit, an institution ascribed to the Ministry, are the two authorities in charge of the immigration regulation. Both entities are the ones that formulate, orient and execute and evaluate the national migration policy.

Sources: Decreto 1067 [Decree 1067]. 2015. Art. 2.2.1.11.2. / Decreto 834 [Decree 834]. 2013. Art. 2. / Decreto 869 [Decree 869]. 2016.

Which institution is in charge of immigration regulation (in English language)?

Answer: The Ministry of Foreign Affairs, together with Migration Colombia

IMMIGRATION_24_3: Administration in charge of border control.

Which institution is in charge of border control (in original language)?

Answer: Migración Colombia - Unidad administrativa especial

Code: Migración Colombia - Unidad administrativa especial

Explanation: The border control is a responsibility of Migration Colombia – Special Administrative Unit (Decree 1067 of 2015, Art. 2.2.1.11.2.1. or Decree 1743 of 2015, Art. 48).

Sources: Decreto 1067 [Decree 1067]. 2015. Art. 2.2.1.11.2.1. / Decreto 1743 [Decree 1743]. 2015. Art. 48.

Which institution is in charge of border control (in English language)?

Answer: Migration Colombia – Special Administrative Unit

IMMIGRATION_24_4: Administration in charge of detentions.

Which institution is in charge of detentions (in original language)?

Answer: Migración Colombia

Code: Migración Colombia

Explanation: The regional director of Migration Colombia is the first instance and is responsible for the expulsion and deportation (Resolution 1238 of 2018, Art. 19). The Sub-directorate of migration verification is the second instance and is responsible to solve the administrative affairs of the deportation and expulsion of non-nationals (Resolution 1238 of 2018, Art. 20). Before the enactment of the Resolution 1238 of 2018, it was the Director of Migration Colombia- Special Administrative Unit the one with the power of ordering the deportation or expulsion of a non-national (Decree 1067 of 2015, Art. 2.2.1.13.1.1 Art. 2.2.1.13.2.1).

Sources: Resolución 1238 [Resolution 1238]. 2018. Art. 19 and 20. / Decreto 1067 [Decree 1067]. 2015. Art. 2.2.1.13.2.1 and 2.2.1.13.1.1

Which institution is in charge of detentions (in English language)?

Answer: Migration Colombia

4.8. Proxy: Labor migration (high- and low-skilled)

IMMIGRATION_25: Visas applied to labor migration.

Is there a labor migration scheme that allows immigrants to enter the country to work in any capacity?

Answer: Yes

Code: 1

Is the same visa applied to (1) domestic worker proxy, (2) agricultural worker proxy, and (3) medical doctor proxy?

Answer: No

Code: 0

4.8.1. Domestic workers

Is there a visa scheme (entry track) for domestic workers?

Answer: Yes

Code: 1

Explanation: V-Temporary Services Provider, only valid for up to two (2) years.

Sources: Resolución 6045 [Resolution 6045]. 2017. / Cancillería de Colombia. "V - TEMPORARY SERVICES PROVIDER". Accessed June 19, 2019.
https://www.cancilleria.gov.co/en/procedures_services/visa/v-temporary-services-provider.

IMMIGRATION_26. Do migrants trying to enter the country under this entry track, need to be sponsored by an individual or group?

Answer: Yes

Code: 0

Explanation: The application for a V- Temporary Services Provider Visa can be done on individual basis (for which neither sponsorship nor an endorsement is needed) or with the sponsorship and endorsement of a natural person. For the latter, the person endorsing the application has to send a letter that includes its full identification, explanation of the connection to the foreigner, reason for the trip and statement of economic responsibility for accommodation and travel expenses of the person or the foreigner. The sponsor and endorser also has to submit his/her bank statements for the six (6) months prior to the visa application.

Sources: Cancillería de Colombia. "V - Temporary Services Provider". Accessed June 19, 2019.
https://www.cancilleria.gov.co/en/procedures_services/visa/v-temporary-services-provider.

IMMIGRATION_27. Is a concrete job offer (e.g. acceptance letter, formal invitation) or a contract signed in advance required or beneficial for immigrating?

Answer: Yes, required

Code: 0.25

Explanation: It is a general requirement for the V -Temporary Services Provider Visa. The applicant has to submit the contract summary form, but the authorities can request for the original contract if they consider it necessary.

Sources: Cancillería de Colombia. "V - Temporary Services Provider". Accessed June 19, 2019. https://www.cancilleria.gov.co/en/procedures_services/visa/v-temporary-services-provider.

IMMIGRATION_28. Does the country use a national labor market test for covering posts under the domestic worker proxy (i.e. employers seeking to hire an immigrant had to prove no native worker could do the job)?

Answer: No

Code: 1

Explanation: There are no provisions in the main regulation.

Sources: Resolución 6045 [Resolution 6045]. 2017

IMMIGRATION_29. Is the domestic worker entry track restricted to certain nationalities? (specify the nationalities in explanation).

Answer: No

Code: 1

Explanation: There are no provisions in the main regulation (Resolution 6771 of 2017 and Resolution 439 of 2016). Currently, the ruling resolution is 10535 of 2018.

Sources: Resolución 6771 [Resolution 6771]. 2017. / Resolución 439 [Resolution 439]. 2016. / Resolución 10535 [Resolution 10535]. 2018.

IMMIGRATION_30: Restrictions based on age.

Are there age limits for migrant domestic workers in order to be admitted to the country?

Answer: No

Code: 1

Explanation: There are no provisions in the main regulation.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 26, 36, 39 – 41.

Which minimum age?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRATION_31. Is having a certain gender a requisite to be admitted to the country under the domestic worker entry track?

Answer: No

Code: 1

Explanation: There are no provisions in the main regulation.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 26, 36, 39 – 41.

IMMIGRATION_32. Is having a certain marital status a requisite to be admitted to the country under the domestic worker track entry track?

Answer: No

Code: 1

Explanation: There are no provisions in the main regulation regarding any benefits of having a certain marital status.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 26, 36, 39 – 41.

IMMIGRATION_33. Do migrant domestic workers need to prove the ability to support themselves?

Answer: No

Code: 1

Explanation: Proof of the ability to support is not required. However, the applicant or the person endorsing the application must submit its bank statements from the six months previous to the application.

Sources: Cancillería de Colombia. "V - Temporary Services Provider". Accessed June 19, 2019. https://www.cancilleria.gov.co/en/procedures_services/visa/v-temporary-services-provider.

IMMIGRATION_34. Is knowledge of the host country's language considered beneficial or required for the decision on whether someone could immigrate as a domestic worker?

Answer: Neither beneficial, nor required

Code: 1

Explanation: There are no provisions in the main regulation (Resolution 6045 of 2017 and Decree 1067 of 2015).

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 39 and 41. / Decreto 1067 [Decree 1067]. 2015.

IMMIGRATION_35. Does the application under the domestic worker entry track cost a fee? Register the fee in US Dollars. If application does not cost anything, specify 0. If there are

several fees (for example, for initiating the process and for issuing the document), add up the amounts.

Answer: 122

Code: 122

Explanation: When applying for the visa in Colombia and the rest of the world the first payment is USD 52 and the second payment, once the visa is granted, is USD 70. When the application is made in Europe or Cuba the first payment is USD 40 and the second payment, once the visa is granted, is USD 131. Ecuadorian, Peruvian living in the basins of the Amazon and Putumayo rivers, Japan and Korean nationals are exempted of second payment for the issuance of the visa. Ecuadorian, Peruvian living in the basins of the Amazon and Putumayo rivers, Japan and Korean nationals are exempted of second payment for the issuance of the visa.

Sources: Cancillería de Colombia. "Costs, Means of Payment and Service Offices". Accessed June 19, 2019. https://www.cancilleria.gov.co/en/procedures_services/visa/costs-means-payment-service-offices.

IMMIGRATION_36. How long is the domestic work permit valid for? Indicate the period in months.

Answer: 24

Code: 24

Explanation: The V-Visa can be obtained for up to two (2) years.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art.12.

IMMIGRATION_37. Is it possible to renew the work permit granted under the domestic worker entry track?

Answer: Yes

Code: 1

Explanation: In order to renew the visa, the domestic worker has to apply for a new visa. This can be done at the office of the Ministry of Foreign Affairs or any consulate if the application is submitted before the original visa expires. Otherwise the foreigner has thirty (30) days to either leave the country or to apply for a new visa. After time window, the immigrant worker will have to go to Migration Colombia in order to solve its migration status or request a safe-passage.

Sources: Cancillería de Colombia. "Base de Conocimiento V. Ministerio de Relaciones Exteriores [Knowledge Base V. Ministry of Foreign Affairs]". Accessed June 19, 2019. http://migracioncolombia.gov.co/phocadownload/v5/bdc_v5_2015_cancilleria.pdf. / Resolución 6045 [Resolution 6045]. 2017. Art. 60 and 65.

IMMIGRATION_38: Possibility of changing jobs.

Is it possible for a migrant worker accepted under the domestic worker entry track to switch employers?

Answer: Yes

Code: 1

Explanation: A domestic worker can switch employers, sector/profession or switch locations as long as the beneficiary informs the migration authorities, Migration Colombia and submits a request for a visa transfer.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 30.

Is it possible for a migrant domestic worker accepted under this entry track to switch professional sectors?

Answer: Yes

Code: Yes

Explanation: A domestic worker can switch employers, sector/profession or switch locations as long as the beneficiary informs the migration authorities, Migration Colombia and submits a request for a visa transfer.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 30.

Is it possible for a migrant worker accepted under the domestic worker entry track to switch locations?

Answer: Yes

Code: 1

Explanation: A domestic worker can switch employers, sector/profession or switch locations as long as the beneficiary informs the migration authorities, Migration Colombia and submits a request for a visa transfer.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 30.

IMMIGRATION_39. Does loss of employment result in the withdrawal of a migrant domestic worker's resident permit under this track?

Answer: Yes, right away

Code: 1

Explanation: Any change in the conditions under which the visa was obtain will follow to the early expiration of the visa.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 63.

IMMIGRATION_40. Is it required by law that the work conditions (e.g. minimum wage, working hours, and benefits) of the migrant domestic workers were equal to those of native workers?

Answer: Yes

Code: 1

Explanation: As it is foreseen by the Consitution of 1991, all foreigners enjoy the same civil rights as Colombians. Foreigners are entitled to the same labor rights as Colombian nationals, having access to the same social benefits and services.

Sources: Constitución Polfítica de Colombia [Political Constitution of Colombia]. 1991. Art. 100.

IMMIGRATION_41. Is a minimum level of education required to apply to the domestic entry track?

Answer: No

Code: 1

Explanation: There are no provisions in the main regulation.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 26, 36, 39 – 41.

IMMIGRATION_42. Is a test of good health required for migrant domestic worker?

Answer: No

Code: 1

Explanation: There are no provisions in the main regulations. However the entry to the country can be denied if the person has a disease with epidemic potential as defined by the International Health Regulations and which constitutes a threat to public health.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 26, 36, 39 – 41. / Decreto 834 [Decree 834]. 2013. Art. 29.

4.8.2. Agricultural workers

Is there a visa scheme (entry track) for agricultural workers?

Answer: Yes

Code: 1

Explanation: V-Temporary Services Provider, only valid for up to two (2) years.

Sources: Resolución 6045 [Resolution 6045]. 2017. / Cancillería de Colombia. “V - Temporary Services Provider”. Accessed June 19, 2019.
https://www.cancilleria.gov.co/en/procedures_services/visa/v-temporary-services-provider.

IMMIGRATION_43. Do migrants trying to enter the country under the agricultural worker entry track need to be sponsored by an individual or group?

Answer: Yes

Code: 0

Explanation: The application for a V- Temporary Services Provider Visa can be done on individual basis (for which neither sponsorship nor an endorsement is needed) or with the sponsorship and endorsement of a natural person. For the latter, the person endorsing the application has to send a letter that includes its full identification, explanation of the connection to the foreigner, reason for the trip and statement of economic responsibility for accommodation and travel expenses of the person or the foreigner. The sponsor and endorser also has to submit his/her bank statements for the six (6) months prior to the visa application.

Sources: Cancillería de Colombia. "V - Temporary Services Provider". Accessed June 19, 2019. https://www.cancilleria.gov.co/en/procedures_services/visa/v-temporary-services-provider.

IMMIGRATION_44. Is a concrete job offer (e.g. acceptance letter, formal invitation) or a contract signed in advance required or beneficial for immigrating as an agricultural worker?

Answer: Yes, required

Code: 0.25

Explanation: It is a general requirement for the V -Temporary Services Provider Visa. The applicant has to submit the contract summary form, but the authorities can request for the original contract if they consider it necessary.

Sources: Cancillería de Colombia. "V - Temporary Services Provider". Accessed June 19, 2019. https://www.cancilleria.gov.co/en/procedures_services/visa/v-temporary-services-provider.

IMMIGRATION_45. Does the country use a national labor market test for covering posts under the agricultural worker proxy (i.e. employers seeking to hire an immigrant had to prove no native worker could do the job)?

Answer: No

Code: 1

Explanation: There are no provisions in the main regulation.

Sources: Resolución 6045 [Resolution 6045]. 2017.

IMMIGRATION_46. Is the agricultural worker entry track restricted to certain nationalities? (specify nationalities in the explanation).

Answer: No

Code: 1

Explanation: There are no provisions in the main regulation (Resolution 6771 of 2017 and Resolution 439 of 2016). Currently, the ruling resolution is 10535 of 2018.

Sources: Resolución 6771 [Resolution 6771]. 2017. / Resolución 439 [Resolution 439]. 2016. / Resolución 10535 [Resolution]. 2018.

IMMIGRATION_47: Restrictions based on age.

Are age limits for migrant agricultural workers in order to be admitted to the country?

Answer: No

Code: 1

Explanation: There are no provisions in the main regulation.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 26, 36, 39 – 41.

Which minimum age?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRATION_48. Is having a certain gender a requisite to be admitted to the country under this entry track?

Answer: No

Code: 1

Explanation: There are no provisions in the main regulation.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 26, 36, 39 – 41.

IMMIGRATION_49. Is having a certain marital status a requisite to be admitted to the country under the agricultural worker entry track?

Answer: No

Code: 1

Explanation: There are no provisions in the main regulation regarding any benefits of having a certain marital status.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 26, 36, 39 – 41.

IMMIGRATION_50. Do migrant agricultural workers need to prove the ability to support themselves?

Answer: No

Code: 1

Explanation: No. However, the company has to make a statement, taking the economic responsibility for the foreigner's accommodation and travel expenses. The company has to show their bank statements of the last six months previous to the application.

Sources: Cancillería de Colombia. "V - Temporary Services Provider". Accessed June 19, 2019. https://www.cancilleria.gov.co/en/procedures_services/visa/v-temporary-services-provider.

IMMIGRATION_51. Is knowledge of the host country's language considered beneficial or required for the decision on immigrating as an agricultural worker?

Answer: Neither beneficial, nor required

Code: 1

Explanation: No. There are no provisions in the main regulation (Resolution 6045 of 2017 and Decree 1067 of 2015).

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 39 and 41. / Decreto 1067 [Decree 1067]. 2015.

IMMIGRATION_52. Does the application under the agricultural worker entry track cost a fee? Register the fee in US Dollars. If application does not cost anything, specify 0. If there are several fees (for example, for initiating the process and for issuing the document), add up the amounts.

Answer: 122

Code: 122

Explanation: When applying for the visa in Colombia and the rest of the world the first payment is USD 52 and the second payment, once the visa is granted, is USD 70. When the application is made in Europe or Cuba the first payment is USD 40 and the second payment, once the visa is granted, is USD 131. Ecuadorian, Peruvian living in the basins of the Amazon and Putumayo rivers, Japan and Korean nationals are exempted of second payment for the issuance of the visa.

Sources: Cancillería de Colombia. "Costs, Means of Payment and Service Offices". Accessed June 19, 2019. https://www.cancilleria.gov.co/en/procedures_services/visa/costs-means-payment-service-offices.

IMMIGRATION_53. How long is the work permit valid for? Indicate the period in months.

Answer: 24

Code: 24

Explanation: The V-Visa can be obtained for up to two (2) years.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 12.

IMMIGRATION_54. Is it possible to renew the work permit granted under the agricultural worker entry track?

Answer: Yes

Code: 1

Explanation: In order to renew the visa, the agricultural worker has to apply for a new visa. This can be done at the office of the Ministry of Foreign Affairs or any consulate if the application is submitted before the original visa expires. Otherwise the foreigner has thirty (30) days to either leave the country or to apply for a new visa. After time window, the immigrant worker will have to go to Migration Colombia in order to solve its migration status or request a safe-passage.

Sources: Cancillería de Colombia. "Base de Conocimiento V. Ministerio de Relaciones Exteriores [Knowledge Base V. Ministry of Foreign Affairs]". Accessed June 19, 2019. http://migracioncolombia.gov.co/phocadownload/v5/bdc_v5_2015_cancilleria.pdf. / Resolución 6045 [Resolution 6045]. 2017. Art. 60 and 65.

IMMIGRATION_55: Possibility of changing jobs.

Is it possible for a migrant agricultural worker accepted under this entry track to switch employers?

Answer: Yes

Code: 1

Explanation: An agricultural worker can switch employers, sector/profession or switch locations as long as the beneficiary informs the migration authorities, Migration Colombia and submits a request for a visa transfer.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 30.

Is it possible for a migrant agricultural worker accepted under this entry track to switch professional sectors?

Answer: Yes

Code: 1

Explanation: An agricultural worker can switch employers, sector/profession or switch locations as long as the beneficiary informs the migration authorities, Migration Colombia and submits a request for a visa transfer.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 30.

Is it possible for a migrant agricultural worker accepted under this entry track to switch locations?

Answer: Yes

Code: 1

Explanation: An agricultural worker can switch employers, sector/profession or switch locations as long as the beneficiary informs the migration authorities, Migration Colombia and submits a request for a visa transfer.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 30.

IMMIGRATION_56. Does loss of employment result in the withdrawal of a migrant agricultural worker's resident permit under this track?

Answer: Yes, right away

Code: 1

Explanation: Any change in the conditions under which the visa was obtain will follow to the early expiration of the visa.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 30.

IMMIGRATION_57. Is it required by law that the work conditions (e.g. minimum wage, working hours, and benefits) of the migrant agricultural workers were equal to those of native workers?

Answer: Yes

Code: 1

Explanation: As it is foreseen by the Consitution of 1991, all foreigners enjoy the same civil rights as Colombians. Foreigners are entitled to the same labor rights as Colombian nationals, having access to the same social benefits and services.

Sources: Constitución Política de Colombia [Political Constitution of Colombia]. 1991. Art. 100.

IMMIGRATION_58. Is a minimum level of education required to apply to the agricultural worker entry track?

Answer: No

Code: 1

Explanation: There are no provisions in the main regulation.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 26, 36, 39 – 41.

IMMIGRATION_59. Is a test of good health required for migrant agricultural workers?

Answer: No

Code: 1

Explanation: There are no provisions in the main regulations. However the entry to the country can be denied if the person has a disease with epidemic potential as defined by the International Health Regulations and which constitutes a threat to public health.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 26, 36, 39 – 41. / Decreto 834 [Decree 834]. 2013. Art. 29.

4.8.3. Medical doctors

Is there a visa scheme (entry track) for medical doctors?

Answer: Yes

Code: 1

Explanation: Migrant Visa (“M” Visa), which will be valid for three (3) years. If the length of the contract is less than three years, then the validity of the visa might be shorter.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 26, 36, 39 – 41. / Decreto 834 [Decree 834]. 2013. Art. 29.

IMMIGRATION_60. Do migrants trying to enter the country under the medical doctor entry track, needed to be sponsored by an individual or group?

Answer: Yes

Code: 0

Explanation: If the employer is a legal entity, then it has to have a monthly income of at least one hundred (100) legal monthly minimum wages. In the case, the employer is a natural person the income has to be at least 10 legal monthly minimum wages.

Sources: Cancillería de Colombia. “M - EMPLOYEE”. Accessed June 19, 2019. https://www.cancilleria.gov.co/en/procedures_services/visa/m-employee.

IMMIGRATION_61. Are a concrete job offer (e.g. acceptance letter, formal invitation) or a contract signed in advance required or beneficial for immigrating as a medical doctor?

Answer: Yes, required

Code: 0.25

Explanation: The applicant has to submit the contract summary form, but the authorities can request for the original contract if they consider it necessary.

Sources: Cancillería de Colombia. “M - EMPLOYEE”. Accessed June 19, 2019. https://www.cancilleria.gov.co/en/procedures_services/visa/m-employee. / Resolución 6045 [Resolution 6045]. 2017.

IMMIGRATION_62. Does the country use a national labor market test for covering posts under the medical doctor proxy (i.e. employers seeking to hire an immigrant had to prove that no native worker could do the job)?

Answer: No

Code: 1

Explanation: There are no provisions in the main regulation.

Sources: Ministerio de Trabajo. "Grupo de gestión de la política de migración laboral [Labour Migration Policy Management Group]". Accessed June 19, 2019.
<http://www.mintrabajo.gov.co/empleo-y-pensiones/movilidad-y-formacion/grupo-de-gestion-de-la-politica-de-migracion-laboral/ii-poblacion-objetivo/trabajadores-extranjeros-en-colombia>.

IMMIGRATION_63. Is the medical doctor entry track restricted to certain nationalities? (Specify nationalities in the explanation).

Answer: No

Code: 1

Explanation: No, there are no provisions in the main regulation (Resolution 6771 of 2017 and Resolution 439 of 2016). Currently, the ruling resolution is 10535 of 2018.

Sources: Resolución 6771 [Resolution 6771]. 2017. / Resolución 439 [Resolution 439]. 2016. / Resolución 10535 [Resolution 10535]. 2018.

IMMIGRATION_64: Restrictions based on age.

Are there age limits for migrant medical doctors to be admitted to the country?

Answer: No

Code: 1

Explanation: There are no provisions in the main regulation.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 26, 36, 39 and 47.

Which minimum age?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRATION_65. Is having a certain gender a requisite to be admitted to the country under the medical doctor entry track?

Answer: No

Code: 1

Explanation: There are no provisions in the main regulation.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 26, 36, 39 and 47.

IMMIGRATION_66. Is having a certain marital status a requisite to be admitted to the country under the medical doctor entry track?

Answer: No

Code: 1

Explanation: There are no provisions in the main regulation regarding any benefits of having a certain marital status.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 26, 36, 39 and 47.

IMMIGRATION_67. Do migrant medical doctors need to prove the ability to support themselves?

Answer: Yes

Code: 0.5

Explanation: If the employer is a legal entity, then it has to have a monthly income of at least one hundred (100) legal monthly minimum wages. In the case, the employer is a natural person the income has to be at least 10 legal monthly minimum wages.

Sources: Cancillería de Colombia. "M - EMPLOYEE". Accessed June 19, 2019.
https://www.cancilleria.gov.co/en/procedures_services/visa/m-employee.

IMMIGRATION_68. Is knowledge of the host country's language considered beneficial or required for the decision on whether someone could immigrate as a medical doctor?

Answer: Neither beneficial, nor required

Code: 1

Explanation: There are no provisions in the main regulation (Resolution 6045 of 2017 and Decree 1067 of 2015). Spanish language skills are also not a requirement for the recognition of the medical diploma.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 47. / Decreto 1067 [Decree 1067]. 2015.

IMMIGRATION_69. Does the application under the medical doctor entry track cost a fee? Register the fee in US Dollars. If application did not cost anything, specify 0. If there are

several fees (for example, for initiating the process and for issuing the document), add up the amounts.

Answer: 282

Code: 282

Explanation: When applying for the visa in Colombia and the rest of the world the first payment is USD 52 and the second payment, once the visa is granted, is USD 230. When the application is made in Europe or Cuba the first payment is USD 40 and the second payment, once the visa is granted, is USD 177.

Sources: Cancillería de Colombia. "Costs, Means of Payment and Service Offices". Accessed June 19, 2019. https://www.cancilleria.gov.co/en/procedures_services/visa/costs-means-payment-service-offices.

IMMIGRATION_70. How long is the medical doctor work permit valid for? Indicate the period in months.

Answer: 36

Code: 36

Explanation: The M-Visa will be valid for three (3) years. If the length of the contract is less than three years, then the validity of the visa might be shorter.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 18.

IMMIGRATION_71. Is it possible to renew the work permit granted under the medical doctor entry track?

Answer: Yes

Code: 1

Explanation: In order to renew the visa, the medical doctor has to apply for a new visa. This can be done at the office of the Ministry of Foreign Affairs or any consulate if the application is submitted before the original visa expires. Otherwise the foreigner has thirty (30) days to either leave the country or to apply for a new visa. After time window, the immigrant worker will have to go to Migration Colombia in order to solve its migration status or request a safe-passage. After five years of having lived in the country, continuously, the immigrant worker can apply for a R-Visa (Residency Visa).

Sources: Cancillería de Colombia. "Base de Conocimiento V. Ministerio de Relaciones Exteriores [Knowledge Base V. Ministry of Foreign Affairs]". Accessed June 19, 2019. http://migracioncolombia.gov.co/phocadownload/v5/bdc_v5_2015_cancilleria.pdf. / Resolución 6045 [Resolution 6045]. 2017. Art. 21, 60 and 65.

IMMIGRATION_72: Possibility of changing jobs.

Is it possible for a migrant medical doctor to switch employers?

Answer: Yes

Code: 1

Explanation: A medical doctor may switch employers, sector/profession or switch locations as long as the beneficiary informs the migration authorities, Migration Colombia and submits a request for a visa transfer.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 30.

Is it possible for a migrant medical doctor to switch professional sectors?

Answer: Yes

Code: 1

Explanation: A medical doctor may switch employers, sector/profession or switch locations as long as the beneficiary informs the migration authorities, Migration Colombia and submits a request for a visa transfer.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 30.

Is it possible for a migrant medical doctor to switch locations?

Answer: Yes

Code: 1

Explanation: A medical doctor may switch employers, sector/profession or switch locations as long as the beneficiary informs the migration authorities, Migration Colombia and submits a request for a visa transfer.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 30.

IMMIGRATION_73. Does loss of employment result in the withdrawal of a migrant worker's resident permit under the medical doctor track?

Answer: Yes, right away

Code: 1

Explanation: Any change in the conditions under which the visa was obtain will follow to the early expiration of the visa.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 63.

IMMIGRATION_74. Is it required by law that the work conditions (e.g. minimum wage, working hours, and benefits) of the migrant medical doctors were equal to those of native workers?

Answer: Yes

Code: 1

Explanation: As it is foreseen by the Constitution of 1991, all foreigners enjoy the same civil rights as Colombians. Foreigners are entitled to the same labor rights as Colombian nationals, having access to the same social benefits and services.

Sources: Constitución Política de Colombia [Political Constitution of Colombia]. 1991. Art. 100.

IMMIGRATION_75. Is a minimum level of education required to apply to the medical doctor entry track?

Answer: No

Code: 1

Explanation: There are no provisions in the main regulation

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 26, 36, 39 – 41.

IMMIGRATION_76. Is a test of good health required for migrant medical doctors?

Answer: No

Code: 0

Explanation: There are no provisions in the main regulations. However the entry to the country can be denied if the person has a disease with epidemic potential as defined by the International Health Regulations and which constitutes a threat to public health.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 26, 36, 39 – 41. / Decreto 834 [Decree 834]. 2013. Art. 29.

4.9. Proxy: Refugees

4.9.1. Existence of track

IMMIGRATION_77. Does the country grant refugee status?

Answer: Yes

Code: 1

Explanation: Colombia has a Refugee Statute since 1961. The Decree 1067 of 2015 lays down the provisions for the recognition of the refugee status.

Sources: Ley 35 [Law 35]. 1961. / Decreto 1067 [Decree 1067]. 2015. Art. 2.2.3.1.1.1.

IMMIGRATION_78. Are certain countries deemed safe third countries (i.e. could persons arriving through these countries be precluded from claiming asylum)?

Answer: No

Code: 1

Explanation: There are no provisions in the main regulation (Decree 1067 of 2015).

Sources: Decreto 1067 [Decree 1067]. 2015. Art. 2.2.3.1.7.1.

IMMIGRATION_79: Safe countries of origin.

Are certain countries deemed safe countries of origin (i.e. refugee claims arising out of persecution in those countries could be precluded)?

Answer: No

Code: 1

Explanation: There are no provisions in the main regulation (Decree 1067 of 2015).

Sources: Decreto 1067 [Decree 1067]. 2015. Art. 2.2.3.1.1.1.

How many countries?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

4.9.2. Restrictions

IMMIGRATION_80: Refugee status restricted for certain nationalities.

Is refugee status restricted to certain nationalities?

Answer: No

Code: 1

Explanation: The law establishes that a person will be considered a refugee if is persecuted for its race, nationality, gender, religion or for belonging to a certain social group or political organization, without discriminating for any of the latter reasons. It does not preclude a certain nationality.

Sources: Decreto 1067 [Decree 1067]. 2015. Art. 2.2.3.1.1.1, 2.2.3.1.7.1 and 2.2.3.1.6.16.

Which nationalities?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRATION_81: Restrictions based on age.

Are there age limits for potential refugees to be admitted to the country?

Answer: No

Code: 1

Explanation: The law establishes that a person will be considered a refugee if she is persecuted for its race, gender, nationality, religion or for belonging to a certain social group or political organization and does not defines an age limit beneficial for granting the refugee status.

Sources: Decreto 1067 [Decree 1067]. 2015. Art. 2.2.3.1.1.1, 2.2.3.1.7.1, 2.2.3.1.6.5 and 2.2.3.1.6.16.

Which minimum age?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Is being below a certain age limit beneficial for the decision on whether someone gains access to refugee status?

Answer: No

Code: 1

Explanation: The law establishes that a person will be considered a refugee if she is persecuted for its race, gender, nationality, religion or for belonging to a certain social group or political organization and does not defines an age limit beneficial for granting the refugee status.

Sources: Decreto 1067 [Decree 1067]. 2015. Art. 2.2.3.1.1.1, 2.2.3.1.7.1, 2.2.3.1.6.5 and 2.2.3.1.6.16.1.1.

Below which age?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRATION_82. Is having a certain gender a requisite to be granted refugee status?

Answer: No

Code: 0

Explanation: The law establishes that a person will be considered a refugee if she is persecuted for its gender, race, nationality, religion or for belonging to a certain social group or political organization, without discriminating for any of the latter reasons. Therefore, when a woman is seeking for a refugee status, accompanied by men, the authorities will inform her in private on her right of applying as an independent person. Furthermore, women who ask for it, can be interviewed by a woman and be accompanied by a female interpreter.

Sources: Decreto 1067 [Decree 1067]. 2015. Art. 2.2.3.1.1.1, 2.2.3.1.7.1, 2.2.3.1.6.4 and 2.2.3.1.6.16.1.

IMMIGRATION_83. Is having a certain marital status a requisite to be granted refugee status?

Answer: No

Code: 0

Explanation: However, once the refugee status has been granted, upon request it can also be extended to the life-partner or spouse.

Sources: Decreto 1067 [Decree 1067]. 2015. Art. 2.2.3.1.1.1, 2.2.3.1.7.1, 2.2.3.1.6.13 and 2.2.3.1.6.16.1.

4.9.3. Place of application

IMMIGRATION_84: Place of application

Can asylum seekers file an application for asylum from outside the destination country's territory?

Answer: No

Code: 0

Explanation: Application can be made at the border or in Colombia's territory.

Sources: Decreto 1067 [Decree 1067]. 2015. Art. 2.2.3.1.6.1 and 2.2.3.1.3.2.

Can asylum seekers file an application for asylum at the border/ports of entry of country's territory?

Answer: Yes

Code: 1

Explanation: When entering the country through a border, a port or an airport, the application has to be submitted at the migration authorities, Colombia Migration (Migración Colombia) at the time of entering the country.

Sources: Decreto 1067 [Decree 1067]. 2015. Art. 2.2.3.1.6.1 and 2.2.3.1.3.2.

Can asylum seekers file an application for asylum on the destination country's territory?

Answer: Yes

Code: 1

Explanation: All foreigners in Colombian territory, regardless of their migration status as long as they are not in transit, can submit their application at the Ministry of Foreign Affairs, at the Internal Working Group on Refugee Status Assessment (Grupo Interno de Trabajo para la Determinación de la Condición de Refugiado) within two (2) months after entering the county.

Sources: Decreto 1067 [Decree 1067]. 2015. Art. 2.2.3.1.6.1 and 2.2.3.1.3.2.

4.9.4. Permit validity

IMMIGRATION_85. How long is the initial residence permit for recognized refugees valid for?

Answer: Temporary, between 25 and 36 months

Code: 4

Explanation: The law does not set a temporary validity of the recognition of the refugee' status. However, once the status is granted, refugees have to apply for a Migrant Visa, which is valid for 3 years at a time.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 17.

IMMIGRATION_86: Permit renewal.

Is it possible to renew a temporary residence permit?

Answer: Yes

Code: 1

Explanation: After having lived in the country for at least five (5) years with an M-visa, refugees can apply for a Resident visa. This visa is valid for an indefinite period, however it has to be renewed every five (5) years, through the visa transfer process.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 21, 22 and 24.

Is it possible to apply for a permanent resident permit for recognized refugees?

Answer: Yes, possible to apply for a permanent permit after 5-6 years

Code: 3

Explanation: After having lived in the country for at least five (5) years with an M-visa, refugees can apply for a Resident visa. This visa is valid for an indefinite period, however it has to be renewed every five (5) years, through the visa transfer process.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 21, 22 and 24.

IMMIGRATION_87. Can a recognized refugee lose his or her status as a refugee when the threatening situation in his or her country of origin ceases?

Answer: Yes

Code: 0

Explanation: Art. 2.2.3.1.8.2 of the Decree 1067 of 2015 says that “if the circumstances under which he was recognized as a refugee no longer exist, he or she cannot continue to refuse to avail himself or herself of the protection of the country of his or her nationality”

Sources: Decreto 1067 [Decree 1067]. 2015. Art. 2.2.3.1.8.1 and 2.2.3.1.8.2.

4.9.5. Maximum timeframe for application resolution

IMMIGRATION_88: Timeframe for resolution.

Is there a maximum of days to process the application of asylum seekers?

Answer: No

Code: 0

Explanation: There are no provisions in the main regulation.

Sources: Decreto 1067 [Decree 1067]. 2015. Art. 2.2.3.1.8.1 and 2.2.3.1.8.2.

What is the maximum of days?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

4.9.6. Possibility to change migratory status

IMMIGRATION_89. If an application on refugee status is rejected, does the applicant have the right to appeal?

Answer: Yes

Code: 1

Explanation: Applicants whose application has been rejected have the right to an administrative appeal for review (recurso de reposición), an appeal lodged at the same administrative body which issued the judgment under review. It allows the administrative body to rectify its decision and thus exhausts the administrative resources. The administrative appeal for review when the court order is not subject to appeal or plea. The applicant has ten (10) business days after receiving the rejection to appeal for review before the Ministry of Foreign Affairs.

Sources: Decreto 1067 [Decree 1067]. 2015. Art. 2.2.3.1.6.11. / Ley 1437 [Law 1437]. 2011. Art. 242.

IMMIGRATION_90. Is it possible for recognized refugees to change their migratory status?

Answer: Yes

Code: 1

Explanation: If a person with a refugee status would fulfill the criteria for another visa, he/she could apply for it. However, it is important to keep in mind that migrant workers as well as refugees have the M-refugee visa which grants them an open work permit and allows them to perform any legal activity in Colombia. Thus, refugees would not benefit from changing their migratory status unless they apply for a resident visa. This is possible after five (5) years of residing in the country. In order to apply for the residency, their refugee status has to be valid.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 17, 21 and 56.

4.9.7. Detention

IMMIGRATION_91: Detention

Are asylum seekers detained while their claims are being processed?

Answer: No

Code: 4

Explanation: Once the application has been filed, a safe-conduct valid for three-months will be issued for the asylum seeker. Depending on the Advisory Commission for the Determination of Refugee Status's decision, the safe-conduct will allow the applicant to move around the whole national territory,

with the exception of the border regions. If the application is rejected and the asylum seeker overstays his/her safe-conduct, he or she will undergo an irregular migration status for which he/she can be sanctioned.

Sources: Decreto 1067 [Decree 1067]. 2015. Art. 2.2.3.1.4.1.

Are asylum seekers detained after their claims are processed?

Answer: No

Code: 2

Explanation: Once the application has been filed, a safe-conduct valid for three-months will be issued for the asylum seeker. Depending on the Advisory Commission for the Determination of Refugee Status's decision, the safe-conduct will allow the applicant to move around the whole national territory, with the exception of the border regions. If the application is rejected and the asylum seeker overstays his/her safe-conduct, he or she will undergo an irregular migration status for which he/she can be sanctioned.

Sources: Decreto 1067 [Decree 1067]. 2015. Art. 2.2.3.1.4.1.

4.9.8. Status after rejection

IMMIGRATION_92. What is the status of asylum seekers whose applications are rejected?

Answer: Issued a temporary certificate and possibility of applying to other visa

Code: 3

Explanation: When the application for a status of asylum is rejected, the decision will be informed to Colombia Migration, who will automatically cancel the safe-conduct and will issue a new one with a validity of thirty (30) days. The asylum seeker will be informed by e-mail or to the address that was submitted with the application and has to leave the country before the new safe-conduct expires. The Colombian legislation is confined to the principle of non-refoulement to another country, thus the applicant cannot be sent back to the country where his or her life is endangered. Furthermore, when the Advisory Commission for the Determination of Refugee Status deems it necessary, it will take the necessary measures to help the asylum seeker whose applications rejected regularize its status through other means allowing the applicant to stay in the country (Art. 2.2.3.1.6.21). When this supplementary measure is applied, the immigrant will receive a courtesy visa (V- courtesy visa). This visa, which is free of charge, will be valid for up to one (1) year and grants its holder an open work permit.

Sources: Decreto 1067 [Decree 1067]. 2015. Art. 2.2.3.1.6.4, 2.2.3.1.6.14, 2.2.3.1.6.15, 2.2.3.1.6.20 and 2.2.3.1.6.21. / Resolución 6045 [Resolution 6045]. 2017. Art. 11 and Art. 13.

IMMIGRATION_93. Do asylum seekers have the possibility to work during the process of application?

Answer: Yes

Code: 1

Explanation: Asylum seekers who have the M-visa as well as those with a residence visa (R-visa) have the right to work.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 20 and 23.

4.9.9. Translation and interpretation

IMMIGRATION_94. Does the state provide official translation or interpretation for the process of asylum seekers?

Answer: Yes

Code: 1

Explanation: If it is considered necessary, the state will provide an official interpreter for the interviews (Art. 2.2.3.1.5.2). Women can ask for a female interpreter (Art. 2.2.3.1.6.5.).

Sources: Decreto 1067 [Decree 1067]. 2015. Art. 2.2.3.1.5.2 and 2.2.3.1.6.5.

4.10. Proxy: Co-ethnics

4.10.1. General

IMMIGRATION_95. Existence of co-ethnics in 2017 (i.e. group(s) of immigrants that were granted easier access).

Are there group(s) of immigrants that are granted easier access to immigration and citizenship due to colonial history, language, religion, ancestry, and/or ill-treatment in the past?

Answer: No

Code: 0

Explanation: There are no provisions in the main regulations (Constitution of 1991, Decree 1067 of 2015, Decree 6045 of 2017) indicating the existence of co-ethnics.

Sources: Constitución Política de Colombia [Political Constitution of Colombia]. 1991. Art. 96. / Decreto 1067 [Decree 1067]. 2015.

IMMIGRATION_96. Register the name of the group(s).

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

4.10.2. Reasons for co-ethnicity

IMMIGRATION_97. Reasons for co-ethnicity.

Shared language:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Shared religion:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Shared ancestry:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Citizen of former colony:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

III treatment by country in the past:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Self-declaration: avowal to be of country's ethnicity:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Other:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRATION_98. May converts apply?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRATION_99. If ancestry is sufficient to claim entitlement to preferential immigration rights, what is the degree of ancestry required?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

4.10.3. Language test

IMMIGRATION_100. What is the required level of language skills?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

4.10.4. Place of residence

IMMIGRATION_101. Does the applicant have to reside in a specific country to be entitled to easier access and right to permanent settlement? (If yes, specify country in the explanation).

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

4.10.5. Place of application

IMMIGRATION_102. Place of application.

Can applicants file an application from outside the territory of the host country?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can applicants file an application on host country's territory?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

4.10.6. Date of birth

IMMIGRATION_103. Do applicants need to be born before or after a certain date to be eligible?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

4.10.7. Permit validity

IMMIGRATION_104. If citizenship is not granted right away/after a shorter period, how long is the resident permit valid for?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRATION_105. Permit renewal.

Is it possible to renew a temporary residence permit for co-ethnics?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Is it possible to apply for a permanent resident permit for co-ethnics?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

5. Immigrant policies

5.1. Permanent residence

5.1.1. Eligibility

IMMIGRANT_1: General existence of a permanent residence scheme.

Answer: Yes

Code: 1

Explanation: Immigrants who fulfill any of the requirements of eligibility for an “R”-Visa (residence visa), can apply for one.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 21.

IMMIGRANT_2: Existence of a permanent residence scheme for different proxies. Do asylum seekers have access to permanent residence?

Answer: No

Code: 0

Explanation: Asylum seekers must wait for a response for their asylum decision. Once their asylum has been granted, they can stay in the country for as long as their refugee status is valid and can apply for a residence visa after five (5) years of having lived in Colombia.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 21.

Do refugees have access to permanent residence?

Answer: Yes

Code: 1

Explanation: Refugees can always apply for another M-visa, for as long as their condition as refugees is still valid. After having lived in Colombia for five (5) years he/she can apply for a residence visa.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 21.

Do co-ethnics have access to permanent residence?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do domestic workers have access to permanent residence?

Answer: No

Code: 0

Explanation: Domestic workers are most likely to enter with a V-visa, which does not allow them to apply for a resident permit.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 21.

Do agricultural workers have access to permanent residence?

Answer: No

Code: 0

Explanation: Agricultural workers are most likely to enter with a V-visa, which does not allow them to apply for a resident permit.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 21.

Do medical doctors have access to permanent residence?

Answer: Yes

Code: 1

Explanation: As long as the individual has lived in Colombia for at least five (5) years.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 21.

IMMIGRANT_3: Required time of habitual residence.

How many months of habitual residence are required from asylum seekers for accessing permanent residence?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

How many months of habitual residence are required from refugees for accessing permanent residence?

Answer: 60

Code: 60

Explanation: A refugee can apply for a residence after having lived in Colombia, for five (5) years.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 21.

How many months of habitual residence are required from co-ethnics for accessing permanent residence?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

How many months of habitual residence are required from domestic workers for accessing permanent residence?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

How many months of habitual residence are required from agricultural workers for accessing permanent residence?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

How many months of habitual residence are required from medical doctors for accessing permanent residence?

Answer: 60

Code: 60

Explanation: A medical doctor can apply for a residence after having lived in Colombia, for five (5) years.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 21.

IMMIGRANT_4: Periods of absence allowed.

Are periods of absence allowed before granting of permanent status for asylum seekers? If yes, register the number of non-consecutive months per year allowed. If no absence is allowed, type in 0 months. If the period of absence is discretionary, register as 0. In case that non-consecutive months are not established per year (e.g. ten months in a period of five years), calculate the average per year.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Are periods of absence allowed before granting of permanent status for refugees? If yes, register the number of non-consecutive months per year allowed. If no absence is allowed, type in 0 months. If the period of absence is discretionary, register as 0. In case that non-consecutive months are not established per year (e. g. ten months in a period of five years), calculate the average per year.

Answer: 6

Code: 6

Explanation: The applicant cannot have left the country for more than 180 continuous days.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 21.

Are periods of absence allowed before granting of permanent status for co-ethnics? If yes, register the number of non-consecutive months per year allowed. If no absence is allowed, type in 0 months. If the period of absence is discretionary, register as 0. In case that non-consecutive months are not established per year (e. g. ten months in a period of five years), calculate the average per year.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Are periods of absence allowed before granting of permanent status for domestic workers? If yes, register the number of non-consecutive months per year allowed. If no absence is allowed, type in 0 months. If the period of absence is discretionary, register as 0. In case that non-consecutive months are not established per year (e. g. ten months in a period of five years), calculate the average per year.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Are periods of absence allowed before granting of permanent status for agricultural workers? If yes, register the number of non-consecutive months per year allowed. If no absence is allowed, type in 0 months. If the period of absence is discretionary, register as 0. In case that non-consecutive months are not established per year (e. g. ten months in a period of five years), calculate the average per year.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Are periods of absence allowed before granting of permanent status for medical doctors? If yes, register the number of non-consecutive months per year allowed. If no absence is allowed, type in 0 months. If the period of absence is discretionary, register as 0. In case that non-consecutive months are not established per year (e. g. ten months in a period of five years), calculate the average per year.

Answer: 6

Code: 6

Explanation: The applicant cannot have left the country for more than 180 continuous days.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 21.

IMMIGRANT_5. Result of a regularization process.

The regularization process leads to:

Answer: sui generis residence permit

Code: 0.5

Explanation: A foreigner with an irregular migration status may be granted a SC-1 or a SC-2 safe-conduct. While the first one gives the beneficiary 30 days to leave the country without a having working permit for the given timeframe, the latter allows the individual to apply for a visa within the 30 days after the safe-conduct is issued. In order to acquire the SC-2, he/she has to first pay the fine for having stayed in the country irregularly. Still, it is important to keep in mind that since a requirement for the residence permit is to have had a prior regular migration status, in this case an applicant with an SC-2 safe-conduct would not be eligible for a resident visa and would therefore have to apply to either an M-visa or V-Visa. With an M-visa, the immigrant can later on apply for a residence visa.

Sources: Decreto 1067 [Decree 1067]. 2015. Art. 2.2.1.11.4.9.

IMMIGRANT_6: Language test.

Is there a language requirement for asylum seekers to access permanent residence?

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Is there a language requirement for refugees to access permanent residence?

Answer: no requirement

Code: 1

Explanation: There are no provisions in the main regulations (Resolution 6045 of 2017, Decree 1067 of 2015).

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 21.

Is there a language requirement for co-ethnics to access permanent residence?

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Is there a language requirement for domestic workers to access permanent residence?

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Is there a language requirement for co-ethnics to access permanent residence?

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Is there a language requirement for medical doctors to access permanent residence?

Answer: no requirement

Code: 1

Explanation: There are no provisions in the main regulations (Resolution 6045 of 2017, Decree 1067 of 2015).

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 21.

IMMIGRANT_7: Economic resources.

Is there an economic resources requirement for applying to permanent residence for asylum seekers?

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Is there an economic resources requirement for applying to permanent residence for refugees?

Answer: income source linked to employment or no use of social assistance

Code: 0

Explanation: Applicants for the resident visa for accumulated permanence time need a document certifying occupation and/or the source of income.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 56.

Is there an economic resources requirement for applying to permanent residence for co-ethnics?

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Is there an economic resources requirement for applying to permanent residence for domestic workers?

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Is there an economic resources requirement for applying to permanent residence for agricultural workers?

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Is there an economic resources requirement for applying to permanent residence for medical doctors?

Answer: income source linked to employment or no use of social assistance

Code: 0

Explanation: Applicants for the resident visa for accumulated permanence time need a document certifying occupation and/or the source of income.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 56.

IMMIGRANT_8: Cost of application.

What is the cost of the application of permanent residence in the original currency (include the cost of issuance if any)?

Answer: 1490695

Code: 1490695

Explanation: If the application is submitted in Colombia or the rest of the world the study of the application costs 52 USD and the visa itself costs 391 USD. For applicants in Europe and Cuba, the application costs 40 euros and the visa costs 301 euros.

Sources: Cancillería de Colombia. "Costos, medios de pago y oficinas de atención [Costs, means of payment and customer service offices]". Accessed June 25, 2019. https://www.cancilleria.gov.co/tramites_servicios/visa/costos-medios-pago-oficinas-atencion.

What is the cost of the application of permanent residence in the USD (include the cost of issuance if any)?

Answer: 443

Code: 443

Explanation: If the application is submitted in Colombia or the rest of the world the study of the application costs 52 USD and the visa itself costs 391 USD. For applicants in Europe and Cuba, the application costs 40 euros and the visa costs 301 euros.

Sources: Cancillería de Colombia. "Costos, medios de pago y oficinas de atención [Costs, means of payment and customer service offices]". Accessed June 25, 2019.
https://www.cancilleria.gov.co/tramites_servicios/visa/costos-medios-pago-oficinas-atencion.

IMMIGRANT_9: Employer sponsorship.

Do asylum seekers have to be sponsored by an employer?

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do refugees have to be sponsored by an employer?

Answer: no, sponsorship is not required

Code: 1

Explanation: There is no provision about employers being able to sponsor non-national employees.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 56.

Do co-ethnics have to be sponsored by an employer?

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do domestic have to be sponsored by an employer?

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do agricultural workers have to be sponsored by an employer?

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do medical doctors have to be sponsored by an employer?

Answer: no, sponsorship is not required

Code: 1

Explanation: There is no provision about employers being able to sponsor non-national employees.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 56.

5.1.2. Security of status

IMMIGRANT_10: Maximum length of application procedure.

Maximum length of application procedure for asylum seekers in months:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Maximum length of application procedure for asylum seekers:

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Maximum length of application procedure for refugees in months:

Answer: 0.3

Code: 0.3

Explanation: Under regular conditions it would take eight (8) days. Once all the documents and necessary information have been submitted, authorities have five (5) days to announce their decision. If further information from the applicant is needed, the term can be extended for up to thirty (30) days. When the application is approved, the authorities will issue the E-Visa within the three (3) following days after the decision was communicated. The E-Visa will be delivered via e-mail. Visas valid for longer than three (3) months have to be stamped in the passport for what the holder has thirty (30) days after receiving the E-Visa.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 77, 78, 85 and 89.

Maximum length of application procedure for refugees:

Answer: less than six months

Code: 1

Explanation: Under regular conditions it would take eight (8) days. Once all the documents and necessary information have been submitted, authorities have five (5) days to announce their decision. If further information from the applicant is needed, the term can be extended for up to thirty (30) days. When the application is approved, the authorities will issue the E-Visa within the three (3) following days after the decision was communicated. The E-Visa will be delivered via e-mail. Visas valid for longer than three (3) months have to be stamped in the passport for what the holder has thirty (30) days after receiving the E-Visa.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 77, 78, 85 and 89.

Maximum length of application procedure for co-ethnics in months:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Maximum length of application procedure for co-ethnics:

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Maximum length of application procedure for domestic workers in months:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Maximum length of application procedure for domestic workers:

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Maximum length of application procedure for agricultural workers in months:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Maximum length of application procedure for agricultural workers:

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Maximum length of application procedure for medical doctors in months:

Answer: 0.3

Code: 0.3

Explanation: Under regular conditions it would take eight (8) days. Once all the documents and necessary information have been submitted, authorities have five (5) days to announce their decision. If further information from the applicant is needed, the term can be extended for up to thirty (30) days. When the application is approved, the authorities will issue the E-Visa within the three (3) following days after the decision was communicated. The E-Visa will be delivered via e-mail. Visas valid for longer than three (3) months have to be stamped in the passport for what the holder has thirty (30) days after receiving the E-Visa.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 77, 78, 85 and 89.

Maximum length of application procedure for medical doctors:

Answer: less than six months

Code: 1

Explanation: Under regular conditions it would take eight (8) days. Once all the documents and necessary information have been submitted, authorities have five (5) days to announce their decision. If further information from the applicant is needed, the term can be extended for up to thirty (30) days. When the application is approved, the authorities will issue the E-Visa within the three (3) following days after the decision was communicated. The E-Visa will be delivered via e-mail. Visas valid for longer than three (3) months have to be stamped in the passport for what the holder has thirty (30) days after receiving the E-Visa.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 77, 78, 85 and 89.

IMMIGRANT_11: Grounds for rejection.

Not fulfilling the original conditions that were required to access original permit is a ground for rejecting permanent residence application:

Answer: yes

Code: 1

Explanation: According to Art. 82 of the Resolution 6045 of 2017 a visa application can be denied because of the applicant not satisfying the required time, the application not fulfilling all the requirements, due to a discrepancy between the foreseen activities in the country and the visa type the individual applied to. Authorities can also reject an application and deny the issuance of a visa on the ground of their discretionary power.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 4 and 82.

IMMIGRANT_12: Legal guarantees.

Rejection of applications must be reasoned:

Answer: no

Code: 0

Explanation: There is no process to appeal nor to ask for a reasoned decision.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 82 and 84.

Rejected applicants have the right to appeal:

Answer: no

Code: 0

Explanation: There is no process to appeal nor to ask for a reasoned decision.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 82 and 84.

IMMIGRANT_13: Expulsion is precluded for victims of violence or crime.

Expulsion is precluded for immigrants of all categories who are victims of violence or crime:

Answer: yes

Code: 1

Explanation: For instance, the law foresees the protection of victims of human trafficking. When the victim is a foreigner, he/she will receive assistance and protection and Colombian authorities will get in contact with the consulate of the respective country to start the process of return. However, Colombian Migration will issue the necessary documents to regularize the migration status of the victim to exit the country. When the individual desires to remain in Colombia, the authorities will inform him/her of the process to apply for a visa.

Sources: Decreto 1069 [Decree 1069]. 2014. Art. 9. / Decreto 1067 [Decree 1067]. 2015. Art. 2.2.1.9.3.4.

5.2. Policies of representation

IMMIGRANT_14: Regulation of electoral rights.

Subnational electoral rights can be regulated at the subnational level:

Answer: no

Code: 0

Explanation: Subnational electoral rights are regulated at a national level by the Law 134 of 1994 (which dictates the mechanisms for civic participation), the Law 1070 of 2006 (which regulates the vote for foreign residents in Colombia) and the Statutory Law 1757 of 2015 (which lays down the provisions on the promotion and protection of the right to participatory democracy). Foreigners who have lived in Colombia for at least five (5) years, continuously, have a resident ID (Cédula de Extranjería de Residencia) and have registered themselves at the Electoral Registry (Registro Electoral) can participate in municipal and district elections.

Sources: Ley 134 [Law 134]. 1994. / Ley 1070 [Law 1070]. 2006. / Ley Estatutaria 1757 [Law 1757]. 2015.

5.2.1. Electoral rights

IMMIGRANT_15: Voting eligibility for non-citizens.

Does the country have presidential elections?

Answer: yes

Code: 1

Does the country have a bicameral system (composed of a lower house and an upper house)?

Answer: yes

Code: 1

Can non-citizen residents vote in national presidential elections?

Answer: generally disenfranchised

Code: 0

Explanation: According to Art. 116 of the Electoral Code only nationals including the ones living abroad can vote in the presidential elections.

Sources: Decreto 2241 [Decree 2241]. 1986. Art. 116.

Can non-citizen residents vote in national legislative elections (lower house)? :

Answer: generally disenfranchised

Code: 0

Explanation: According to Art. 40 of the Colombian Constitution only nationals can vote in the elections for the House of Representatives.

Sources: Constitución Política de Colombia [Political Constitution of Colombia]. 1991. Art. 40.

Can non-citizen residents vote in national legislative elections (upper house)? :

Answer: generally disenfranchised

Code: 0

Explanation: According to Art. 40 of the Colombian Constitution only nationals can vote in the senate elections.

Sources: Constitución Política de Colombia [Political Constitution of Colombia]. 1991. Art. 40.

IMMIGRANT_16: Residence duration-based requirements for active electoral rights.

Previous residence required for being eligible to vote in presidential elections:

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Previous residence required for being eligible to vote in lower house elections:

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Previous residence required for being eligible to vote in upper house elections:

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRANT_17: Registration in the electoral roll for non-citizen residents.

Registration in the electoral roll for non-citizen residents:

Answer: not applicable (non-citizen residents cannot vote)

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRANT_18: Passive electoral rights for non-citizen residents.

Can non-citizen residents stand as candidates in national presidential elections?

Answer: generally disenfranchised

Code: 0

Explanation: Art. 191 of the Colombian Constitution states that only Colombian born nationals, who are citizens and are at least 30 years old can be candidates for the presidency.

Sources: Constitución Política de Colombia [Political Constitution of Colombia]. 1991. Art. 191.

Can non-citizen residents stand as candidates in national legislative elections (lower house)?

Answer: generally disenfranchised

Code: 0

Explanation: Art. 177 of the Colombian Constitution states that only Colombian citizens who are at least 25 years old can be candidates for the House of Representatives.

Sources: Constitución Política de Colombia [Political Constitution of Colombia]. 1991. Art. 177.

Can non-citizen residents stand as candidates in national legislative elections (upper house)?

Answer generally disenfranchised

Code: 0

Explanation: Art. 172 of the Colombian Constitution states that only Colombian citizens who are at least 30 years old can become members of the Colombian Senate.

Sources: Constitución Política de Colombia [Political Constitution of Colombia]. 1991. Art. 172.

IMMIGRANT_19: Residence duration-based restrictions for passive electoral rights.

Previous residence required for being eligible to stand as candidate in presidential elections:

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Previous residence required for being eligible to stand as candidate in lower house elections:

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

5.2.2. Regulation of participation in parties

IMMIGRANT_20: Emigrant membership to home country political parties.

Non-citizen resident membership to state or reception political parties:

Answer: not regulated

Code: 0.25

Explanation: The Colombian law does not have a provision restricting non-nationals of becoming members of a political party, it is up to each party to decide.

Sources: Ley Estatutaria 1475 [Statutory Law 1475]. 2011. Art. 4.

5.2.3. Consultative bodies

IMMIGRANT_21: Existence of a consultative body of immigrants acting at the national level.

Existence of a consultative body on immigrant issues:

Answer: no

Code: 0

Explanation: There is no consultative body of immigrants at the national level responsible for advising government on policies that affect the immigrant community in Colombia.

Sources: Not applicable

IMMIGRANT_22: Structural or ad hoc consultation.

The consultation is:

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRANT_23: Composition of the consultative body.

Composition of the consultative body:

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRANT_24: Leadership of the consultative body.

Who chairs the consultative body?

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRANT_25: Right of initiative to make its own reports or recommendations.

The body has the right of initiative to make its own reports or recommendations, even when not consulted:

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRANT_26: Right to get a response from the government to recommendation.

Beyond consultation on policies affecting immigrants the body has the right to get a response from national authorities to its advice/recommendations:

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRANT_27: Selection criteria to ensure representativeness.

Existence of selection criteria to ensure a gender-balanced consultative body:

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Existence of selection criteria to ensure a geographic-balanced consultative body:

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

5.3. Economic policies

5.3.1. Access to labor market

IMMIGRANT_28: Migrant access to labor market.

Can asylum seekers access the labor market?

Answer: no

Code: 0

Explanation: In order to work asylum seekers would need a visa with a work permit. Yet while the law does not explicitly forbid SC-2 holder to perform a legal activity, the SC-1 explicitly does forbid it.

Sources: Decreto 1067 [Decree 1067]. 2015. Art. 2.2.1.11.4.9. / Consultation with Laura, Cera, Local coordinator of the legal assistance program for population with international protection needs in the University of the North in Barranquilla. 2019.

Can refugees access the labor market?

Answer: yes, equal access

Code: 1

Explanation: Under the constitutional principle of equality and non-discrimination, all foreigners are entitled to work and to seek an employment or profession of his/her choice. Occupations which do not require a qualification can be exercised without a restriction. Refugees with an M-Visa have an open work-permit allowing them to perform any legal activity in Colombia.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 20.

Can co-ethnics access the labor market?

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can domestic workers access the labor market?

Answer: yes, but under certain conditions

Code: 0.5

Explanation: Under the constitutional principle of equality and non-discrimination, all foreigners are entitled to work and to seek an employment or profession of his/her choice. Occupations which do not require a qualification can be performed without a restriction. However, recipients of the V-visa as temporary service providers can only work in the position and entity for which the visa was granted.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 13.

Can agricultural workers access the labor market?

Answer: yes, but under certain conditions

Code: 0.5

Explanation: Under the constitutional principle of equality and non-discrimination, all foreigners are entitled to work and to seek an employment or profession of his/her choice. Occupations which do not require a qualification can be performed without a restriction. However, recipients of the V-visa as temporary service providers can only work in the position and entity for which the visa was granted.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 13.

Can medical doctors access the labor market?

Answer: yes, but under certain conditions

Code: 0.5

Explanation: Under the constitutional principle of equality and non-discrimination, all foreigners are entitled to work and to seek an employment or profession of his/her choice. Occupations which do not require a qualification can be exercised without a restriction. Since medicine is a regulated profession, those who did their studies abroad have to be recognized by to competent authorities. M-visa employee recipients can only work in the position or profession and entity for which the visa was granted.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 13.

Can permanent residents access the labor market?

Answer: yes, equal access

Code: 1

Explanation: R-visa holders have an open work-permit allowing them to perform any legal activity in Colombia.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 23.

IMMIGRANT_29: Migrant access to self-employment.

Can asylum seekers access self-employment?

Answer: no

Code: 0

Explanation: In order to work asylum seekers would need a visa with a work permit. Yet while the law does not explicitly forbid SC-2 holder to perform a legal activity, the SC-1 explicitly does forbid it.

Sources: Decreto 1067 [Decree 1067]. 2015. Art. 2.2.1.11.4.9. / Consulation with Laura, Cera, Local coordinator of the legal assistance program for population with international protection needs in the University of the North in Barranquilla. 2019.

Can refugees access self-employment?

Answer: yes, but under certain conditions

Code: 0.5

Explanation: Under the constitutional principle of equality and non-discrimination, all foreigners are entitled to work and to seek an employment or profession of his/her choice. Occupations which do not require a qualification can be exercised without a restriction. Refugees with an M-Visa have an open work-permit allowing them to perform any legal activity in Colombia. Since 2018 all foreign workers have to be registered at the Single Registry of Foreign Workers in Colombia (El Registro Único de Trabajadores Extranjeros En Colombia - RUTEC).

Sources: Constitución Política de Colombia [Political Constitution of Colombia]. 1991. Art. 25, 26 and 100. / Resolución 6045 [Resolution 6045]. 2017. Art. 20. / Resolución 4386 [Resolution 4386]. 2018.

Can co-ethnics access self-employment?

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can domestic workers access self-employment?

Answer: no

Code: 0

Explanation: Recipients of the V-visa as temporary service providers can only work in the position and entity for which the visa was granted.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 13.

Can agricultural workers access self-employment?

Answer: no

Code: 0

Explanation: Recipients of the V-visa as temporary service providers can only work in the position and entity for which the visa was granted.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 13.

Can medical doctors access self-employment?

Answer: no

Code: 0

Explanation: M-visa employee recipients can only work in the position or profession and entity for which the visa was granted.

Sources: Resolución 4386 [Resolution 4386]. 2018. Art. 20.

Can permanent residents access self-employment?

Answer: yes, equal access

Code: 1

Explanation: Under the constitutional principle of equality and non-discrimination, all foreigners are entitled to work and to seek an employment or profession of his/her choice. Occupations which do not require a qualification can be exercised without a restriction. R-visa holders have an open work-permit allowing them to perform any legal activity in Colombia. Since 2018 all foreign workers have to be registered at the Single Registry of Foreign Workers in Colombia (El Registro Único de Trabajadores Extranjeros En Colombia - RUTEC). It is important to mention that when a foreigner changes occupation or employer, it has to be notified to the Ministry of Foreign Affairs.

Sources: Constitución Política de Colombia [Political Constitution of Colombia]. 1991. Art. 25, 26 and 100. / Resolución 6045 [Resolution 6045]. 2017. Art. 23. / Resolución 4386 [Resolution 4386]. 2018. / Decreto 1067 [Decree 1067]. 2015. Art. 2.2.1.13.1.

IMMIGRANT_30: Migrant access to civil service.

Can asylum seekers access employment in schools (primary and secondary)?

Answer: no

Code: 0

Explanation: In order to work asylum seekers would need a visa with a work permit. Yet while the law does not explicitly forbid SC-2 holder to perform a legal activity, the SC-1 explicitly does forbid it.

Sources: Decreto 1067 [Decree 1067]. 2015. Art. 2.2.1.11.4.9. / Consultation with Laura, Cera, Local coordinator of the legal assistance program for population with international protection needs in the University of the North in Barranquilla. 2019.

Can refugees access employment in schools (primary and secondary)?

Answer: yes, equal access

Code: 1

Explanation: There are no provisions in the main regulation (Decree 2277 of 1979) limiting the teaching positions to nationals. The law only lays down academic requirements for this profession.

Sources: Decreto 2277 [Decree 2277]. 1979. Art. 5.

Can co-ethnics access employment in schools (primary and secondary)?

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can domestic workers access employment in schools (primary and secondary)?

Answer: no

Code: 0

Explanation: Recipients of the V-visa as temporary service providers can only work in the position and entity for which the visa was granted.

Sources: Resolución 4386 [Resolution 4386]. 2018. Art. 20.

Can agricultural workers access employment in schools (primary and secondary)?

Answer: no

Code: 0

Explanation: Recipients of the V-visa as temporary service providers can only work in the position and entity for which the visa was granted.

Sources: Resolución 4386 [Resolution 4386]. 2018. Art. 20.

Can medical doctors access employment in schools (primary and secondary)?

Answer: yes, equal access

Code: 1

Explanation: There are no provisions in the main regulation (Decree 2277 of 1979) limiting the teaching positions to nationals. The law only lays down academic requirements for this profession.

Sources: Decreto 2277 [Decree 2277]. 1979. Art. 5.

Can permanent residents access employment in schools (primary and secondary)?

Answer: yes, equal access

Code: 1

Explanation: There are no provisions in the main regulation (Decree 2277 of 1979) limiting the teaching positions to nationals. The law only lays down academic requirements for this profession.

Sources: Decreto 2277 [Decree 2277]. 1979. Art. 5.

Can asylum seekers access employment in public administration?

Answer: no

Code: 0

Explanation: In order to work asylum seekers would need a visa with a work permit. Yet while the law does not explicitly forbid SC-2 holder to perform a legal activity, the SC-1 explicitly does forbid it.

Sources: Decreto 1067 [Decree 1067]. 2015. Art. 2.2.1.11.4.9. / Consultation with Laura, Cera, Local coordinator of the legal assistance program for population with international protection needs in the University of the North in Barranquilla. 2019.

Can refugees access employment in public administration?

Answer: yes, but under certain conditions

Code: 0.5

Explanation: Article 100 of the Political Constitution reserves for Colombian nationals the access to the performance of public functions and positions and article 99 to citizens when the positions carry authority or jurisdiction. In a further official legal compilation (Concepto 18211 del Depto. Administrativo de la Función Pública) a list of positions is compiled for which access is reserved to nationals; it includes high office positions (judges of the Constitutional Court, General Attorney, etc.) and all positions in the security apparatus of the state (both Police and Armed Forces). This means that as soon as an administrative position is high enough to carry executive authority and not only be purely administrative/operative, it is out of reach for non-nationals.

Sources: Constitución Política de Colombia [Political Constitution of Colombia]. 1991. Art. 100./ Función Pública. "Concepto 18511 de 2013 Departamento Administrativo de La Función Pública [Concept 18511 of 2013 Administrative Department of the Public Service]". Access date not available. <https://www.funcionpublica.gov.co/eva/gestornormativo/norma.php?i=62305>.

Can co-ethnics access employment in public administration?

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can domestic workers access employment in public administration?

Answer: no

Code: 0

Explanation: Recipients of the V-visa as temporary service providers can only work in the position and entity for which the visa was granted.

Sources: Resolución 4386 [Resolution 4386]. 2018. Art. 20.

Can agricultural workers access employment in public administration?

Answer: no

Code: 0

Explanation: Recipients of the V-visa as temporary service providers can only work in the position and entity for which the visa was granted.

Sources: Resolución 4386 [Resolution 4386]. 2018. Art. 20.

Can medical doctors access employment in public administration?

Answer: yes, but under certain conditions

Code: 0.5

Explanation: Article 100 of the Political Constitution reserves for Colombian nationals the access to the performance of public functions and positions and article 99 to citizens when the positions carry authority or jurisdiction. In a further official legal compilation (Concepto 18211 del Depto. Administrativo de la Función Pública) a list of positions is compiled for which access is reserved to nationals; it includes high office positions (judges of the Constitutional Court, General Attorney, etc.) and all positions in the security apparatus of the state (both Police and Armed Forces). This means that as soon as an administrative position is high enough to carry executive authority and not only be purely administrative/operative, it is out of reach for non-nationals.

Sources: Constitución Política de Colombia [Political Constitution of Colombia]. 1991. Art. 100. / Función Pública. "Concepto 18511 de 2013 Departamento Administrativo de La Función Pública [Concept 18511 of 2013 Administrative Department of the Public Service]". Access date not available. <https://www.funcionpublica.gov.co/eva/gestornormativo/norma.php?i=62305>.

Can permanent residents access employment in public administration?

Answer: yes, but under certain conditions

Code: 0.5

Explanation: Article 100 of the Political Constitution reserves for Colombian nationals the access to the performance of public functions and positions and article 99 to citizens when the positions carry authority or jurisdiction. In a further official legal compilation (Concepto 18211 del Depto. Administrativo de la Función Pública) a list of positions is compiled for which access is reserved to nationals; it includes high office positions (judges of the Constitutional Court, General Attorney, etc.) and all positions in the security apparatus of the state (both Police and Armed Forces). This means that as soon as an administrative position is high enough to carry executive authority and not only be purely administrative/operative, it is out of reach for non-nationals.

Sources: Constitución Política de Colombia [Political Constitution of Colombia]. 1991. Art. 100. / Función Pública. "Concepto 18511 de 2013 Departamento Administrativo de La Función Pública [Concept 18511 of 2013 Administrative Department of the Public Service]". Access date not available. <https://www.funcionpublica.gov.co/eva/gestornormativo/norma.php?i=62305>.

Can asylum seekers access employment in the police?

Answer: no

Code: 0

Explanation: In order to work asylum seekers would need a visa with a work permit. Yet while the law does not explicitly forbid SC-2 holder to perform a legal activity, the SC-1 explicitly does forbids it.

Sources: Decreto 1067 [Decree 1067]. 2015. Art. 2.2.1.11.4.9. / Consultation with Laura, Cera, Local coordinator of the legal assistance program for population with international protection needs in the University of the North in Barranquilla. 2019.

Can refugees access employment in the police?

Answer: not applicable

Code: Not applicable

Explanation: The enrollment in the police and in the armed forces is reserved for Colombian nationals.

Sources: Policía Nacional de Colombia. "Bachiller a Patrullero [Bachelor to Patrolman]". Accessed June 28, 2019. <https://www.policia.gov.co/incorporacion/nivel-ejecutivo/bachiller>.

Can co-ethnics access employment in the police?

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can domestic workers access employment in the police?

Answer: no

Code: 0

Explanation: Recipients of the V-visa as temporary service providers can only work in the position and entity for which the visa was granted.

Sources: Policía Nacional de Colombia. "Bachiller a Patrullero [Bachelor to Patrolman]". Accessed June 28, 2019. <https://www.policia.gov.co/incorporacion/nivel-ejecutivo/bachiller>.

Can agricultural workers access employment in the police?

Answer: no

Code: 0

Explanation: Recipients of the V-visa as temporary service providers can only work in the position and entity for which the visa was granted.

Sources: Policía Nacional de Colombia. "Bachiller a Patrullero [Bachelor to Patrolman]". Accessed June 28, 2019. <https://www.policia.gov.co/incorporacion/nivel-ejecutivo/bachiller>.

Can medical doctors access employment in the police?

Answer: no

Code: 0

Explanation: The enrollment in the police and in the armed forces is reserved for Colombian nationals.

Sources: Policía Nacional de Colombia. "Bachiller a Patrullero [Bachelor to Patrolman]". Accessed June 28, 2019. <https://www.policia.gov.co/incorporacion/nivel-ejecutivo/bachiller>.

Can permanent residents access employment in the police?

Answer: no

Code: 0

Explanation: The enrollment in the police and in the armed forces is reserved for Colombian nationals.

Sources: Policía Nacional de Colombia. "Bachiller a Patrullero [Bachelor to Patrolman]". Accessed June 28, 2019. <https://www.policia.gov.co/incorporacion/nivel-ejecutivo/bachiller>.

Quotas for preferential hiring of asylum seekers exist:

Answer: no

Code: 0

Explanation: No such provision found

Sources: Not applicable

Quotas for preferential hiring of refugees exist:

Answer: no

Code: 0

Explanation: No such provision found

Sources: Not applicable

Quotas for preferential hiring of co-ethnics exist:

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Quotas for preferential hiring of domestic workers exist:

Answer: no

Code: 0

Explanation: No such provision found

Sources: Not applicable

Quotas for preferential hiring of agricultural workers exist:

Answer: no

Code: 0

Explanation: No such provision found

Sources: Not applicable

Quotas for preferential hiring of medical doctors:

Answer: no

Code: 0

Explanation: No such provision found

Sources: Not applicable

Quotas for preferential hiring of permanent residents:

Answer: no

Code: 0

Explanation: No such provision found

Sources: Not applicable

Can asylum seekers access employment in the armed forces?

Answer: no

Code: 0

Explanation: In order to work asylum seekers would need a visa with a work permit. Yet while the law does not explicitly forbid SC-2 holder to perform a legal activity, the SC-1 explicitly does forbid it.

Sources: Decreto 1790 [Decree 1790]. 2000. Art. 33.

Can refugees access employment in the armed forces?

Answer: no

Code: 0

Explanation: The enrollment in the police and in the armed forces is reserved for Colombian nationals.

Sources: Decreto 1790 [Decree 1790]. 2000. Art. 33.

Can co-ethnics access employment in the armed forces?

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can domestic workers access employment in the armed forces?

Answer: no

Code: 0

Explanation: The enrollment in the police and in the armed forces is reserved for Colombian nationals.

Sources: Decreto 1790 [Decree 1790]. 2000. Art. 33.

Can agricultural workers access employment in the armed forces?

Answer: no

Code: 0

Explanation: The enrollment in the police and in the armed forces is reserved for Colombian nationals.

Sources: Decreto 1790 [Decree 1790]. 2000. Art. 33.

Can medical doctors access employment in the armed forces?

Answer: no

Code: 0

Explanation: The enrollment in the police and in the armed forces is reserved for Colombian nationals.

Sources: Decreto 1790 [Decree 1790]. 2000. Art. 33.

Can permanent residents access employment in the armed forces?

Answer: no

Code: 0

Explanation: The enrollment in the police and in the armed forces is reserved for Colombian nationals.

Sources: Decreto 1790 [Decree 1790]. 2000. Art. 33.

5.3.2. Access to support

IMMIGRANT_31: Public employment services.

Can asylum seekers access public employment services?

Answer: No

Code: 0

Explanation: In order to work asylum seekers would need a visa with a work permit. While the law does not explicitly forbid SC-2 holders to perform a legal activity, the SC-1 explicitly does forbid it. These permits leave asylum seekers in a grey area. While they cannot work during the time application is processed and there is no provision limiting the time this process can take, they still have to pay for their living costs, leading them to work in the informal sector of the economy.

Sources: Decreto 1067 [Decree 1067]. 2015. Art. 2.2.1.11.4.9. / Consultation with Laura, Cera, Local coordinator of the legal assistance program for population with international protection needs in the University of the North in Barranquilla. 2019. / Casa Editorial El Tiempo. "¿Cómo un venezolano tiene estatus migratorio regular en Colombia? [How does a Venezuelan have regular immigration status in Colombia?]" Accessed July 31, 2019. <https://www.eltiempo.com/mundo/venezuela/venezolanos-en-colombia-tramit...>

Can refugees access public employment services?

Answer: Yes, equal access

Code: 1

Explanation: Art. 3 of the Decree 5852 of 2013 establishes that the Public Employment Services must work under the principle of non-discrimination (explicitly mentioning non-discrimination based on race and nationality).

Sources: Decreto 5852 [Decree 5852]. 2013. Art. 3.

Can co-ethnics access public employment services?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can domestic workers access public employment services?

Answer: Yes, equal access

Code: 1

Explanation: Art. 3 of the Decree 5852 of 2013 establishes that the Public Employment Services must work under the principle of non-discrimination (explicitly mentioning non-discrimination based on race and nationality).

Sources: Decreto 5852 [Decree 5852]. 2013. Art. 3.

Can agricultural workers access public employment services?

Answer: Yes, equal access

Code: 1

Explanation: Art. 3 of the Decree 5852 of 2013 establishes that the Public Employment Services must work under the principle of non-discrimination (explicitly mentioning non-discrimination based on race and nationality).

Sources: Decreto 5852 [Decree 5852]. 2013. Art. 3.

Can medical doctors access public employment services?

Answer: Yes, equal access

Code: 1

Explanation: Art. 3 of the Decree 5852 of 2013 establishes that the Public Employment Services must work under the principle of non-discrimination (explicitly mentioning non-discrimination based on race and nationality).

Sources: Decreto 5852 [Decree 5852]. 2013. Art. 3.

Can permanent residents access public employment services?

Answer: Yes, equal access

Code: 1

Explanation: Art. 3 of the Decree 5852 of 2013 establishes that the Public Employment Services must work under the principle of non-discrimination (explicitly mentioning non-discrimination based on race and nationality).

Sources: Decreto 5852 [Decree 5852]. 2013. Art. 3.

IMMIGRANT_32: Recognition of qualifications.

Recognition of qualifications acquired abroad by asylum seekers:

Answer: Yes, same procedure as for nationals

Code: 1

Explanation: The National Ministry of Education is the entity responsible for the recognition of academic and professional qualifications acquired abroad. The process must be started by the individual. For higher education qualifications the process, which varies depending on the country and institution of expedition, can last between two (2) to four (4) months. The recognition of early childhood education qualifications only lasts fifteen (15) business days.

Sources: Ministerio de Educación Nacional de Colombia. "Validations". Accessed May 22, 2019. <https://www.mineduccion.gov.co/1759/w3-article-355508.html>. / Ministerio de Educación Nacional de Colombia. "Costo y Duración [Costo and Duration]". Accessed May 22, 2019. <https://www.mineduccion.gov.co/1759/w3-article-357008.html>. / Resolución 20797 [Resolution 20797]. 2017. / Resolucion 2020 [Resolution 2020]. 2017.

Recognition of qualifications acquired abroad by refugees:

Answer: Yes, same procedure as for nationals

Code: 1

Explanation: The National Ministry of Education is the entity responsible for the recognition of academic and professional qualifications acquired abroad. The process must be started by the individual. For higher education qualifications the process, which varies depending on the country and institution of expedition, can last between two (2) to four (4) months. The recognition of early childhood education qualifications only lasts fifteen (15) business days.

Sources: Ministerio de Educación Nacional de Colombia. "Validations". Accessed May 22, 2019. <https://www.mineduccion.gov.co/1759/w3-article-355508.html>. / Ministerio de Educación Nacional de Colombia. "Costo y Duración [Costo and Duration]". Accessed May 22, 2019. <https://www.mineduccion.gov.co/1759/w3-article-357008.html>. / Resolución 20797 [Resolution 20797]. 2017. / Resolucion 2020 [Resolution 2020]. 2017.

Recognition of qualifications acquired abroad by co-ethnics:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Recognition of qualifications acquired abroad by domestic workers:

Answer: Yes, same procedure as for nationals

Code: 1

Explanation: The National Ministry of Education is the entity responsible for the recognition of academic and professional qualifications acquired abroad. The process must be started by the individual. For higher education qualifications the process, which varies depending on the country and

institution of expedition, can last between two (2) to four (4) months. The recognition of early childhood education qualifications only lasts fifteen (15) business days.

Sources: Ministerio de Educación Nacional de Colombia. "Validations". Accessed May 22, 2019. <https://www.mineduccion.gov.co/1759/w3-article-355508.html>. / Ministerio de Educación Nacional de Colombia. "Costo y Duración [Costo and Duration]". Accessed May 22, 2019. <https://www.mineduccion.gov.co/1759/w3-article-357008.html>. / Resolución 20797 [Resolution 20797]. 2017. / Resolucion 2020 [Resolution 2020]. 2017.

Recognition of qualifications acquired abroad by agricultural workers:

Answer: Yes, same procedure as for nationals

Code: 1

Explanation: The National Ministry of Education is the entity responsible for the recognition of academic and professional qualifications acquired abroad. The process must be started by the individual. For higher education qualifications the process, which varies depending on the country and institution of expedition, can last between two (2) to four (4) months. The recognition of early childhood education qualifications only lasts fifteen (15) business days.

Sources: Ministerio de Educación Nacional de Colombia. "Validations". Accessed May 22, 2019. <https://www.mineduccion.gov.co/1759/w3-article-355508.html>. / Ministerio de Educación Nacional de Colombia. "Costo y Duración [Costo and Duration]". Accessed May 22, 2019. <https://www.mineduccion.gov.co/1759/w3-article-357008.html>. / Resolución 20797 [Resolution 20797]. 2017. / Resolucion 2020 [Resolution 2020]. 2017.

Recognition of qualifications acquired abroad by medical doctors:

Answer: Yes, same procedure as for nationals

Code: 1

Explanation: The National Ministry of Education is the entity responsible for the recognition of academic and professional qualifications acquired abroad. The process must be started by the individual. For higher education qualifications the process, which varies depending on the country and institution of expedition, can last between two (2) to four (4) months. The recognition of early childhood education qualifications only lasts fifteen (15) business days.

Sources: Ministerio de Educación Nacional de Colombia. "Validations". Accessed May 22, 2019. <https://www.mineduccion.gov.co/1759/w3-article-355508.html>. / Ministerio de Educación Nacional de Colombia. "Costo y Duración [Costo and Duration]". Accessed May 22, 2019. <https://www.mineduccion.gov.co/1759/w3-article-357008.html>. / Resolución 20797 [Resolution 20797]. 2017. / Resolucion 2020 [Resolution 2020]. 2017.

Recognition of qualifications acquired abroad by permanent residents:

Answer: Yes, same procedure as for nationals

Code: 1

Explanation: The National Ministry of Education is the entity responsible for the recognition of academic and professional qualifications acquired abroad. The process must be started by the individual. For higher education qualifications the process, which varies depending on the country and

institution of expedition, can last between two (2) to four (4) months. The recognition of early childhood education qualifications only lasts fifteen (15) business days.

Sources: Ministerio de Educación Nacional de Colombia. "Validations". Accessed May 22, 2019. <https://www.mineduacion.gov.co/1759/w3-article-355508.html>. / Ministerio de Educación Nacional de Colombia. "Costo y Duración [Costo and Duration]". Accessed May 22, 2019. <https://www.mineduacion.gov.co/1759/w3-article-357008.html>. / Resolución 20797 [Resolution 20797]. 2017. / Resolución 2020 [Resolution 2020]. 2017.

5.3.3. Worker's rights

IMMIGRANT_33: Membership in trade unions.

Can asylum seekers be members and participate in trade union associations and work-related negotiation bodies?

Answer: Yes, equal access

Code: 1

Explanation: Immigrant employees have the same rights as Colombian nationals to: a contract, a salary, be enrolled in the General Social Security System (Sistema General de Seguridad Social), which includes health care, pension and an occupational risks insurance, be enrolled in a family compensation fund, a payment of social benefits, holidays and a membership of an association and/or a trade union.

Sources: Código Sustantivo del Trabajo [Labour Code]. 1951. Art. 132, 186 and 353. / Ministerio de Trabajo, Migraciones y Seguridad Social. "Requisitos Para Trabajar en Colombia [Requirements to Work in Colombia]". Accessed June 21, 2019. "URL not available".

Can refugees be members and participate in trade union associations and work-related negotiation bodies?

Answer: Yes, equal access

Code: 1

Explanation: Immigrant employees have the same rights as Colombian nationals to: a contract, a salary, be enrolled in the General Social Security System (Sistema General de Seguridad Social), which includes health care, pension and an occupational risks insurance, be enrolled in a family compensation fund, a payment of social benefits, holidays and a membership of an association and/or a trade union.

Sources: Código Sustantivo del Trabajo [Labour Code]. 1951. Art. 132, 186 and 353. / Ministerio de Trabajo, Migraciones y Seguridad Social. "Requisitos Para Trabajar en Colombia [Requirements to Work in Colombia]". Accessed June 21, 2019. "URL not available".

Can co-ethnic be members and participate in trade union associations and work-related negotiation bodies?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can domestic workers be members and participate in trade union associations and work-related negotiation bodies?

Answer: Yes, equal access

Code: 1

Explanation: Immigrant employees have the same rights as Colombian nationals to: a contract, a salary, be enrolled in the General Social Security System (Sistema General de Seguridad Social), which includes health care, pension and an occupational risks insurance, be enrolled in a family compensation fund, a payment of social benefits, holidays and a membership of an association and/or a trade union.

Sources: Código Sustantivo del Trabajo [Labour Code]. 1951. Art. 132, 186 and 353. / Ministerio de Trabajo, Migraciones y Seguridad Social. "Requisitos Para Trabajar en Colombia [Requirements to Work in Colombia]". Accessed June 21, 2019. <https://www.mites.gob.es/es/mundo/consejerias/venezuela/trabajar/colomb...>

Can agricultural workers be members and participate in trade union associations and work-related negotiation bodies?

Answer: Yes, equal access

Code: 1

Explanation: Immigrant employees have the same rights as Colombian nationals to: a contract, a salary, be enrolled in the General Social Security System (Sistema General de Seguridad Social), which includes health care, pension and an occupational risks insurance, be enrolled in a family compensation fund, a payment of social benefits, holidays and a membership of an association and/or a trade union.

Sources: Código Sustantivo del Trabajo [Labour Code]. 1951. Art. 132, 186 and 353. / Ministerio de Trabajo, Migraciones y Seguridad Social. "Requisitos Para Trabajar en Colombia [Requirements to Work in Colombia]". Accessed June 21, 2019. "URL not available".

Can medical doctors be members and participate in trade union associations and work-related negotiation bodies?

Answer: Yes, equal access

Code: 1

Explanation: Immigrant employees have the same rights as Colombian nationals to: a contract, a salary, be enrolled in the General Social Security System (Sistema General de Seguridad Social), which includes health care, pension and an occupational risks insurance, be enrolled in a family

compensation fund, a payment of social benefits, holidays and a membership of an association and/or a trade union.

Sources: Código Sustantivo del Trabajo [Labour Code]. 1951. Art. 132, 186 and 353. / Ministerio de Trabajo, Migraciones y Seguridad Social. "Requisitos Para Trabajar en Colombia [Requirements to Work in Colombia]". Accessed June 21, 2019. "URL not available".

Can permanent residents be members and participate in trade union associations and work-related negotiation bodies?

Answer: Yes, equal access

Code: 1

Explanation: Immigrant employees have the same rights as Colombian nationals to: a contract, a salary, be enrolled in the General Social Security System (Sistema General de Seguridad Social), which includes health care, pension and an occupational risks insurance, be enrolled in a family compensation fund, a payment of social benefits, holidays and a membership of an association and/or a trade union.

Sources: Código Sustantivo del Trabajo [Labour Code]. 1951. Art. 132, 186 and 353. / Ministerio de Trabajo, Migraciones y Seguridad Social. "Requisitos Para Trabajar en Colombia [Requirements to Work in Colombia]". Accessed June 21, 2019. "URL not available".

IMMIGRANT_34: Job transferability.

Can asylum seekers change their employer without risking their immigration status?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can refugees change their employer without risking their immigration status?

Answer: Yes, but under certain conditions

Code: 0.5

Explanation: Holders of the M-visa as refugees can exercise any legal activity in Colombia. However, they still have to submit the application at Migration Colombia.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 20. / Resolución 1238 [Resolution 1238]. 2018. Art. 24.

Can co-ethnics change their employer without risking their immigration status?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can domestic workers change their employer without risking their immigration status?

Answer: Yes, but under certain conditions

Code: 0.5

Explanation: Although the law states that holders of the V-Visa will risk losing their visa if the conditions under which the visa was granted change, migrants under this proxy can change employers. In order to change employers (as well as if he/she wants to change professions), the employee has to submit an application at Migration Colombia. In the scenario that this is not done, the individual will have to pay a fine.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 63. / Resolución 1238 [Resolution 1238]. 2018. Art. 24.

Can agricultural workers change their employer without risking their immigration status?

Answer: Yes, but under certain conditions

Code: 0.5

Explanation: Although the law states that holders of the V-Visa will risk losing their visa if the conditions under which the visa was granted change, migrants under this proxy can change employers. In order to change employers (as well as if he/she wants to change professions), the employee has to submit an application at Migration Colombia. In the scenario that this is not done, the individual will have to pay a fine.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 63. / Resolución 1238 [Resolution 1238]. 2018. Art. 24.

Can medical doctors change their employer without risking their immigration status?

Answer: Yes, but under certain conditions

Code: 0.5

Explanation: Although the law states that holders of the V-Visa will risk losing their visa if the conditions under which the visa was granted change, migrants under this proxy can change employers. In order to change employers (as well as if he/she wants to change professions), the employee has to submit an application at Migration Colombia. In the scenario that this is not done, the individual will have to pay a fine.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 63. / Resolución 1238 [Resolution 1238]. 2018. Art. 24.

Can permanent residents change their employer without risking their immigration status?

Answer: Yes, but under certain conditions

Code: 0.5

Explanation: Residents can exercise any legal activity in Colombia, however they still have to submit the application at Migration Colombia.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 63. / Resolución 1238 [Resolution 1238]. 2018. Art. 24.

IMMIGRANT_35: Right to redress.

Do asylum seekers have the right to redress if the terms of their employment contracts have been violated?

Answer: Yes, without restrictions

Code: 1

Explanation: Yes, all employees have the following rights to redress. 1. Any serious breach of contract may justify the one-sided termination of the contract (Art. 62 & 64 of the Labour Code). In case the contract is terminated under these conditions the worker will still receive indemnities. 2. Claim payment to employers, which is a claim of the liquidation of social benefits when they have not been paid to the worker and also a claim for the payment of the corresponding indemnities (Art. 54 -Art.60 of the Labour Code). 3. Right of Petition: everyone has the right to exercise its right to submit a petition to guarantee his/her fundamental rights. Through this right, all workers can make claims. 4. A Guardianship Action is a legal mechanism foreseen by the Political Constitution to protect every person's rights.

Sources: Código Sustantivo del Trabajo [Labour Code]. 1951. Art. 54, 60 and 62. / Ley 1437 [Law 1437]. 2011. Art. 32. / Constitución Política de Colombia [Political Constitution of Colombia]. 1991. Art. 86. / Centro de Atención Laboral. "Acciones de Tutela [Guardianship Actions]". Accessed July 5, 2019. "URL not available".

Do refugees have the right to redress if the terms of their employment contracts have been violated?

Answer: Yes, without restrictions

Code: 1

Explanation: Yes, all employees have the following rights to redress. 1. Any serious breach of contract may justify the one-sided termination of the contract (Art. 62 & 64 of the Labour Code). In case the contract is terminated under these conditions the worker will still receive indemnities. 2. Claim payment to employers, which is a claim of the liquidation of social benefits when they have not been paid to the worker and also a claim for the payment of the corresponding indemnities (Art. 54 -Art.60 of the Labour Code). 3. Right of Petition: everyone has the right to exercise its right to submit a petition to guarantee his/her fundamental rights. Through this right, all workers can make claims. 4. A Guardianship Action is a legal mechanism foreseen by the Political Constitution to protect every person's rights.

Sources: Código Sustantivo del Trabajo [Labour Code]. 1951. Art. 54, 60 and 62. / Ley 1437 [Law 1437]. 2011. Art. 32. / Constitución Política de Colombia [Political Constitution of Colombia]. 1991. Art.

86. / Centro de Atención Laboral. "Acciones de Tutela [Guardianship Actions]". Accessed July 5, 2019. "URL not available".

Do co-ethnics have the right to redress if the terms of their employment contracts have been violated?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do domestic workers have the right to redress if the terms of their employment contracts have been violated?

Answer: Yes, without restrictions

Code: 1

Explanation: Yes, all employees have the following rights to redress. 1. Any serious breach of contract may justify the one-sided termination of the contract (Art. 62 & 64 of the Labour Code). In case the contract is terminated under these conditions the worker will still receive indemnities. 2. Claim payment to employers, which is a claim of the liquidation of social benefits when they have not been paid to the worker and also a claim for the payment of the corresponding indemnities (Art. 54 -Art.60 of the Labour Code). 3. Right of Petition: everyone has the right to exercise its right to submit a petition to guarantee his/her fundamental rights. Through this right, all workers can make claims. 4. A Guardianship Action is a legal mechanism foreseen by the Political Constitution to protect every person's rights.

Sources: Código Sustantivo del Trabajo [Labour Code]. 1951. Art. 54, 60 and 62. / Ley 1437 [Law 1437]. 2011. Art. 32. / Constitución Política de Colombia [Political Constitution of Colombia]. 1991. Art. 86. / Centro de Atención Laboral. "Acciones de Tutela [Guardianship Actions]". Accessed July 5, 2019. "URL not available".

Do agricultural workers have the right to redress if the terms of their employment contracts have been violated?

Answer: Yes, without restrictions

Code: 1

Explanation: Yes, all employees have the following rights to redress. 1. Any serious breach of contract may justify the one-sided termination of the contract (Art. 62 & 64 of the Labour Code). In case the contract is terminated under these conditions the worker will still receive indemnities. 2. Claim payment to employers, which is a claim of the liquidation of social benefits when they have not been paid to the worker and also a claim for the payment of the corresponding indemnities (Art. 54 -Art.60 of the Labour Code). 3. Right of Petition: everyone has the right to exercise its right to submit a petition to guarantee his/her fundamental rights. Through this right, all workers can make claims. 4. A Guardianship Action is a legal mechanism foreseen by the Political Constitution to protect every person's rights.

Sources: Código Sustantivo del Trabajo [Labour Code]. 1951. Art. 54, 60 and 62. / Ley 1437 [Law 1437]. 2011. Art. 32. / Constitución Política de Colombia [Political Constitution of Colombia]. 1991. Art. 86. / Centro de Atención Laboral. "Acciones de Tutela [Guardianship Actions]". Accessed July 5, 2019. "URL not available".

Do medical doctors have the right to redress if the terms of their employment contracts have been violated?

Answer: Yes, without restrictions

Code: 1

Explanation: Yes, all employees have the following rights to redress. 1. Any serious breach of contract may justify the one-sided termination of the contract (Art. 62 & 64 of the Labour Code). In case the contract is terminated under these conditions the worker will still receive indemnities. 2. Claim payment to employers, which is a claim of the liquidation of social benefits when they have not been paid to the worker and also a claim for the payment of the corresponding indemnities (Art. 54 -Art.60 of the Labour Code). 3. Right of Petition: everyone has the right to exercise its right to submit a petition to guarantee his/her fundamental rights. Through this right, all workers can make claims. 4. A Guardianship Action is a legal mechanism foreseen by the Political Constitution to protect every person's rights.

Sources: Código Sustantivo del Trabajo [Labour Code]. 1951. Art. 54, 60 and 62. / Ley 1437 [Law 1437]. 2011. Art. 32. / Constitución Política de Colombia [Political Constitution of Colombia]. 1991. Art. 86. / Centro de Atención Laboral. "Acciones de Tutela [Guardianship Actions]". Accessed July 5, 2019. "URL not available".

Do permanent residents have the right to redress if the terms of their employment contracts have been violated?

Answer: Yes, without restrictions

Code: 1

Explanation: Yes, all employees have the following rights to redress. 1. Any serious breach of contract may justify the one-sided termination of the contract (Art. 62 & 64 of the Labour Code). In case the contract is terminated under these conditions the worker will still receive indemnities. 2. Claim payment to employers, which is a claim of the liquidation of social benefits when they have not been paid to the worker and also a claim for the payment of the corresponding indemnities (Art. 54 -Art.60 of the Labour Code). 3. Right of Petition: everyone has the right to exercise its right to submit a petition to guarantee his/her fundamental rights. Through this right, all workers can make claims. 4. A Guardianship Action is a legal mechanism foreseen by the Political Constitution to protect every person's rights.

Sources: Código Sustantivo del Trabajo [Labour Code]. 1951. Art. 54, 60 and 62. / Ley 1437 [Law 1437]. 2011. Art. 32. / Constitución Política de Colombia [Political Constitution of Colombia]. 1991. Art. 86. / Centro de Atención Laboral. "Acciones de Tutela [Guardianship Actions]". Accessed July 5, 2019. "URL not available".

5.3.4. Property rights

IMMIGRANT_36: Property rights.

Can asylum seekers acquire property in the state of reception?

Answer: Yes, without restrictions

Code: 1

Explanation: Art. 58 of the Constitution of 1991 guarantees the right to acquire private property. This right cannot be amended by any other law. Under the constitutional principle of equality and non-discrimination all foreigners enjoy the same civil rights as Colombians and have therefore the right to acquire property. Furthermore, there are no provisions in the main regulation banning asylum seekers of acquiring a property because of their migration status.

Sources: Constitución Política de Colombia [Political Constitution of Colombia]. 1991. Art. 58 and 100. / Decreto 1067 [Decree 1067]. 2015. Art. 2.2.1.11.4.9.

Can refugees acquire property in the state of reception?

Answer: Yes, without restrictions

Code: 1

Explanation: Art. 58 of the Constitution of 1991 guarantees the right to acquire private property. This right cannot be amended by any other law. Under the constitutional principle of equality and non-discrimination all foreigners enjoy the same civil rights as Colombians and have therefore the right to acquire property. Furthermore, there are no provisions in the main regulation banning asylum seekers of acquiring a property because of their migration status.

Sources: Constitución Política de Colombia [Political Constitution of Colombia]. 1991. Art. 58 and 100. / Decreto 1067 [Decree 1067]. 2015. Art. 2.2.1.11.4.9.

Can co-ethnics acquire property in the state of reception?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can domestic workers acquire property in the state of reception?

Answer: Yes, without restrictions

Code: 1

Explanation: Art. 58 of the Constitution of 1991 guarantees the right to acquire private property. This right cannot be amended by any other law. Under the constitutional principle of equality and non-discrimination all foreigners enjoy the same civil rights as Colombians and have therefore the right to acquire property. Furthermore, there are no provisions in the main regulation banning asylum seekers of acquiring a property because of their migration status.

Sources: Constitución Política de Colombia [Political Constitution of Colombia]. 1991. Art. 58 and 100. / Decreto 1067 [Decree 1067]. 2015. Art. 2.2.1.11.4.9.

Can agricultural workers acquire property in the state of reception?

Answer: Yes, without restrictions

Code: 1

Explanation: Art. 58 of the Constitution of 1991 guarantees the right to acquire private property. This right cannot be amended by any other law. Under the constitutional principle of equality and non-discrimination all foreigners enjoy the same civil rights as Colombians and have therefore the right to acquire property. Furthermore, there are no provisions in the main regulation banning asylum seekers of acquiring a property because of their migration status.

Sources: Constitución Política de Colombia [Political Constitution of Colombia]. 1991. Art. 58 and 100. / Decreto 1067 [Decree 1067]. 2015. Art. 2.2.1.11.4.9.

Can medical doctors acquire property in the state of reception?

Answer: Yes, without restrictions

Code: 1

Explanation: Art. 58 of the Constitution of 1991 guarantees the right to acquire private property. This right cannot be amended by any other law. Under the constitutional principle of equality and non-discrimination all foreigners enjoy the same civil rights as Colombians and have therefore the right to acquire property. Furthermore, there are no provisions in the main regulation banning asylum seekers of acquiring a property because of their migration status.

Sources: Constitución Política de Colombia [Political Constitution of Colombia]. 1991. Art. 58 and 100. / Decreto 1067 [Decree 1067]. 2015. Art. 2.2.1.11.4.9.

Can permanent residents acquire property in the state of reception?

Answer: Yes, without restrictions

Code: 1

Explanation: Art. 58 of the Constitution of 1991 guarantees the right to acquire private property. This right cannot be amended by any other law. Under the constitutional principle of equality and non-discrimination all foreigners enjoy the same civil rights as Colombians and have therefore the right to acquire property. Furthermore, there are no provisions in the main regulation banning asylum seekers of acquiring a property because of their migration status.

Sources: Constitución Política de Colombia [Political Constitution of Colombia]. 1991. Art. 58 and 100. / Decreto 1067 [Decree 1067]. 2015. Art. 2.2.1.11.4.9.

5.4. Social policies

5.4.1. Family reunification

Can asylum seekers bring their families to their country of residence?

Answer: no

Code: 0

Explanation: Asylum seekers can only apply for family reunification once the refugee status has been granted.

Sources: Decreto 1067 [Decree 1067]. 2015. Art. 2.2.3.1.6.13.

Can refugees bring their families to their country of residence?

Answer: yes

Code: 1

Explanation: Under the principle of family unity, once the refugee status is granted, the holder of the refugee status can submit the application for his/her spouse/couple, under age children, children over the age of 25 who are economically dependent of the holder, children with disabilities, stepchildren under the conditions named above.

Sources: Decreto 1067 [Decree 1067]. 2015. Art. 2.2.3.1.6.13.

Can co-ethnics bring their families to their country of residence?

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can domestic workers bring their families to their country of residence?

Answer: yes

Code: 1

Explanation: Those applying as beneficiaries of a visa V holder providing services in Colombia only have to show the visa of their sponsor, a proof of relationship or marriage and an application letter. Those considered as beneficiaries are: spouse/couple, under age children, children over the age of 25 who are economically dependent due to a disability, parents who are economically dependent.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 26 and 58.

Can agricultural workers bring their families to their country of residence?

Answer: yes

Code: 1

Explanation: Those applying as beneficiaries of a visa V holder providing services in Colombia only have to show the visa of their sponsor, a proof of relationship or marriage and an application letter. Those considered as beneficiaries are: spouse/couple, under age children, children over the age of 25 who are economically dependent due to a disability, parents who are economically dependent.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 26 and 58.

Can medical doctors bring their families to their country of residence?

Answer: yes

Code: 1

Explanation: Those applying as beneficiaries of a visa V holder providing services in Colombia only have to show the visa of their sponsor, a proof of relationship or marriage and an application letter. Those considered as beneficiaries are: spouse/couple, under age children, children over the age of 25 who are economically dependent due to a disability, parents who are economically dependent.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 26 and 58.

Can permanent residents bring their families to their country of residence?

Answer: yes

Code: 1

Explanation: Those applying as beneficiaries of a visa R holder only have to show the visa of their sponsor, a proof of relationship or marriage and an application letter. Those considered as beneficiaries are: spouse/couple, under age children, children over the age of 25 who are economically dependent due to a disability, parents who are economically dependent.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 26 and 58.

Eligibility

IMMIGRANT_37: Resident requirement for ordinary legal residents.

Residence requirement for ordinary legal residents (asylum seekers). In months:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Residence requirement for ordinary legal residents (asylum seekers):

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Residence requirement for ordinary legal residents (refugees). In months:

Answer: 0

Code: 0

Explanation: Under the principle of family unity, once the refugee status is granted, the holder of the refugee status can submit the application for his/her spouse/couple, under age children, children over the age of 25 who are economically dependent of the holder, children with disabilities, and stepchildren.

Sources: Decreto 1067 [Decree 1067]. 2015. Art. 2.2.3.1.6.13.

Residence requirement for ordinary legal residents (refugees):

Answer: no residence requirement

Code: 1

Explanation: Under the principle of family unity, once the refugee status is granted, the holder of the refugee status can submit the application for his/her spouse/couple, under age children, children over the age of 25 who are economically dependent of the holder, children with disabilities, and stepchildren.

Sources: Decreto 1067 [Decree 1067]. 2015. Art. 2.2.3.1.6.13.

Residence requirement for ordinary legal residents (co-ethnics). In months:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Residence requirement for ordinary legal residents (co-ethnics):

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Residence requirement for ordinary legal residents (domestic workers). In months:

Answer: 0

Code: 0

Explanation: There is no residence requirement to apply for a beneficiary visa. Those applying as beneficiaries of a visa V holder providing services in Colombia only have to show the visa of their sponsor, a proof of relationship or marriage and an application letter.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 26 and 58.

Residence requirement for ordinary legal residents (domestic workers):

Answer: no residence requirement

Code: 1

Explanation: There is no residence requirement to apply for a beneficiary visa. Those applying as beneficiaries of a visa V holder providing services in Colombia only have to show the visa of their sponsor, a proof of relationship or marriage and an application letter.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 26 and 58.

Residence requirement for ordinary legal residents (agricultural workers). In months:

Answer: 0

Code: 0

Explanation: There is no residence requirement to apply for a beneficiary visa. Those applying as beneficiaries of a visa V holder providing services in Colombia only have to show the visa of their sponsor, a proof of relationship or marriage and an application letter.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 26 and 58.

Residence requirement for ordinary legal residents (agricultural workers):

Answer: no residence requirement

Code: 1

Explanation: There is no residence requirement to apply for a beneficiary visa. Those applying as beneficiaries of a visa V holder providing services in Colombia only have to show the visa of their sponsor, a proof of relationship or marriage and an application letter.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 26 and 58.

Residence requirement for ordinary legal residents (medical doctors). In months:

Answer: 0

Code: 0

Explanation: There is no residence requirement to apply for a beneficiary visa. Those applying as beneficiaries of a visa V holder providing services in Colombia only have to show the visa of their sponsor, a proof of relationship or marriage and an application letter.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 26 and 58.

Residence requirement for ordinary legal residents (medical doctors):

Answer: no residence requirement

Code: 1

Explanation: There is no residence requirement to apply for a beneficiary visa. Those applying as beneficiaries of a visa V holder providing services in Colombia only have to show the visa of their sponsor, a proof of relationship or marriage and an application letter.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 26 and 58.

Residence requirement for ordinary legal residents (permanent residents). In months:

Answer: 0

Code: 0

Explanation: There is no residence requirement to apply for a beneficiary visa. Those applying as beneficiaries of a visa R holder only have to show the visa of their sponsor, a proof of relationship or marriage and an application letter.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 26 and 58.

Residence requirement for ordinary legal residents (permanent residents):

Answer: no residence requirement

Code: 1

Explanation: There is no residence requirement to apply for a beneficiary visa. Those applying as beneficiaries of a visa R holder only have to show the visa of their sponsor, a proof of relationship or marriage and an application letter.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 26 and 58.

IMMIGRANT_38: Family members considered for reunification.

Family member eligible for reunification (asylum seekers): Spouse.

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Family member eligible for reunification (asylum seekers): Partner in a civil union or long-term relationship.

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Family member eligible for reunification (asylum seekers): Children.

Answer: not applicable

Code: Not applicable

Explanation:

Sources:

Family member eligible for reunification (asylum seekers): Parents.

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Family member eligible for reunification (asylum seekers): Grandparents.

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Family member eligible for reunification (refugees): Spouse.

Answer: yes

Code: 1

Explanation: Refugees can reunite: spouse/couple, under age children, children over the age of 25 who are economically dependent of the holder, children with disabilities, and stepchildren.

Sources: Decreto 1067 [Decree 1067]. 2015. Art. 2.2.3.1.6.13.

Family member eligible for reunification (refugees): Partner in a civil union or long-term relationship.

Answer: yes

Code: 1

Explanation: Refugees can reunite: spouse/couple, under age children, children over the age of 25 who are economically dependent of the holder, children with disabilities, and stepchildren.

Sources: Decreto 1067 [Decree 1067]. 2015. Art. 2.2.3.1.6.13.

Family member eligible for reunification (refugees): Children.

Answer: yes

Code: 1

Explanation: Refugees can reunite: spouse/couple, under age children, children over the age of 25 who are economically dependent of the holder, children with disabilities, and stepchildren.

Sources: Decreto 1067 [Decree 1067]. 2015. Art. 2.2.3.1.6.13.

Family member eligible for reunification (refugees): Parents.

Answer: no

Code: 0

Explanation: Refugees can reunite: spouse/couple, under age children, children over the age of 25 who are economically dependent of the holder, children with disabilities, and stepchildren.

Sources: Decreto 1067 [Decree 1067]. 2015. Art. 2.2.3.1.6.13.

Family member eligible for reunification (refugees): Grandparents.

Answer: no

Code: 0

Explanation: Refugees can reunite: spouse/couple, under age children, children over the age of 25 who are economically dependent of the holder, children with disabilities and stepchildren.

Sources: Decreto 1067 [Decree 1067]. 2015. Art. 2.2.3.1.6.13.

Family member eligible for reunification (co-ethnics): Spouse.

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Family member eligible for reunification (co-ethnics): Partner in a civil union or long-term relationship.

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Family member eligible for reunification (co-ethnics): Children.

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Family member eligible for reunification (co-ethnics): Parents.

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Family member eligible for reunification (co-ethnics): Grandparents.

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Family member eligible for reunification (domestic workers): Spouse.

Answer: yes

Code: 1

Explanation: Those considered as beneficiaries are: spouse/couple, under age children, children over the age of 25 who are economically dependent due to a disability, parents who are economically dependent.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 26 and 58.

Family member eligible for reunification (domestic workers): Partner in a civil union or long-term relationship.

Answer: yes

Code: 1

Explanation: Those considered as beneficiaries are: spouse/couple, under age children, children over the age of 25 who are economically dependent due to a disability, parents who are economically dependent.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 26 and 58.

Family member eligible for reunification (domestic workers): Children.

Answer: yes

Code: 1

Explanation: Those considered as beneficiaries are: spouse/couple, under age children, children over the age of 25 who are economically dependent due to a disability, parents who are economically dependent.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 26 and 58.

Family member eligible for reunification (domestic workers): Parents.

Answer: yes

Code: 1

Explanation: Those considered as beneficiaries are: spouse/couple, under age children, children over the age of 25 who are economically dependent due to a disability, parents who are economically dependent.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 26 and 58.

Family member eligible for reunification (domestic workers): Grandparents.

Answer: no

Code: 0

Explanation: Those considered as beneficiaries are: spouse/couple, under age children, children over the age of 25 who are economically dependent due to a disability, parents who are economically dependent.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 26 and 58.

Family member eligible for reunification (agricultural workers): Spouse.

Answer: yes

Code: 1

Explanation: Those considered as beneficiaries are: spouse/couple, under age children, children over the age of 25 who are economically dependent due to a disability, parents who are economically dependent.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 26 and 58.

Family member eligible for reunification (agricultural workers): Partner in a civil union or long-term relationship.

Answer: yes

Code: 1

Explanation: Those considered as beneficiaries are: spouse/couple, under age children, children over the age of 25 who are economically dependent due to a disability, parents who are economically dependent.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 26 and 58.

Family member eligible for reunification (agricultural workers): Children.

Answer: yes

Code: 1

Explanation: Those considered as beneficiaries are: spouse/couple, under age children, children over the age of 25 who are economically dependent due to a disability, parents who are economically dependent.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 26 and 58.

Family member eligible for reunification (agricultural workers): Parents.

Answer: yes

Code: 1

Explanation: Those considered as beneficiaries are: spouse/couple, under age children, children over the age of 25 who are economically dependent due to a disability, parents who are economically dependent.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 26 and 58.

Family member eligible for reunification (agricultural workers): Grandparents.

Answer: no

Code: 0

Explanation: Those considered as beneficiaries are: spouse/couple, under age children, children over the age of 25 who are economically dependent due to a disability, parents who are economically dependent.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 26 and 58.

Family member eligible for reunification (medical doctors): Spouse.

Answer: yes

Code: 1

Explanation: Those considered as beneficiaries are: spouse/couple, under age children, children over the age of 25 who are economically dependent due to a disability, parents who are economically dependent.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 26 and 58.

Family member eligible for reunification (medical doctors): Partner in a civil union or long-term relationship.

Answer: yes

Code: 1

Explanation: Those considered as beneficiaries are: spouse/couple, under age children, children over the age of 25 who are economically dependent due to a disability, parents who are economically dependent.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 26 and 58.

Family member eligible for reunification (medical doctors): Children.

Answer: yes

Code: 1

Explanation: Those considered as beneficiaries are: spouse/couple, under age children, children over the age of 25 who are economically dependent due to a disability, parents who are economically dependent.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 26 and 58.

Family member eligible for reunification (medical doctors): Parents.

Answer: yes

Code: 1

Explanation: Those considered as beneficiaries are: spouse/couple, under age children, children over the age of 25 who are economically dependent due to a disability, parents who are economically dependent.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 26 and 58.

Family member eligible for reunification (medical doctors): Grandparents.

Answer: no

Code: 0

Explanation: Those considered as beneficiaries are: spouse/couple, under age children, children over the age of 25 who are economically dependent due to a disability, parents who are economically dependent.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 26 and 58.

Family member eligible for reunification (permanent residents): Spouse.

Answer: yes

Code: 1

Explanation: Those considered as beneficiaries are: spouse/couple, under age children, children over the age of 25 who are economically dependent due to a disability, parents who are economically dependent.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 26 and 58.

Family member eligible for reunification (permanent residents): Partner in a civil union or long-term relationship.

Answer: yes

Code: 1

Explanation: Those considered as beneficiaries are: spouse/couple, under age children, children over the age of 25 who are economically dependent due to a disability, parents who are economically dependent.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 26 and 58.

Family member eligible for reunification (permanent residents): Children.

Answer: yes

Code: 1

Explanation: Those considered as beneficiaries are: spouse/couple, under age children, children over the age of 25 who are economically dependent due to a disability, parents who are economically dependent.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 26 and 58.

Family member eligible for reunification (permanent residents): Parents.

Answer: yes

Code: 1

Explanation: Those considered as beneficiaries are: spouse/couple, under age children, children over the age of 25 who are economically dependent due to a disability, parents who are economically dependent.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 26 and 58.

Family member eligible for reunification (permanent residents): Grandparents.

Answer: no

Code: 0

Explanation: Those considered as beneficiaries are: spouse/couple, under age children, children over the age of 25 who are economically dependent due to a disability, parents who are economically dependent.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 26 and 58.

Security of status

IMMIGRANT_39: Length of application procedure.

Length of application procedure in months (asylum seekers).

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Length of application procedure (asylum seekers).

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Length of application procedure in months (refugees).

Answer: 0.02

Code: 0.02

Explanation: Once the applicant has paid the fees (for which he/she has 15 days), the authorities can take up to 5 days to make a decision. In case they need further information to study the application they can take up to 30 days.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 77 and 78.

Length of application procedure (refugees).

Answer: less or equal six months defined by law

Code: 1

Explanation: Once the applicant has paid the fees (for which he/she has 15 days), the authorities can take up to 5 days to make a decision. In case they need further information to study the application they can take up to 30 days.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 77 and 78.

Length of application procedure in months (co-ethnics).

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Length of application procedure (co-ethnics).

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Length of application procedure in months (domestic workers).

Answer: 0.02

Code: 0.02

Explanation: Once the applicant has paid the fees (for which he/she has 15 days), the authorities can take up to 5 days to make a decision. In case they need further information to study the application they can take up to 30 days.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 77 and 78.

Length of application procedure (domestic workers).

Answer: less or equal six months defined by law

Code: 1

Explanation: Once the applicant has paid the fees (for which he/she has 15 days), the authorities can take up to 5 days to make a decision. In case they need further information to study the application they can take up to 30 days.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 77 and 78.

Length of application procedure in months (agricultural workers).

Answer: 0.02

Code: 0.02

Explanation: Once the applicant has paid the fees (for which he/she has 15 days), the authorities can take up to 5 days to make a decision. In case they need further information to study the application they can take up to 30 days.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 77 and 78.

Length of application procedure (agricultural workers).

Answer: less or equal six months defined by law

Code: 1

Explanation: Once the applicant has paid the fees (for which he/she has 15 days), the authorities can take up to 5 days to make a decision. In case they need further information to study the application they can take up to 30 days.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 77 and 78.

Length of application procedure in months (medical doctors).

Answer: 0.02

Code: 0.02

Explanation: Once the applicant has paid the fees (for which he/she has 15 days), the authorities can take up to 5 days to make a decision. In case they need further information to study the application they can take up to 30 days.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 77 and 78.

Length of application procedure (medical doctors).

Answer: less or equal six months defined by law

Code: 1

Explanation: Once the applicant has paid the fees (for which he/she has 15 days), the authorities can take up to 5 days to make a decision. In case they need further information to study the application they can take up to 30 days.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 77 and 78.

Length of application procedure in months (permanent residents).

Answer: 0.02

Code: 0.02

Explanation: Once the applicant has paid the fees (for which he/she has 15 days), the authorities can take up to 5 days to make a decision. In case they need further information to study the application they can take up to 30 days.

Sources: Not applicable

Length of application procedure (permanent residents).

Answer: less or equal six months defined by law

Code: 1

Explanation: Once the applicant has paid the fees (for which he/she has 15 days), the authorities can take up to 5 days to make a decision. In case they need further information to study the application they can take up to 30 days.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 77 and 78.

IMMIGRANT_40: Duration of permit.

Duration of validity of permit (asylum seekers):

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Duration of validity of permit (refugees):

Answer: equal to sponsor's residence permit

Code: 1

Explanation: Assuming the family also gets the refugee status, they would be granted the beneficiary visa this would be valid for the same length as the sponsor's permit.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 27.

Duration of validity of permit (co-ethnics):

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Duration of validity of permit (domestic workers):

Answer: equal to sponsor's residence permit

Code: 1

Explanation: Assuming the family also gets the refugee status, they would be granted the beneficiary visa this would be valid for the same length as the sponsor's permit.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 27.

Duration of validity of permit (agricultural workers):

Answer: equal to sponsor's residence permit

Code: 1

Explanation: Assuming the family also gets the refugee status, they would be granted the beneficiary visa this would be valid for the same length as the sponsor's permit.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 27.

Duration of validity of permit (medical doctors):

Answer: equal to sponsor's residence permit

Code: 1

Explanation: Assuming the family also gets the refugee status, they would be granted the beneficiary visa this would be valid for the same length as the sponsor's permit.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 27.

Duration of validity of permit (permanent residents):

Answer: equal to sponsor's residence permit

Code: 1

Explanation: Assuming the family also gets the refugee status, they would be granted the beneficiary visa this would be valid for the same length as the sponsor's permit.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 21 and 27.

IMMIGRANT_41: Grounds for rejection, withdrawing or refusing to renew status.

Being an actual and serious threat to national security is a ground for rejecting family reunification application (asylum seekers):

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Proven fraud in the acquisition of permit is a ground for rejecting family reunification application (asylum seekers):

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Break-up of family relationship is a ground for rejecting family reunification application (asylum seekers):

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Being an actual and serious threat to national security is a ground for rejecting family reunification application (refugees):

Answer: no

Code: 0

Explanation: An application can be rejected when the applicant does not meet the requirements, due to an inconsistency in the application. The authority can also make the decision exercising its discretionary power. An early termination of the beneficiary visa can be due to the following cases: If the sponsor's visa expires; If the beneficiary visa holder ceases to be economically dependent on his/her sponsor; If the beneficiary visa holder loses the status of spouse or permanent companion of his/her sponsor; If the beneficiary visa holder reaches 25 years of age in the case of being the child of the sponsor, unless he/she is in a situation of absolute incapacity; If the principal visa holder obtains Colombian nationality by adoption; If the sponsor dies. In the case the condition as a refugee is no longer recognized, it would lead to the early termination of the sponsor's visa as well as the beneficiary's visa. A visa can be withdrawn because of proven fraud in the acquisition of permit (inexistent relationship or misleading information) or a mistake made by the authorities in the study of the application.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 63, 64, 66 and 82.

Proven fraud in the acquisition of permit is a ground for rejecting family reunification application (refugees):

Answer: yes

Code: 1

Explanation: An application can be rejected when the applicant does not meet the requirements, due to an inconsistency in the application. The authority can also make the decision exercising its discretionary power. An early termination of the beneficiary visa can be due to the following cases: If the sponsor's visa expires; If the beneficiary visa holder ceases to be economically dependent on his/her sponsor; If the beneficiary visa holder loses the status of spouse or permanent companion of his/her sponsor; If the beneficiary visa holder reaches 25 years of age in the case of being the child of the sponsor, unless he/she is in a situation of absolute incapacity; If the principal visa holder obtains Colombian nationality by adoption; If the sponsor dies. In the case the condition as a refugee is no longer recognized, it would lead to the early termination of the sponsor's visa as well as the beneficiary's visa. A visa can be withdrawn because of proven fraud in the acquisition of permit (inexistent relationship or misleading information) or a mistake made by the authorities in the study of the application.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 63, 64, 66 and 82.

Break-up of family relationship is a ground for rejecting family reunification application (refugees):

Answer: yes

Code: 1

Explanation: An application can be rejected when the applicant does not meet the requirements, due to an inconsistency in the application. The authority can also make the decision exercising its discretionary power. An early termination of the beneficiary visa can be due to the following cases: If the sponsor's visa expires; If the beneficiary visa holder ceases to be economically dependent on his/her sponsor; If the beneficiary visa holder loses the status of spouse or permanent companion of his/her sponsor; If the beneficiary visa holder reaches 25 years of age in the case of being the child of the sponsor, unless he/she is in a situation of absolute incapacity; If the principal visa holder obtains Colombian nationality by adoption; If the sponsor dies. In the case the condition as a refugee is no longer recognized, it would lead to the early termination of the sponsor's visa as well as the beneficiary's visa. A visa can be withdrawn because of proven fraud in the acquisition of permit (inexistent relationship or misleading information) or a mistake made by the authorities in the study of the application.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 63, 64, 66 and 82.

Being an actual and serious threat to national security is a ground for rejecting family reunification application (co-ethnics):

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Proven fraud in the acquisition of permit is a ground for rejecting family reunification application (co-ethnics):

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Break-up of family relationship is a ground for rejecting family reunification application (co-ethnics):

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Being an actual and serious threat to national security is a ground for rejecting family reunification application (domestic workers):

Answer: no

Code: 0

Explanation: An application can be rejected when the applicant does not meet the requirements, due to an inconsistency in the application. The authority can also make the decision exercising its discretionary power. An early termination of the beneficiary visa can be due to the following cases: If the sponsor's visa expires; If the beneficiary visa holder ceases to be economically dependent on his/her sponsor; If the beneficiary visa holder loses the status of spouse or permanent companion of his/her sponsor; If the beneficiary visa holder reaches 25 years of age in the case of being the child of the sponsor, unless he/she is in a situation of absolute incapacity; If the principal visa holder obtains Colombian nationality by adoption; If the sponsor dies. In the case the condition as a refugee is no longer recognized, it would lead to the early termination of the sponsor's visa as well as the beneficiary's visa. A visa can be withdrawn because of proven fraud in the acquisition of permit (inexistent relationship or misleading information) or a mistake made by the authorities in the study of the application.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 63, 64, 66 and 82.

Proven fraud in the acquisition of permit is a ground for rejecting family reunification application (domestic workers):

Answer: yes

Code: 1

Explanation: An application can be rejected when the applicant does not meet the requirements, due to an inconsistency in the application. The authority can also make the decision exercising its discretionary power. An early termination of the beneficiary visa can be due to the following cases: If the sponsor's visa expires; If the beneficiary visa holder ceases to be economically dependent on

his/her sponsor; If the beneficiary visa holder loses the status of spouse or permanent companion of his/her sponsor; If the beneficiary visa holder reaches 25 years of age in the case of being the child of the sponsor, unless he/she is in a situation of absolute incapacity; If the principal visa holder obtains Colombian nationality by adoption; If the sponsor dies. In the case the condition as a refugee is no longer recognized, it would lead to the early termination of the sponsor's visa as well as the beneficiary's visa. A visa can be withdrawn because of proven fraud in the acquisition of permit (inexistent relationship or misleading information) or a mistake made by the authorities in the study of the application.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 63, 64, 66 and 82.

Break-up of family relationship is a ground for rejecting family reunification application (domestic workers):

Answer: yes

Code: 1

Explanation: An application can be rejected when the applicant does not meet the requirements, due to an inconsistency in the application. The authority can also make the decision exercising its discretionary power. An early termination of the beneficiary visa can be due to the following cases: If the sponsor's visa expires; If the beneficiary visa holder ceases to be economically dependent on his/her sponsor; If the beneficiary visa holder loses the status of spouse or permanent companion of his/her sponsor; If the beneficiary visa holder reaches 25 years of age in the case of being the child of the sponsor, unless he/she is in a situation of absolute incapacity; If the principal visa holder obtains Colombian nationality by adoption; If the sponsor dies. In the case the condition as a refugee is no longer recognized, it would lead to the early termination of the sponsor's visa as well as the beneficiary's visa. A visa can be withdrawn because of proven fraud in the acquisition of permit (inexistent relationship or misleading information) or a mistake made by the authorities in the study of the application.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 63, 64, 66 and 82.

Being an actual and serious threat to national security is a ground for rejecting family reunification application (agricultural workers):

Answer: no

Code: 0

Explanation: An application can be rejected when the applicant does not meet the requirements, due to an inconsistency in the application. The authority can also make the decision exercising its discretionary power. An early termination of the beneficiary visa can be due to the following cases: If the sponsor's visa expires; If the beneficiary visa holder ceases to be economically dependent on his/her sponsor; If the beneficiary visa holder loses the status of spouse or permanent companion of his/her sponsor; If the beneficiary visa holder reaches 25 years of age in the case of being the child of the sponsor, unless he/she is in a situation of absolute incapacity; If the principal visa holder obtains Colombian nationality by adoption; If the sponsor dies. In the case the condition as a refugee is no longer recognized, it would lead to the early termination of the sponsor's visa as well as the beneficiary's visa. A visa can be withdrawn because of proven fraud in the acquisition of permit (inexistent relationship or misleading information) or a mistake made by the authorities in the study of the application.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 63, 64, 66 and 82.

Proven fraud in the acquisition of permit is a ground for rejecting family reunification application (agricultural workers):

Answer: yes

Code: 1

Explanation: An application can be rejected when the applicant does not meet the requirements, due to an inconsistency in the application. The authority can also make the decision exercising its discretionary power. An early termination of the beneficiary visa can be due to the following cases: If the sponsor's visa expires; If the beneficiary visa holder ceases to be economically dependent on his/her sponsor; If the beneficiary visa holder loses the status of spouse or permanent companion of his/her sponsor; If the beneficiary visa holder reaches 25 years of age in the case of being the child of the sponsor, unless he/she is in a situation of absolute incapacity; If the principal visa holder obtains Colombian nationality by adoption; If the sponsor dies. In the case the condition as a refugee is no longer recognized, it would lead to the early termination of the sponsor's visa as well as the beneficiary's visa. A visa can be withdrawn because of proven fraud in the acquisition of permit (inexistent relationship or misleading information) or a mistake made by the authorities in the study of the application.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 63, 64, 66 and 82.

Break-up of family relationship is a ground for rejecting family reunification application (agricultural workers):

Answer: yes

Code: 1

Explanation: An application can be rejected when the applicant does not meet the requirements, due to an inconsistency in the application. The authority can also make the decision exercising its discretionary power. An early termination of the beneficiary visa can be due to the following cases: If the sponsor's visa expires; If the beneficiary visa holder ceases to be economically dependent on his/her sponsor; If the beneficiary visa holder loses the status of spouse or permanent companion of his/her sponsor; If the beneficiary visa holder reaches 25 years of age in the case of being the child of the sponsor, unless he/she is in a situation of absolute incapacity; If the principal visa holder obtains Colombian nationality by adoption; If the sponsor dies. In the case the condition as a refugee is no longer recognized, it would lead to the early termination of the sponsor's visa as well as the beneficiary's visa. A visa can be withdrawn because of proven fraud in the acquisition of permit (inexistent relationship or misleading information) or a mistake made by the authorities in the study of the application.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 63, 64, 66 and 82.

Being an actual and serious threat to national security is a ground for rejecting family reunification application (medical doctors):

Answer: no

Code: 0

Explanation: An application can be rejected when the applicant does not meet the requirements, due to an inconsistency in the application. The authority can also make the decision exercising its discretionary power. An early termination of the beneficiary visa can be due to the following cases: If

the sponsor's visa expires; If the beneficiary visa holder ceases to be economically dependent on his/her sponsor; If the beneficiary visa holder loses the status of spouse or permanent companion of his/her sponsor; If the beneficiary visa holder reaches 25 years of age in the case of being the child of the sponsor, unless he/she is in a situation of absolute incapacity; If the principal visa holder obtains Colombian nationality by adoption; If the sponsor dies. In the case the condition as a refugee is no longer recognized, it would lead to the early termination of the sponsor's visa as well as the beneficiary's visa. A visa can be withdrawn because of proven fraud in the acquisition of permit (inexistent relationship or misleading information) or a mistake made by the authorities in the study of the application.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 63, 64, 66 and 82.

Proven fraud in the acquisition of permit is a ground for rejecting family reunification application (medical doctors):

Answer: yes

Code: 1

Explanation: An application can be rejected when the applicant does not meet the requirements, due to an inconsistency in the application. The authority can also make the decision exercising its discretionary power. An early termination of the beneficiary visa can be due to the following cases: If the sponsor's visa expires; If the beneficiary visa holder ceases to be economically dependent on his/her sponsor; If the beneficiary visa holder loses the status of spouse or permanent companion of his/her sponsor; If the beneficiary visa holder reaches 25 years of age in the case of being the child of the sponsor, unless he/she is in a situation of absolute incapacity; If the principal visa holder obtains Colombian nationality by adoption; If the sponsor dies. In the case the condition as a refugee is no longer recognized, it would lead to the early termination of the sponsor's visa as well as the beneficiary's visa. A visa can be withdrawn because of proven fraud in the acquisition of permit (inexistent relationship or misleading information) or a mistake made by the authorities in the study of the application.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 63, 64, 66 and 82.

Break-up of family relationship is a ground for rejecting family reunification application (medical doctors):

Answer: yes

Code: 1

Explanation: An application can be rejected when the applicant does not meet the requirements, due to an inconsistency in the application. The authority can also make the decision exercising its discretionary power. An early termination of the beneficiary visa can be due to the following cases: If the sponsor's visa expires; If the beneficiary visa holder ceases to be economically dependent on his/her sponsor; If the beneficiary visa holder loses the status of spouse or permanent companion of his/her sponsor; If the beneficiary visa holder reaches 25 years of age in the case of being the child of the sponsor, unless he/she is in a situation of absolute incapacity; If the principal visa holder obtains Colombian nationality by adoption; If the sponsor dies. In the case the condition as a refugee is no longer recognized, it would lead to the early termination of the sponsor's visa as well as the beneficiary's visa. A visa can be withdrawn because of proven fraud in the acquisition of permit (inexistent relationship or misleading information) or a mistake made by the authorities in the study of the application.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 63, 64, 66 and 82.

Being an actual and serious threat to national security is a ground for rejecting family reunification application (permanent residents):

Answer: no

Code: 0

Explanation: An application can be rejected when the applicant does not meet the requirements, due to an inconsistency in the application. The authority can also make the decision exercising its discretionary power. An early termination of the beneficiary visa can be due to the following cases: If the sponsor's visa expires; If the beneficiary visa holder ceases to be economically dependent on his/her sponsor; If the beneficiary visa holder loses the status of spouse or permanent companion of his/her sponsor; If the beneficiary visa holder reaches 25 years of age in the case of being the child of the sponsor, unless he/she is in a situation of absolute incapacity; If the principal visa holder obtains Colombian nationality by adoption; If the sponsor dies. In the case the condition as a refugee is no longer recognized, it would lead to the early termination of the sponsor's visa as well as the beneficiary's visa. A visa can be withdrawn because of proven fraud in the acquisition of permit (inexistent relationship or misleading information) or a mistake made by the authorities in the study of the application.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 63, 64, 66 and 82.

Proven fraud in the acquisition of permit is a ground for rejecting family reunification application (permanent residents):

Answer: yes

Code: 1

Explanation: An application can be rejected when the applicant does not meet the requirements, due to an inconsistency in the application. The authority can also make the decision exercising its discretionary power. An early termination of the beneficiary visa can be due to the following cases: If the sponsor's visa expires; If the beneficiary visa holder ceases to be economically dependent on his/her sponsor; If the beneficiary visa holder loses the status of spouse or permanent companion of his/her sponsor; If the beneficiary visa holder reaches 25 years of age in the case of being the child of the sponsor, unless he/she is in a situation of absolute incapacity; If the principal visa holder obtains Colombian nationality by adoption; If the sponsor dies. In the case the condition as a refugee is no longer recognized, it would lead to the early termination of the sponsor's visa as well as the beneficiary's visa. A visa can be withdrawn because of proven fraud in the acquisition of permit (inexistent relationship or misleading information) or a mistake made by the authorities in the study of the application.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 63, 64, 66 and 82.

Break-up of family relationship is a ground for rejecting family reunification application (permanent residents):

Answer: yes

Code: 1

Explanation: An application can be rejected when the applicant does not meet the requirements, due to an inconsistency in the application. The authority can also make the decision exercising its discretionary power. An early termination of the beneficiary visa can be due to the following cases: If

the sponsor's visa expires; If the beneficiary visa holder ceases to be economically dependent on his/her sponsor; If the beneficiary visa holder loses the status of spouse or permanent companion of his/her sponsor; If the beneficiary visa holder reaches 25 years of age in the case of being the child of the sponsor, unless he/she is in a situation of absolute incapacity; If the principal visa holder obtains Colombian nationality by adoption; If the sponsor dies. In the case the condition as a refugee is no longer recognized, it would lead to the early termination of the sponsor's visa as well as the beneficiary's visa. A visa can be withdrawn because of proven fraud in the acquisition of permit (inexistent relationship or misleading information) or a mistake made by the authorities in the study of the application.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 63, 64, 66 and 82.

IMMIGRANT_42: Special circumstances.

Before refusal or withdrawal, due account is taken of solidity of sponsor's family relationship (asylum seekers):

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Before refusal or withdrawal, due account is taken of duration of sponsor's residence in country (asylum seekers):

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Before refusal or withdrawal, due account is taken of existing links with country of origin (asylum seekers):

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Before refusal or withdrawal, due account is taken of physical or emotional violence (asylum seekers):

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Before refusal or withdrawal, due account is taken of solidity of sponsor's family relationship (refugees):

Answer: no

Code: 0

Explanation: There are no provisions in the main regulation (Decree 1067 of 2015).

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 26 - 29 and 64.

Before refusal or withdrawal, due account is taken of duration of sponsor's residence in country (refugees):

Answer: no

Code: 0

Explanation: There are no provisions in the main regulation (Decree 1067 of 2015).

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 26 - 29 and 64.

Before refusal or withdrawal, due account is taken of existing links with country of origin (refugees):

Answer: no

Code: 0

Explanation: There are no provisions in the main regulation (Decree 1067 of 2015).

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 26 - 29 and 64.

Before refusal or withdrawal, due account is taken of physical or emotional violence (refugees):

Answer: no

Code: 0

Explanation: There are no provisions in the main regulation (Decree 1067 of 2015).

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 26 - 29 and 64.

Before refusal or withdrawal, due account is taken of solidity of sponsor's family relationship (co-ethnics):

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Before refusal or withdrawal, due account is taken of duration of sponsor's residence in country (co-ethnics):

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Before refusal or withdrawal, due account is taken of existing links with country of origin (co-ethnics):

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Before refusal or withdrawal, due account is taken of physical or emotional violence (co-ethnics):

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Before refusal or withdrawal, due account is taken of solidity of sponsor's family relationship (domestic workers):

Answer: no

Code: 0

Explanation: There are no provisions in the main regulation (Resolution 6045).

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 26 - 29 and 64.

Before refusal or withdrawal, due account is taken of duration of sponsor's residence in country (domestic workers):

Answer: no

Code: 0

Explanation: There are no provisions in the main regulation (Resolution 6045).

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 26 - 29 and 64.

Before refusal or withdrawal, due account is taken of existing links with country of origin (domestic workers):

Answer: no

Code: 0

Explanation: There are no provisions in the main regulation (Resolution 6045).

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 26 - 29 and 64.

Before refusal or withdrawal, due account is taken of physical or emotional violence (domestic workers):

Answer: no

Code: 0

Explanation: There are no provisions in the main regulation (Resolution 6045).

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 26 - 29 and 64.

Before refusal or withdrawal, due account is taken of solidity of sponsor's family relationship (agricultural workers):

Answer: no

Code: 0

Explanation: There are no provisions in the main regulation (Resolution 6045).

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 26 - 29 and 64.

Before refusal or withdrawal, due account is taken of duration of sponsor's residence in country (agricultural workers):

Answer: no

Code: 0

Explanation: There are no provisions in the main regulation (Resolution 6045).

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 26 - 29 and 64.

Before refusal or withdrawal, due account is taken of existing links with country of origin (agricultural workers):

Answer: no

Code: 0

Explanation: There are no provisions in the main regulation (Resolution 6045).

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 26 - 29 and 64.

Before refusal or withdrawal, due account is taken of physical or emotional violence (agricultural workers):

Answer: no

Code: 0

Explanation: There are no provisions in the main regulation (Resolution 6045).

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 26 - 29 and 64.

Before refusal or withdrawal, due account is taken of solidity of sponsor's family relationship (medical doctors):

Answer: no

Code: 0

Explanation: There are no provisions in the main regulation (Resolution 6045).

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 26 - 29 and 64.

Before refusal or withdrawal, due account is taken of duration of sponsor's residence in country (medical doctors):

Answer: no

Code: 0

Explanation: There are no provisions in the main regulation (Resolution 6045).

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 26 - 29 and 64.

Before refusal or withdrawal, due account is taken of existing links with country of origin (medical doctors):

Answer: no

Code: 0

Explanation: There are no provisions in the main regulation (Resolution 6045).

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 26 - 29 and 64.

Before refusal or withdrawal, due account is taken of physical or emotional violence (medical doctors):

Answer: no

Code: 0

Explanation: There are no provisions in the main regulation (Resolution 6045).

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 26 - 29 and 64.

Before refusal or withdrawal, due account is taken of solidity of sponsor's family relationship (permanent residents):

Answer: no

Code: 0

Explanation: Not applicable

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 26 - 29 and 64.

Before refusal or withdrawal, due account is taken of duration of sponsor's residence in country (permanent residents):

Answer: no

Code: 0

Explanation: There are no provisions in the main regulation (Resolution 6045).

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 26 - 29 and 64.

Before refusal or withdrawal, due account is taken of existing links with country of origin (permanent residents):

Answer: no

Code: 0

Explanation: There are no provisions in the main regulation (Resolution 6045).

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 26 - 29 and 64.

Before refusal or withdrawal, due account is taken of physical or emotional violence (permanent residents):

Answer: no

Code: 0

Explanation: There are no provisions in the main regulation (Resolution 6045).

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 26 - 29 and 64.

IMMIGRANT_43: Legal guarantees and redress in case of refusal or withdrawal.

Legal guarantee in case of refusal or withdrawal: reasoned decision (asylum seekers):

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Legal guarantee in case of refusal or withdrawal: right to appeal (asylum seekers):

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Legal guarantee in case of refusal or withdrawal: representation before an independent administrative authority (asylum seekers):

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Legal guarantee in case of refusal or withdrawal: reasoned decision (refugees):

Answer: yes

Code: 1

Explanation: In any decision to refuse an application, the applicant has the right to see his/her file where the reason for the refusal or ineligibility is written. In case of refusal, another application can be placed after 6 months. There are no provisions on a right to appeal.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 71 and 84.

Legal guarantee in case of refusal or withdrawal: right to appeal (refugees):

Answer: no

Code: 0

Explanation: In any decision to refuse an application, the applicant has the right to see his/her file where the reason for the refusal or ineligibility is written. In case of refusal, another application can be placed after 6 months. There are no provisions on a right to appeal.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 71 and 84.

Legal guarantee in case of refusal or withdrawal: representation before an independent administrative authority (refugees):

Answer: yes

Code: 1

Explanation: In any decision to refuse an application, the applicant has the right to see his/her file where the reason for the refusal or ineligibility is written. In case of refusal, another application can be placed after 6 months. There are no provisions on a right to appeal.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 71 and 84.

Legal guarantee in case of refusal or withdrawal: reasoned decision (co-ethnics):

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Legal guarantee in case of refusal or withdrawal: right to appeal (co-ethnic):

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Legal guarantee in case of refusal or withdrawal: representation before an independent administrative authority (co-ethnic):

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Legal guarantee in case of refusal or withdrawal: reasoned decision (domestic workers):

Answer: yes

Code: 1

Explanation: In any decision to refuse an application, the applicant has the right to see his/her file where the reason for the refusal or ineligibility is written. In case of refusal, another application can be placed after 6 months. There are no provisions on a right to appeal.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 71 and 84.

Legal guarantee in case of refusal or withdrawal: right to appeal (domestic workers):

Answer: no

Code: 0

Explanation: In any decision to refuse an application, the applicant has the right to see his/her file where the reason for the refusal or ineligibility is written. In case of refusal, another application can be placed after 6 months. There are no provisions on a right to appeal.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 71 and 84.

Legal guarantee in case of refusal or withdrawal: representation before an independent administrative authority (domestic workers):

Answer: yes

Code: 1

Explanation: In any decision to refuse an application, the applicant has the right to see his/her file where the reason for the refusal or ineligibility is written. In case of refusal, another application can be placed after 6 months. There are no provisions on a right to appeal.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 71 and 84.

Legal guarantee in case of refusal or withdrawal: reasoned decision (agricultural workers):

Answer: yes

Code: 1

Explanation: In any decision to refuse an application, the applicant has the right to see his/her file where the reason for the refusal or ineligibility is written. In case of refusal, another application can be placed after 6 months. There are no provisions on a right to appeal.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 71 and 84.

Legal guarantee in case of refusal or withdrawal: right to appeal (agricultural workers):

Answer: no

Code: 0

Explanation: In any decision to refuse an application, the applicant has the right to see his/her file where the reason for the refusal or ineligibility is written. In case of refusal, another application can be placed after 6 months. There are no provisions on a right to appeal.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 71 and 84.

Legal guarantee in case of refusal or withdrawal: representation before an independent administrative authority (agricultural workers):

Answer: yes

Code: 1

Explanation: In any decision to refuse an application, the applicant has the right to see his/her file where the reason for the refusal or ineligibility is written. In case of refusal, another application can be placed after 6 months. There are no provisions on a right to appeal.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 71 and 84.

Legal guarantee in case of refusal or withdrawal: reasoned decision (medical doctors):

Answer: yes

Code: 1

Explanation: In any decision to refuse an application, the applicant has the right to see his/her file where the reason for the refusal or ineligibility is written. In case of refusal, another application can be placed after 6 months. There are no provisions on a right to appeal.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 71 and 84.

Legal guarantee in case of refusal or withdrawal: right to appeal (medical doctors):

Answer: no

Code: 0

Explanation: In any decision to refuse an application, the applicant has the right to see his/her file where the reason for the refusal or ineligibility is written. In case of refusal, another application can be placed after 6 months. There are no provisions on a right to appeal.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 71 and 84.

Legal guarantee in case of refusal or withdrawal: representation before an independent administrative authority (medical doctors):

Answer: yes

Code: 1

Explanation: In any decision to refuse an application, the applicant has the right to see his/her file where the reason for the refusal or ineligibility is written. In case of refusal, another application can be placed after 6 months. There are no provisions on a right to appeal.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 71 and 84.

Legal guarantee in case of refusal or withdrawal: reasoned decision (permanent residents):

Answer: yes

Code: 1

Explanation: In any decision to refuse an application, the applicant has the right to see his/her file where the reason for the refusal or ineligibility is written. In case of refusal, another application can be placed after 6 months. There are no provisions on a right to appeal.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 71 and 84.

Legal guarantee in case of refusal or withdrawal: right to appeal (permanent residents):

Answer: no

Code: 0

Explanation: In any decision to refuse an application, the applicant has the right to see his/her file where the reason for the refusal or ineligibility is written. In case of refusal, another application can be placed after 6 months. There are no provisions on a right to appeal.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 71 and 84.

Legal guarantee in case of refusal or withdrawal: representation before an independent administrative authority (permanent residents):

Answer: yes

Code: 1

Explanation: In any decision to refuse an application, the applicant has the right to see his/her file where the reason for the refusal or ineligibility is written. In case of refusal, another application can be placed after 6 months. There are no provisions on a right to appeal.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 71 and 84.

IMMIGRANT_44: Right to autonomous permit.

Right to autonomous residence permit for partners and children at age of majority (asylum seekers):

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Right to autonomous residence permit for partners and children at age of majority (refugees):

Answer: no right

Code: 0

Explanation: Beneficiary-visa holders can only apply for the residence after having lived in Colombia for 5 years as beneficiaries of an R-visa holder.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 21.

Right to autonomous residence permit for partners and children at age of majority (co-ethnics):

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Right to autonomous residence permit for partners and children at age of majority (domestic workers):

Answer: no right

Code: 0

Explanation: Beneficiary-visa holders can only apply for the residence after having lived in Colombia for 5 years as beneficiaries of an R-visa holder.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 21.

Right to autonomous residence permit for partners and children at age of majority (agricultural workers):

Answer: no right

Code: 0

Explanation: Beneficiary-visa holders can only apply for the residence after having lived in Colombia for 5 years as beneficiaries of an R-visa holder.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 21.

Right to autonomous residence permit for partners and children at age of majority (medical doctors):

Answer: no right

Code: 0

Explanation: Beneficiary-visa holders can only apply for the residence after having lived in Colombia for 5 years as beneficiaries of an R-visa holder.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 21.

Right to autonomous residence permit for partners and children at age of majority (permanent residents):

Answer: after more than 5 years, upon certain conditions

Code: 0.25

Explanation: Beneficiary-visa holders can only apply for the residence after having lived in Colombia for 5 years as beneficiaries of an R-visa holder.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 21.

5.4.2. Education

IMMIGRANT_45: Access to education.

Children of asylum seekers have access to compulsory education:

Answer: yes, explicit obligation in law for migrants to have same access as nationals

Code: 1

Explanation: The Political Constitution of 1991 lays down in Article 44 education as a fundamental right of children and, in Article 67 states, that education is a right of every person and a public service with a social function. Moreover, the law states that all students registered at public schools can attend primary and secondary school for free. Furthermore, there are no provisions in the main regulation constraining SC-2 holders to study. In 2018, the Education Vice minister together with the General Director of Migration Colombia wrote a letter to all national majors, stating that all children regardless of their immigration status or nationality, should have access to education.

Sources: Constitución Política de Colombia [Political Constitution of Colombia]. 1991. Art. 44 and 67. / Decreto 1067 [Decree 1067]. 2015. Art. 2.2.1.11.4.9. / Instructivo para la atención de niños, niñas y adolescentes procedentes de Venezuela en los establecimientos educativos de colombianos [Instructive for the Attention of Children and Adolescents Coming from Venezuela in the Educational Establishments of Colombians]. 2018. / Decreto 1075 [Decree 1075]. 2015. Art. 2.3.1.6.4.2.

Children of refugees have access to compulsory education:

Answer: yes, explicit obligation in law for migrants to have same access as nationals

Code: 1

Explanation: The Political Constitution of 1991 lays down in Article 44 education as a fundamental right of children and, in Article 67 states, that education is a right of every person and a public service with a social function. Moreover, the law states that all students registered at public schools can attend primary and secondary school for free. Furthermore, there are no provisions in the main regulation constraining SC-2 holders to study. In 2018, the Education Vice minister together with the General Director of Migration Colombia wrote a letter to all national majors, stating that all children regardless of their immigration status or nationality, should have access to education.

Sources: Constitución Política de Colombia [Political Constitution of Colombia]. 1991. Art. 44 and 67. / Decreto 1067 [Decree 1067]. 2015. Art. 2.2.1.11.4.9. / Instructivo para la atención de niños, niñas y adolescentes procedentes de Venezuela en los establecimientos educativos de colombianos [Instructive for the Attention of Children and Adolescents Coming from Venezuela in the Educational Establishments of Colombians]. 2018. / Decreto 1075 [Decree 1075]. 2015. Art. 2.3.1.6.4.2.

Children of co-ethnics have access to compulsory education:

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Children of domestic workers have access to compulsory education:

Answer: yes, explicit obligation in law for migrants to have same access as nationals

Code: 1

Explanation: The Political Constitution of 1991 lays down in Article 44 education as a fundamental right of children and, in Article 67 states, that education is a right of every person and a public service with a social function. Moreover, the law states that all students registered at public schools can attend primary and secondary school for free. Furthermore, there are no provisions in the main regulation constraining SC-2 holders to study. In 2018, the Education Vice minister together with the General Director of Migration Colombia wrote a letter to all national majors, stating that all children regardless of their immigration status or nationality, should have access to education.

Sources: Constitución Política de Colombia [Political Constitution of Colombia]. 1991. Art. 44 and 67. / Decreto 1067 [Decree 1067]. 2015. Art. 2.2.1.11.4.9. / Instructivo para la atención de niños, niñas y adolescentes procedentes de Venezuela en los establecimientos educativos de colombianos [Instructive for the Attention of Children and Adolescents Coming from Venezuela in the Educational Establishments of Colombians]. 2018. / Decreto 1075 [Decree 1075]. 2015. Art. 2.3.1.6.4.2.

Children of agricultural workers have access to compulsory education:

Answer: yes, explicit obligation in law for migrants to have same access as nationals

Code: 1

Explanation: The Political Constitution of 1991 lays down in Article 44 education as a fundamental right of children and, in Article 67 states, that education is a right of every person and a public service with a social function. Moreover, the law states that all students registered at public schools can attend primary and secondary school for free. Furthermore, there are no provisions in the main regulation constraining SC-2 holders to study. In 2018, the Education Vice minister together with the General Director of Migration Colombia wrote a letter to all national majors, stating that all children regardless of their immigration status or nationality, should have access to education.

Sources: Constitución Política de Colombia [Political Constitution of Colombia]. 1991. Art. 44 and 67. / Decreto 1067 [Decree 1067]. 2015. Art. 2.2.1.11.4.9. / Instructivo para la atención de niños, niñas y adolescentes procedentes de Venezuela en los establecimientos educativos de colombianos [Instructive for the Attention of Children and Adolescents Coming from Venezuela in the Educational Establishments of Colombians]. 2018. / Decreto 1075 [Decree 1075]. 2015. Art. 2.3.1.6.4.2.

Children of medical doctors have access to compulsory education:

Answer: yes, explicit obligation in law for migrants to have same access as nationals

Code: 1

Explanation: The Political Constitution of 1991 lays down in Article 44 education as a fundamental right of children and, in Article 67 states, that education is a right of every person and a public service with a social function. Moreover, the law states that all students registered at public schools can attend primary and secondary school for free. Furthermore, there are no provisions in the main regulation constraining SC-2 holders to study. In 2018, the Education Vice minister together with the General Director of Migration Colombia wrote a letter to all national majors, stating that all children regardless of their immigration status or nationality, should have access to education.

Sources: Constitución Política de Colombia [Political Constitution of Colombia]. 1991. Art. 44 and 67. / Decreto 1067 [Decree 1067]. 2015. Art. 2.2.1.11.4.9. / Instructivo para la atención de niños, niñas y adolescentes procedentes de Venezuela en los establecimientos educativos de colombianos

[Instructive for the Attention of Children and Adolescents Coming from Venezuela in the Educational Establishments of Colombians]. 2018. / Decreto 1075 [Decree 1075]. 2015. Art. 2.3.1.6.4.2.

Children of permanent residents have access to compulsory education:

Answer: yes, explicit obligation in law for migrants to have same access as nationals

Code: 1

Explanation: The Political Constitution of 1991 lays down in Article 44 education as a fundamental right of children and, in Article 67 states, that education is a right of every person and a public service with a social function. Moreover, the law states that all students registered at public schools can attend primary and secondary school for free. Furthermore, there are no provisions in the main regulation constraining SC-2 holders to study. In 2018, the Education Vice minister together with the General Director of Migration Colombia wrote a letter to all national majors, stating that all children regardless of their immigration status or nationality, should have access to education.

Sources: Constitución Política de Colombia [Political Constitution of Colombia]. 1991. Art. 44 and 67. / Decreto 1067 [Decree 1067]. 2015. Art. 2.2.1.11.4.9. / Instructivo para la atención de niños, niñas y adolescentes procedentes de Venezuela en los establecimientos educativos de colombianos [Instructive for the Attention of Children and Adolescents Coming from Venezuela in the Educational Establishments of Colombians]. 2018. / Decreto 1075 [Decree 1075]. 2015. Art. 2.3.1.6.4.2.

IMMIGRANT_46: Access to higher education.

Asylum seekers and their children have access to higher education:

Answer: Yes, implicit obligation to have same access as nationals

Code: 0.5

Explanation: Although there are no provisions in the main regulation constraining SC-2 holders to study and it is assumed that the same provisions listed for the other categories apply for asylum seekers as well, public universities such as the National University (Universidad Nacional) require its candidates who have received their admission letter, to have an M-visa to register at the university. Therefore, asylum seekers could face some problems when applying to a higher education institution.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 9. / Universidad Nacional de Colombia. "Aspirantes Extranjeros Que Desean Estudiar En La Universidad [Foreign Applicants Wanting to Study at the University]". Accessed July 8, 2019. <https://admisiones.unal.edu.co/pregrado/aspirantes-extranjeros-que-desean-estudiar-en-la-universidad/>.

Refugees have access to higher education:

Answer: Yes, implicit obligation to have same access as nationals

Code: 0.5

Explanation: While all visas valid for more than 180 days allows its holder to study and Colombian law does not differentiate between foreigners and nationals in its provisions to access higher education, public universities such as the National University (Universidad Nacional) require its candidates who have received their admission letter, to have an M-visa to register at the university. Hence, refugees can access higher education.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 9. / Universidad Nacional de Colombia. "Aspirantes Extranjeros Que Desean Estudiar En La Universidad [Foreign Applicants Wanting to Study at the University]". Accessed July 8, 2019. <https://admisiones.unal.edu.co/pregrado/aspirantes-extranjeros-que-desean-estudiar-en-la-universidad/>.

Co-ethnics have access to higher education:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Domestic workers have access to higher education:

Answer: Yes, implicit obligation to have same access as nationals

Code: 0.5

Explanation: While all visas valid for more than 180 days allows its holder to study and Colombian law does not differentiate between foreigners and nationals in its provisions to access higher education, public universities such as the National University (Universidad Nacional) require its candidates who have received their admission letter, to have an M-visa to register at the university. Hence, domestic workers can access higher education.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 9. / Universidad Nacional de Colombia. "Aspirantes Extranjeros Que Desean Estudiar En La Universidad [Foreign Applicants Wanting to Study at the University]". Accessed July 8, 2019. <https://admisiones.unal.edu.co/pregrado/aspirantes-extranjeros-que-desean-estudiar-en-la-universidad/>.

Agricultural workers have access to higher education:

Answer: Yes, implicit obligation to have same access as nationals

Code: 0.5

Explanation: While all visas valid for more than 180 days allows its holder to study and Colombian law does not differentiate between foreigners and nationals in its provisions to access higher education, public universities such as the National University (Universidad Nacional) require its candidates who have received their admission letter, to have an M-visa to register at the university. Hence, agricultural workers can access higher education.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 9. / Universidad Nacional de Colombia. "Aspirantes Extranjeros Que Desean Estudiar En La Universidad [Foreign Applicants Wanting to Study at the University]". Accessed July 8, 2019. <https://admisiones.unal.edu.co/pregrado/aspirantes-extranjeros-que-desean-estudiar-en-la-universidad/>.

Medical doctors have access to higher education:

Answer: Yes, implicit obligation to have same access as nationals

Code: 0.5

Explanation: While all visas valid for more than 180 days allows its holder to study and Colombian law does not differentiate between foreigners and nationals in its provisions to access higher education, public universities such as the National University (Universidad Nacional) require its candidates who have received their admission letter, to have an M-visa to register at the university. Hence, medical doctors can access higher education.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 9. / Universidad Nacional de Colombia. "Aspirantes Extranjeros Que Desean Estudiar En La Universidad [Foreign Applicants Wanting to Study at the University]". Accessed July 8, 2019. <https://admisiones.unal.edu.co/pregrado/aspirantes-extranjeros-que-desean-estudiar-en-la-universidad/>.

Permanent residents have access to higher education:

Answer: Yes, implicit obligation to have same access as nationals

Code: 0.5

Explanation: While all visas valid for more than 180 days allows its holder to study and Colombian law does not differentiate between foreigners and nationals in its provisions to access higher education, public universities such as the National University (Universidad Nacional) require its candidates who have received their admission letter, to have an M-visa to register at the university. Hence, permanent residents can access higher education.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 9. / Universidad Nacional de Colombia. "Aspirantes Extranjeros Que Desean Estudiar En La Universidad [Foreign Applicants Wanting to Study at the University]". Accessed July 8, 2019. <https://admisiones.unal.edu.co/pregrado/aspirantes-extranjeros-que-desean-estudiar-en-la-universidad/>.

IMMIGRANT_47: Support for language instruction.

Provision of education support in language(s) of instruction for migrant pupils:

Answer: no

Code: 0

Explanation: There are no provisions in the main regulations (Decree 1075 of 2015, Law 115 of 1994, Law 1874 of 2017).

Sources: Decreto 1075 [Decree 1075]. 2015. Art. 2.3.3.3.2.1.1 – 2.3.3.3.2.1.10. / Ley 115 [Law 115]. 1994. / Ley 1874 [Law 1874]. 2017.

IMMIGRANT_48: Intercultural education.

Intercultural education is included in pre-service training in order to qualify as a teacher:

Answer: no

Code: 0

Explanation: No there are no provisions in the main regulation (Law 115 of 1994, Decree 1278 of 2002, Decree 4790 of 2008, Decree 882 of 2017).

Sources: Ley 115 [Law 115]. 1994. Art. 104 – 119. / Decreto 1278 [Decree 1278]. 2002. / Decreto 4790 [Decree 4790]. 2008.

IMMIGRANT_49: Integration in teachers' syllabus.

Migration and integration are obligatory topics in professional development training:

Answer: no

Code: 0

Explanation: No there are no provisions in the main regulation (Law 115 of 1994, Decree 1278 of 2002, Decree 4790 of 2008, Decree 882 of 2017).

Sources: Ley 115 [Law 115]. 1994. Art. 104 – 119. / Decreto 1278 [Decree 1278]. 2002. / Decreto 4790 [Decree 4790]. 2008.

5.4.3. Health care

IMMIGRANT_50: Conditions for inclusion in the health care system

Conditions for inclusion of asylum seekers in the health care system:

Answer: inclusion is unconditional

Code: 1

Explanation: Asylum seekers with a safe-conduct SC-2 have access to the Colombian health care system. They have to affiliate to the General System of Social Health Insurance (Sistema General de Seguridad Social en Salud) if they fulfill the requirements to be a contributor (same as nationals), otherwise they must be affiliated to the subsidiary regime. Asylum seekers can also access the System to Identify Potential Beneficiaries of Social Programs (SISBÉN).

Sources: Decreto 780 [Decree 780]. 2016. Art. 2.1.10.4.1.

Conditions for inclusion of refugees in the health care system:

Answer: inclusion is unconditional

Code: 1

Explanation: Colombian law foresees the access to health care as a right of every resident. Foreigners can be affiliated at a Health Promoter Agency (EPS) if they can afford to make a contribution or if they have an employment contract that abides by Colombian law. Otherwise he/she can be affiliated to the subsidiary scheme, for this the person has to be subscribed to the System to Identify Potential Beneficiaries of Social Programs (SISBÉN) and classify in level 1 or 2 of the system.

Sources: Ley 100 [Law 100]. 1993. Art. 3 and 153. / Decreto 780 [Decree 780]. 2016. Art. 2.1.3.5 and 2.1.4.1. / Ministerio de Salud. "Afiliación al sistema general de seguridad social en salud de extranjeros y colombianos retornados [Affiliation to the General Social Security Health Care System for Foreigners and Colombian Returnees]". Accessed July 10, 2019. <https://www.minsalud.gov.co/CC/Campanas/Infografia-afiliacion-salud-extranjeros-03.jpg>.

Conditions for inclusion of co-ethnics in the health care system:

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Conditions for inclusion of domestic workers in the health care system:

Answer: inclusion is unconditional

Code: 1

Explanation: Colombian law foresees the access to health care as a right of every resident. Foreigners can be affiliated at a Health Promoter Agency (EPS) if they can afford to make a contribution or if they have an employment contract that abides by Colombian law. Otherwise he/she can be affiliated to the subsidiary scheme, for this the person has to be subscribed to the System to Identify Potential Beneficiaries of Social Programs (SISBÉN) and classify in level 1 or 2 of the system.

Sources: Ley 100 [Law 100]. 1993. Art. 3 and 153. / Decreto 780 [Decree 780]. 2016. Art. 2.1.3.5 and 2.1.4.1. / Ministerio de Salud. "Afiliación al sistema general de seguridad social en salud de extranjeros y colombianos retornados [Affiliation to the General Social Security Health Care System for Foreigners and Colombian Returnees]". Accessed July 10, 2019. <https://www.minsalud.gov.co/CC/Campanas/Infografia-afiliacion-salud-extranjeros-03.jpg>.

Conditions for inclusion of agricultural workers in the health care system:

Answer: inclusion is unconditional

Code: 1

Explanation: Colombian law foresees the access to health care as a right of every resident. Foreigners can be affiliated at a Health Promoter Agency (EPS) if they can afford to make a contribution or if they have an employment contract that abides by Colombian law. Otherwise he/she can be affiliated to the subsidiary scheme, for this the person has to be subscribed to the System to Identify Potential Beneficiaries of Social Programs (SISBÉN) and classify in level 1 or 2 of the system.

Sources: Ley 100 [Law 100]. 1993. Art. 3 and 153. / Decreto 780 [Decree 780]. 2016. Art. 2.1.3.5 and 2.1.4.1. / Ministerio de Salud. "Afiliación al sistema general de seguridad social en salud de extranjeros y colombianos retornados [Affiliation to the General Social Security Health Care System for Foreigners and Colombian Returnees]". Accessed July 10, 2019. <https://www.minsalud.gov.co/CC/Campanas/Infografia-afiliacion-salud-extranjeros-03.jpg>.

Conditions for inclusion of medical doctors in the health care system:

Answer: inclusion is unconditional

Code: 1

Explanation: Colombian law foresees the access to health care as a right of every resident. Foreigners can be affiliated at a Health Promoter Agency (EPS) if they can afford to make a contribution or if they have an employment contract that abides by Colombian law. Otherwise he/she can be affiliated to the subsidiary scheme, for this the person has to be subscribed to the System to Identify Potential Beneficiaries of Social Programs (SISBÉN) and classify in level 1 or 2 of the system.

Sources: Ley 100 [Law 100]. 1993. Art. 3 and 153. / Decreto 780 [Decree 780]. 2016. Art. 2.1.3.5 and 2.1.4.1. / Ministerio de Salud. "Afiliación al sistema general de seguridad social en salud de extranjeros y colombianos retornados [Affiliation to the General Social Security Health Care System for Foreigners and Colombian Returnees]". Accessed July 10, 2019. <https://www.minsalud.gov.co/CC/Campanas/Infografia-afiliacion-salud-extranjeros-03.jpg>.

Conditions for inclusion of permanent residents in the health care system:

Answer: inclusion is unconditional

Code: 1

Explanation: Colombian law foresees the access to health care as a right of every resident. Foreigners can be affiliated at a Health Promoter Agency (EPS) if they can afford to make a contribution or if they have an employment contract that abides by Colombian law. Otherwise he/she can be affiliated to the subsidiary scheme, for this the person has to be subscribed to the System to Identify Potential Beneficiaries of Social Programs (SISBÉN) and classify in level 1 or 2 of the system.

Sources: Ley 100 [Law 100]. 1993. Art. 3 and 153. / Decreto 780 [Decree 780]. 2016. Art. 2.1.3.5 and 2.1.4.1. / Ministerio de Salud. "Afiliación al sistema general de seguridad social en salud de extranjeros y colombianos retornados [Affiliation to the General Social Security Health Care System for Foreigners and Colombian Returnees]". Accessed July 10, 2019. <https://www.minsalud.gov.co/CC/Campanas/Infografia-afiliacion-salud-extranjeros-03.jpg>.

IMMIGRANT_51: Coverage of health care services.

Health care coverage for asylum seekers.

Answer: same coverage as nationals

Code: 1

Explanation: Colombian law foresees the access to health care as a right of every resident. The law does not differentiate between nationals and nationals regarding the coverage of health services.

Sources: Ley 100 [Law 100]. 1993. Art. 3 and 153. / Decreto 780 [Decree 780]. 2016.

Health care coverage for refugees.

Answer: same coverage as nationals

Code: 1

Explanation: Colombian law foresees the access to health care as a right of every resident. The law does not differentiate between nationals and nationals regarding the coverage of health services.

Sources: Ley 100 [Law 100]. 1993. Art. 3 and 153. / Decreto 780 [Decree 780]. 2016.

Health care coverage for co-ethnics.

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Health care coverage for domestic workers.

Answer: same coverage as nationals

Code: 1

Explanation: Colombian law foresees the access to health care as a right of every resident. The law does not differentiate between nationals and nationals regarding the coverage of health services.

Sources: Ley 100 [Law 100]. 1993. Art. 3 and 153. / Decreto 780 [Decree 780]. 2016.

Health care coverage for agricultural workers.

Answer: same coverage as nationals

Code: 1

Explanation: Colombian law foresees the access to health care as a right of every resident. The law does not differentiate between nationals and nationals regarding the coverage of health services.

Sources: Ley 100 [Law 100]. 1993. Art. 3 and 153. / Decreto 780 [Decree 780]. 2016.

Health care coverage for medical doctors.

Answer: same coverage as nationals

Code: 1

Explanation: Colombian law foresees the access to health care as a right of every resident. The law does not differentiate between nationals and nationals regarding the coverage of health services.

Sources: Ley 100 [Law 100]. 1993. Art. 3 and 153. / Decreto 780 [Decree 780]. 2016.

Health care coverage for permanent residents.

Answer: same coverage as nationals

Code: 1

Explanation: Colombian law foresees the access to health care as a right of every resident. The law does not differentiate between nationals and nationals regarding the coverage of health services.

Sources: Ley 100 [Law 100]. 1993. Art. 3 and 153. / Decreto 780 [Decree 780]. 2016.

5.4.4. Unemployment benefits

IMMIGRANT_52: Unemployment benefits.

Access of asylum seekers to unemployment benefits as compared to citizen residents:

Answer: not applicable

Code: Not applicable

Explanation: Everyone with an employment contract governed by Colombian law has affiliated to an unemployment fund, regardless of their nationality and is entitled in addition to a compensation as a result of the termination of the employment contract.

Sources: Decreto 663 [Decree 663]. 1993. / Ley 50 [Law 50]. 1990. Art. 99. / Código Sustantivo del Trabajo [Labour Code]. 1951. Art. 249 and 250.

Access of refugees to unemployment benefits as compared to citizen residents:

Answer: equal access

Code: 1

Explanation: Everyone with an employment contract governed by Colombian law has affiliated to an unemployment fund, regardless of their nationality and is entitled in addition to a compensation as a result of the termination of the employment contract.

Sources: Decreto 663 [Decree 663]. 1993. / Ley 50 [Law 50]. 1990. Art. 99. / Código Sustantivo del Trabajo [Labour Code]. 1951. Art. 249 and 250.

Access of co-ethnics to unemployment benefits as compared to citizen residents:

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Access of domestic workers to unemployment benefits as compared to citizen residents:

Answer: equal access

Code: 1

Explanation: Everyone with an employment contract governed by Colombian law has affiliated to an unemployment fund, regardless of their nationality and is entitled in addition to a compensation as a result of the termination of the employment contract.

Sources: Decreto 663 [Decree 663]. 1993. / Ley 50 [Law 50]. 1990. Art. 99. / Código Sustantivo del Trabajo [Labour Code]. 1951. Art. 249 and 250.

Access of agricultural workers to unemployment benefits as compared to citizen residents:

Answer: equal access

Code: 1

Explanation: Everyone with an employment contract governed by Colombian law has affiliated to an unemployment fund, regardless of their nationality and is entitled in addition to a compensation as a result of the termination of the employment contract.

Sources: Decreto 663 [Decree 663]. 1993. / Ley 50 [Law 50]. 1990. Art. 99. / Código Sustantivo del Trabajo [Labour Code]. 1951. Art. 249 and 250.

Access of medical doctors to unemployment benefits as compared to citizen residents:

Answer: equal access

Code: 1

Explanation: Everyone with an employment contract governed by Colombian law has affiliated to an unemployment fund, regardless of their nationality and is entitled in addition to a compensation as a result of the termination of the employment contract.

Sources: Decreto 663 [Decree 663]. 1993. / Ley 50 [Law 50]. 1990. Art. 99. / Código Sustantivo del Trabajo [Labour Code]. 1951. Art. 249 and 250.

Access of permanent residents to unemployment benefits as compared to citizen residents:

Answer: equal access

Code: 1

Explanation: Everyone with an employment contract governed by Colombian law has affiliated to an unemployment fund, regardless of their nationality and is entitled in addition to a compensation as a result of the termination of the employment contract.

Sources: Decreto 663 [Decree 663]. 1993. / Ley 50 [Law 50]. 1990. Art. 99. / Código Sustantivo del Trabajo [Labour Code]. 1951. Art. 249 and 250.

5.4.5. Retirement benefits

IMMIGRANT_53: Retirement benefits.

Access of asylum seekers to retirement benefits as compared to citizen residents:

Answer: no access

Code: 0

Explanation: Asylum seekers do not have the right to work, which exempts them from eligibility. Everyone with an employment contract, including independent workers, must be affiliated to the General Retirement System, regardless of their nationality. However, foreigners are not compelled to make a contribution and can make a voluntary payment to the General Retirement System in Colombia as long as long as they have a work contract in force in Colombia and are affiliated and making their contributions in some regime of another country.

Sources: Ley 100 [Law 100]. 1993. Art. 15. / Ley 797 [Law 797]. 2003. Art. 3.

Access of refugees to retirement benefits as compared to citizen residents:

Answer: limited access

Code: 0.5

Explanation: Everyone with an employment contract, including independent workers, must be affiliated to the General Retirement System, regardless of their nationality. However, foreigners are not compelled to make a contribution and can make a voluntary payment to the General Retirement System in Colombia as long as long as they have a work contract in force in Colombia and are affiliated and making their contributions in some regime of another country.

Sources: Ley 100 [Law 100]. 1993. Art. 15. / Ley 797 [Law 797]. 2003. Art. 3.

Access of co-ethnics to retirement benefits as compared to citizen residents:

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Access of domestic workers to retirement benefits as compared to citizen residents:

Answer: limited access

Code: 0.5

Explanation: Everyone with an employment contract, including independent workers, must be affiliated to the General Retirement System, regardless of their nationality. However, foreigners are not compelled to make a contribution and can make a voluntary payment to the General Retirement System in Colombia as long as long as they have a work contract in force in Colombia and are affiliated and making their contributions in some regime of another country.

Sources: Ley 100 [Law 100]. 1993. Art. 15. / Ley 797 [Law 797]. 2003. Art. 3.

Access of agricultural workers to retirement benefits as compared to citizen residents:

Answer: limited access

Code: 0.5

Explanation: Everyone with an employment contract, including independent workers, must be affiliated to the General Retirement System, regardless of their nationality. However, foreigners are not compelled to make a contribution and can make a voluntary payment to the General Retirement System in Colombia as long as long as they have a work contract in force in Colombia and are affiliated and making their contributions in some regime of another country.

Sources: Ley 100 [Law 100]. 1993. Art. 15. / Ley 797 [Law 797]. 2003. Art. 3.

Access of medical doctors to retirement benefits as compared to citizen residents:

Answer: limited access

Code: 0.5

Explanation: Everyone with an employment contract, including independent workers, must be affiliated to the General Retirement System, regardless of their nationality. However, foreigners are not compelled to make a contribution and can make a voluntary payment to the General Retirement System in Colombia as long as long as they have a work contract in force in Colombia and are affiliated and making their contributions in some regime of another country.

Sources: Ley 100 [Law 100]. 1993. Art. 15. / Ley 797 [Law 797]. 2003. Art. 3.

Access of permanent residents to retirement benefits as compared to citizen residents:

Answer: limited access

Code: 0.5

Explanation: Everyone with an employment contract, including independent workers, must be affiliated to the General Retirement System, regardless of their nationality. However, foreigners are not compelled to make a contribution and can make a voluntary payment to the General Retirement System in Colombia as long as long as they have a work contract in force in Colombia and are affiliated and making their contributions in some regime of another country.

Sources: Ley 100 [Law 100]. 1993. Art. 15. / Ley 797 [Law 797]. 2003. Art. 3.

5.5. Cultural policies

IMMIGRANT_54: Funding for bilingual education.

Is there public funding for bilingual education in the language of majoritarian migrant groups?

Answer: no

Code: 0

Explanation: The general provisions for education only emphasize on the learning of the Spanish language.

Sources: Ley 115 [Law 115]. 1994. Art. 21 and 22 Ley 115.

IMMIGRANT_55: Funding for media on main migrant group's language.

Is there public funding for media in the language of the main migrant group?

Answer: no

Code: 0

Explanation: There are no provisions in the main regulation.

Sources: Decreto 1078 [Decree 1078]. 2015.

5.6. Mobility policies

5.6.1. Identity documents

IMMIGRANT_56: Confiscation of identification documents.

Do asylum seekers have the right not to have their identity document confiscated by any-one (excluding public authorities)?

Answer: yes

Code: 1

Explanation: The confiscation of documents by another person is illegal.

Sources: MisAbogados. "Retención de documentos personales [Retention of Personal Documents]". Accessed July 15, 2019. <https://www.misabogados.com.co/blog/retencion-de-documentos-personales>.

Do refugees have the right not to have their identity document confiscated by anyone (excluding public authorities)?

Answer: yes

Code: 1

Explanation: The confiscation of documents by another person is illegal.

Sources: MisAbogados. "Retención de documentos personales [Retetion of Personal Documents]". Accessed July 15, 2019. <https://www.misabogados.com.co/blog/retencion-de-documentos-personales>.

Do co-ethnics have the right not to have their identity document confiscated by anyone (excluding public authorities)?

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do domestic workers have the right not to have their identity document confiscated by anyone (excluding public authorities)?

Answer: yes

Code: 1

Explanation: The confiscation of documents by another person is illegal.

Sources: MisAbogados. "Retención de documentos personales [Retetion of Personal Documents]". Accessed July 15, 2019. <https://www.misabogados.com.co/blog/retencion-de-documentos-personales>.

Do agricultural workers have the right not to have their identity document confiscated by anyone (excluding public authorities)?

Answer: yes

Code: 1

Explanation: The confiscation of documents by another person is illegal.

Sources: MisAbogados. "Retención de documentos personales [Retetion of Personal Documents]". Accessed July 15, 2019. <https://www.misabogados.com.co/blog/retencion-de-documentos-personales>.

Do medical doctors have the right not to have their identity document confiscated by anyone (excluding public authorities)?

Answer: yes

Code: 1

Explanation: The confiscation of documents by another person is illegal.

Sources: MisAbogados. "Retención de documentos personales [Retention of Personal Documents]". Accessed July 15, 2019. <https://www.misabogados.com.co/blog/retencion-de-documentos-personales>.

Do permanent residents have the right not to have their identity document confiscated by anyone (excluding public authorities)?

Answer: yes

Code: 1

Explanation: The confiscation of documents by another person is illegal.

Sources: MisAbogados. "Retención de documentos personales [Retention of Personal Documents]". Accessed July 15, 2019. <https://www.misabogados.com.co/blog/retencion-de-documentos-personales>.

5.6.2. Freedom of movement

IMMIGRANT_57: Freedom of movement within country.

Do asylum seekers have the right to move freely within the country?

Answer: yes

Code: 1

Explanation: The law only states that foreigners who change place of residence have to notify Migration Colombia (Migración Colombia) of the change. However, the law also lays down that asylum seekers will have written on their safe-conduct "Not valid to leave the country or to move to border areas other than the one through which the person entered national territory".

Sources: Decreto 1067 [Decree 1067]. 2015. Art. 2.2.1.11.4.8 and 2.2.3.1.4.1.

Do refugees have the right to move freely within the country?

Answer: yes

Code: 1

Explanation: The law only states that foreigners who change place of residence have to notify Migration Colombia (Migración Colombia) of the change.

Sources: Decreto 1067 [Decree 1067]. 2015. Art. 2.2.1.11.4.8.

Do co-ethnics have the right to move freely within the country?

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do domestic workers have the right to move freely within the country?

Answer: yes

Code: 1

Explanation: The law only states that foreigners who change place of residence have to notify Migration Colombia (Migración Colombia) of the change.

Sources: Decreto 1067 [Decree 1067]. 2015. Art. 2.2.1.11.4.8.

Do agricultural workers have the right to move freely within the country?

Answer: yes

Code: 1

Explanation: The law only states that foreigners who change place of residence have to notify Migration Colombia (Migración Colombia) of the change.

Sources: Decreto 1067 [Decree 1067]. 2015. Art. 2.2.1.11.4.8.

Do medical doctors have the right to move freely within the country?

Answer: yes

Code: 1

Explanation: The law only states that foreigners who change place of residence have to notify Migration Colombia (Migración Colombia) of the change.

Sources: Decreto 1067 [Decree 1067]. 2015. Art. 2.2.1.11.4.8.

Do permanent residents have the right to move freely within the country?

Answer: yes

Code: 1

Explanation: The law only states that foreigners who change place of residence have to notify Migration Colombia (Migración Colombia) of the change.

Sources: Decreto 1067 [Decree 1067]. 2015. Art. 2.2.1.11.4.8.

IMMIGRANT_58: Freedom to move outside the country.

Do asylum seekers have the right to leave the country?

Answer: no

Code: 0

Explanation: The law lays down, that asylum seekers will have written on their safe-conduct: "Not valid to leave the country or to move to border areas other than the one through which the person entered national territory".

Sources: Decreto 1067 [Decree 1067]. 2015. Art. 2.2.3.1.4.1.

Number of months of absence allowed per year (asylum seekers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do refugees have the right to leave the country?

Answer: yes

Code: 1

Explanation: Refugees can leave the country. However, the M-visa expires if the visa holder stays out of the country for six consecutive months.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 66.

Number of months of absence allowed per year (refugees):

Answer: 6

Code: 6

Explanation: Refugees can leave the country. However, the M-visa expires if the visa holder stays out of the country for six consecutive months.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 66.

Do co-ethnics have the right to leave the country?

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Number of months of absence allowed per year (co-ethnics):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do domestic workers have the right to leave the country?

Answer: yes

Code: 1

Explanation: There are no provisions in the main regulation.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 12.

Number of months of absence allowed per year (domestic workers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do agricultural workers have the right to leave the country?

Answer: yes

Code: 1

Explanation: There are no provisions in the main regulation.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 12.

Number of months of absence allowed per year (agricultural workers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do medical doctors have the right to leave the country?

Answer: yes

Code: 1

Explanation: There are no provisions in the main regulation.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 12.

Number of months of absence allowed per year (medical doctors):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do permanent residents have the right to leave the country?

Answer: yes

Code: 1

Explanation: There are no provisions restricting international mobility in the main regulation. However, R-visa expires if the visa holder stays away of the country, continuously, for 2 years or more.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 66.

Number of months of absence allowed per year (permanent residents):

Answer: 12

Code: 12

Explanation: There are no provisions restricting international mobility in the main regulation. However, R-visa expires if the visa holder stays away of the country, continuously, for 2 years or more.

Sources: Resolución 6045 [Resolution 6045]. 2017. Art. 66.

5.6.3. Obligations

5.6.4. Military service

IMMIGRANT_59: Military service.

Do asylum seekers have the obligation to comply with military service?

Answer: military service mandatory for citizens, but not for non-citizens

Code: 0

Explanation: Mandatory military service is reserved for Colombian male nationals.

Sources: Decreto 1861 [Decree 1861]. 2017. Art. 4.

Do refugees have the obligation to comply with military service?

Answer: military service mandatory for citizens, but not for non-citizens

Code: 0

Explanation: Mandatory military service is reserved for Colombian male nationals.

Sources: Decreto 1861 [Decree 1861]. 2017. Art. 4.

Do co-ethnics have the obligation to comply with military service?

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do domestic workers have the obligation to comply with military service?

Answer: military service mandatory for citizens, but not for non-citizens

Code: 0

Explanation: Mandatory military service is reserved for Colombian male nationals.

Sources: Decreto 1861 [Decree 1861]. 2017. Art. 4.

Do agricultural workers have the obligation to comply with military service?

Answer: military service mandatory for citizens, but not for non-citizens

Code: 0

Explanation: Mandatory military service is reserved for Colombian male nationals.

Sources: Decreto 1861 [Decree 1861]. 2017. Art. 4.

Do medical doctors have the obligation to comply with military service?

Answer: military service mandatory for citizens, but not for non-citizens

Code: 0

Explanation: Mandatory military service is reserved for Colombian male nationals.

Sources: Decreto 1861 [Decree 1861]. 2017. Art. 4.

Do permanent residents have the obligation to comply with military service?

Answer: military service mandatory for citizens, but not for non-citizens

Code: 0

Explanation: Mandatory military service is reserved for Colombian male nationals.

Sources: Decreto 1861 [Decree 1861]. 2017. Art. 4.

5.6.5. Social service

IMMIGRANT_60: Social service.

Do asylum seekers have the obligation to comply with social service?

Answer: not applicable

Code: Not applicable

Explanation: Social service is linked to education. Asylum seekers would only be mandated to comply with social service if and when they become recognized refugees.

Sources: Not applicable

Do refugees have the obligation to comply with social service?

Answer: social service mandatory for citizens and non-citizens

Code: 1

Explanation: Foreigners who have completed higher education programs in Colombia in the areas of health care, agriculture, agro-industry or ecology are obliged to provide compulsory social service. Foreigners who are finishing their secondary education in Colombia are also compelled to engage in social service during their last two years of school.

Sources: Ley 115 [Law 115]. 1994. Art. 66 and 97. / Resolución 2358 [Resolution 2358]. 2014.

Do co-ethnics have the obligation to comply with social service?

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do domestic workers have the obligation to comply with social service?

Answer: social service mandatory for citizens and non-citizens

Code: 1

Explanation: Foreigners who have completed higher education programs in Colombia in the areas of health care, agriculture, agro-industry or ecology are obliged to provide compulsory social service. Foreigners who are finishing their secondary education in Colombia are also compelled to engage in social service during their last two years of school.

Sources: Ley 115 [Law 115]. 1994. Art. 66 and 97. / Resolución 2358 [Resolution 2358]. 2014.

Do agricultural workers have the obligation to comply with social service?

Answer: social service mandatory for citizens and non-citizens

Code: 1

Explanation: Foreigners who have completed higher education programs in Colombia in the areas of health care, agriculture, agro-industry or ecology are obliged to provide compulsory social service. Foreigners who are finishing their secondary education in Colombia are also compelled to engage in social service during their last two years of school.

Sources: Ley 115 [Law 115]. 1994. Art. 66 and 97. / Resolución 2358 [Resolution 2358]. 2014.

Do medical doctors have the obligation to comply with social service?

Answer: social service mandatory for citizens and non-citizens

Code: 1

Explanation: Foreigners who have completed higher education programs in Colombia in the areas of health care, agriculture, agro-industry or ecology are obliged to provide compulsory social service.

Foreigners who are finishing their secondary education in Colombia are also compelled to engage in social service during their last two years of school.

Sources: Ley 115 [Law 115]. 1994. Art. 66 and 97. / Resolución 2358 [Resolution 2358]. 2014.

Do permanent residents have the obligation to comply with social service?

Answer: social service mandatory for citizens and non-citizens

Code: 1

Explanation: Foreigners who have completed higher education programs in Colombia in the areas of health care, agriculture, agro-industry or ecology are obliged to provide compulsory social service. Foreigners who are finishing their secondary education in Colombia are also compelled to engage in social service during their last two years of school.

Sources: Ley 115 [Law 115]. 1994. Art. 66 and 97. / Resolución 2358 [Resolution 2358]. 2014.

5.6.6. Taxes

IMMIGRANT_61: Income taxes.

Do asylum seekers have to pay income taxes in state of reception?

Answer: no

Code: 0

Explanation: No, since asylum seekers safe-conduct SC-2 is only valid for up to 90 days and a foreign only has to pay income taxes if he/she is a fiscal resident (asylum seekers are not considered fiscal residents).

Sources: Decreto 1067 [Decree 1067]. 2015. Art. 2.2.1.11.4.9. / Dirección de Impuestos y Aduanas Nacionales. "Residencia Para Efectos Y Tributarios [Residence for Tax and Customs Purposes]". Accessed July 10, 2019. <https://www.dian.gov.co/impuestos/personas/RentaNaturales/2016/Paginas/residente.aspx>. / Decreto 624 [Decree 624]. 1989. Art. 10.

Do refugees have to pay income taxes in state of reception?

Answer: yes

Code: 1

Explanation: Refugees have to pay income taxes if they are fiscal residents.

Sources: Dirección de Impuestos y Aduanas Nacionales. "Residencia Para Efectos Y Tributarios [Residence for Tax and Customs Purposes]". Accessed July 10, 2019. <https://www.dian.gov.co/impuestos/personas/RentaNaturales/2016/Paginas/residente.aspx>. / Decreto 624 [Decree 624]. 1989. Art. 10. / Dirección de Impuestos y Aduanas Nacionales. "Quiénes Deben Declarar - Topes Para Declarar [Who Must File - Filing Deadlines]". Accessed July 12, 2019.

https://www.dian.gov.co/impuestos/personas/Renta_Personas_Naturales_AG_2018/Paginas/Quienes-deben-Declarar.aspx.

Do co-ethnics have to pay income taxes in state of reception?

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do domestic workers have to pay income taxes in state of reception?

Answer: yes

Code: 1

Explanation: Domestic workers have to pay income taxes if they are fiscal residents.

Sources: Dirección de Impuestos y Aduanas Nacionales. "Residencia Para Efectos Y Tributarios [Residence for Tax and Customs Purposes]". Accessed July 10, 2019. <https://www.dian.gov.co/impuestos/personas/RentaNaturales/2016/Paginas/residente.aspx>. / Decreto 624 [Decree 624]. 1989. Art. 10. / Dirección de Impuestos y Aduanas Nacionales. "Quiénes Deben Declarar - Topes Para Declarar [Who Must File - Filing Deadlines]". Accessed July 12, 2019. https://www.dian.gov.co/impuestos/personas/Renta_Personas_Naturales_AG_2018/Paginas/Quienes-deben-Declarar.aspx.

Do agricultural workers have to pay income taxes in state of reception?

Answer: yes

Code: 1

Explanation: Agricultural workers have to pay income taxes if they are fiscal residents.

Sources: Dirección de Impuestos y Aduanas Nacionales. "Residencia Para Efectos Y Tributarios [Residence for Tax and Customs Purposes]". Accessed July 10, 2019. <https://www.dian.gov.co/impuestos/personas/RentaNaturales/2016/Paginas/residente.aspx>. / Decreto 624 [Decree 624]. 1989. Art. 10. / Dirección de Impuestos y Aduanas Nacionales. "Quiénes Deben Declarar - Topes Para Declarar [Who Must File - Filing Deadlines]". Accessed July 12, 2019. https://www.dian.gov.co/impuestos/personas/Renta_Personas_Naturales_AG_2018/Paginas/Quienes-deben-Declarar.aspx.

Do medical doctors have to pay income taxes in state of reception?

Answer: yes

Code: 1

Explanation: Refugees have to pay income taxes if they are fiscal residents.

Sources: Dirección de Impuestos y Aduanas Nacionales. “Residencia Para Efectos Y Tributarios [Residence for Tax and Customs Purposes]”. Accessed July 10, 2019. <https://www.dian.gov.co/impuestos/personas/RentaNaturales/2016/Paginas/residente.aspx>. / Decreto 624 [Decree 624]. 1989. Art. 10. / Dirección de Impuestos y Aduanas Nacionales. “Quiénes Deben Declarar - Topes Para Declarar [Who Must File - Filing Deadlines]”. Accessed July 12, 2019. https://www.dian.gov.co/impuestos/personas/Renta_Personas_Naturales_AG_2018/Paginas/Quienes-deben-Declarar.aspx.

Do permanent residents have to pay income taxes in state of reception?

Answer: yes

Code: 1

Explanation: Refugees have to pay income taxes if they are fiscal residents.

Sources: Dirección de Impuestos y Aduanas Nacionales. “Residencia Para Efectos Y Tributarios [Residence for Tax and Customs Purposes]”. Accessed July 10, 2019. <https://www.dian.gov.co/impuestos/personas/RentaNaturales/2016/Paginas/residente.aspx>. / Decreto 624 [Decree 624]. 1989. Art. 10. / Dirección de Impuestos y Aduanas Nacionales. “Quiénes Deben Declarar - Topes Para Declarar [Who Must File - Filing Deadlines]”. Accessed July 12, 2019. https://www.dian.gov.co/impuestos/personas/Renta_Personas_Naturales_AG_2018/Paginas/Quienes-deben-Declarar.aspx.

5.7. Administration

IMMIGRANT_62: Existence of immigrant integration agency in state of reception.

Existence of institution/agency with competencies for immigrant policies:

Answer: no

Code: 0

Explanation: There is not such agency on a national level, only some cities have opened assistance centers for immigrants. For instance, in 2018, Bogota’s city council open the first Migrant Integral Assistance Center (Centro Integral de Atención al Migrante) which provides psychological, legal guidance to the migrant population residing in the capital . Another Assistance Center was opened in Maicao, Guajira, in 2019 to provide assistance to the Venezuelan immigrants arriving in the country. It offers temporary accommodation, water and sanitation, food, medical services, psychosocial support and protection.

Sources: Alcaldía de Bogotá. “La Alcaldía de Enrique Peñalosa abre el primer ‘Centro Integral de Atención al Migrante’ [The Mayor’s Office of Enrique Peñalosa opens the first ‘Comprehensive Center for Migrant Assistance]”. Accessed July 12, 2019. <https://bogota.gov.co/mi-ciudad/integracion-social/centro-integral-de-atencion-al-migrante-0>. / Ministerio de Relaciones Exteriores. “En Maicao, entró en funcionamiento el nuevo Centro de Atención Integral temporal para la población en condición de vulnerabilidad proveniente de Venezuela [In Maicao, the new Temporary Integral Assistance Center for the Vulnerable Population from Venezuela came into operation]”. Accessed July 12, 2019. <https://id.presidencia.gov.co:443/Paginas/prensa/2019/190308-Maicao-entro-funcionamiento-nuevo-Centro-Atencion-Integral-temporal-para-poblacion-condicion-vulnerabilidad-Venezuel.aspx>.

Name of the institution with competencies for immigrant policies in original language:

Answer: Not applicable

Name of the institution with competencies for immigrant policies in English:

Answer: Not applicable

Access to antidiscrimination body.

Migrants can access antidiscrimination bodies and prerogatives (e.g. make official complaints to an Ombudsperson) regardless of migrant status (they might be explicitly mentioned as eligible, or not; what we care about is that they are not explicitly excluded, for instance, by statements that restrict access to nationals):

Answer: Yes

Code: 1

Explanation: Art. 282 of the Political Constitution of Colombia of 1991 which lays down the functions of the Ombudsperson establishes that all residents of the national territory and Colombian emigrants can make official complaints to an Ombudsperson. It does not differentiate between nationals and foreigners, nor does it exclude immigrants with an irregular migrant status. Furthermore, the guide for Venezuelan immigrant in Colombia published by the National Unit for Disaster Risk Management (Unidad Nacional para la Gestión del Riesgo de Desastres) says explicitly that if a Venezuelan has been violated in his or her rights, he or she has to go to the Public Prosecutor's Office (Ministerio Público), i.e. the Office of the Ombudsman, the Office of the Procurator-General and/or municipal authorities.

Sources: Constitución Política de Colombia [Political Constitution of Colombia]. 1991. Art. 281 and 282. / Unidad Nacional para la Gestión del Riesgo de Desastres. "Ruta de Atención Para Migrantes Venezolanos En Colombia [Assistance Route for Venezuelan Migrants in Colombia]." Unidad Nacional para la Gestión del Riesgo de Desastres. Accessed July 12, 2019. <http://portal.gestiondelriesgo.gov.co/RAMV/SiteAssets/SitePages/Documentos/Ruta%20de%20atencio%CC%81n%20para%20migrantes%20venezolanos%20en%20Colombia%20-%20Final.pdf>.

6. Immigrant citizenship and nationality

6.1. Immigrant nationality

6.1.1. Immigrant dual nationality

IMNAT_1: Renunciation of previous nationality.

Does the country require applicants to naturalization by residence to renounce their previous nationality?

Answer: No

Code: 1

Explanation: No. The Political Constitution of Colombia of 1991 lays down, that naturalized Colombians do not have to renounce their previous nationality.

Sources: Constitución Política de Colombia [Political Constitution of Colombia]. 1991. Art. 96.

Citizenship can be withdrawn only if person resides outside the country:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Are there exceptions?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMNAT_1_1: Sanctions.

Are there sanctions for naturalized persons who are later found to have the nationality of the country or origin despite there being a procedure and having pledged to renounce it?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

6.1.2. Emigrant dual nationality for immigrants who naturalized

IMNAT_2: Emigrant dual nationality for naturalized immigrants.

Does the country deprive their national citizens by naturalization of nationality (or provide for the involuntary loss of it) for having acquired a foreign one (i.e. of their place of residence) and, if so, under which conditions?

Answer: No provision

Code: 1

Explanation: No. The Political Constitution of Colombia of 1991 that the Colombian nationality cannot be lost due to the acquisition of another nationality.

Sources: Constitución Política de Colombia [Political Constitution of Colombia]. 1991. Art. 86. / Ley 43 [Law 43]. 1993. Art. 22 and 24.

6.1.3. Loss of nationality after residence abroad for naturalized immigrants

IMNAT_3: Loss after residence abroad for naturalized immigrants

For national citizens by naturalization who emigrated, does the country deprive them of their nationality (or provide for the involuntary loss of it) because of residence abroad

Answer: No provision

Code: 1

Explanation: There are no provisions on the loss of nationality because of residence abroad. Naturalized persons can lose their Colombian nationality due to renouncement, for crimes against the existence and security of the State and the constitutional regime.

Sources: Ley 43 [Law 43]. 1993. Art. 24.

After how many years abroad?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

6.1.4. Unrestrictive jus soli

IMNAT_4: Unrestrictive jus soli.

Does the country provide for a child to acquire nationality by birth in the territory irrespective of the birthplace of the parents?

Answer: Yes

Code: 1

Explanation: Yes. Colombian nationality can be acquired by jus soli, as long as the foreign parents of the child born in Colombia were residing in Colombia at the time of the birth and intend to remain in the territory, according to the definition of domicile (domicilio), as specified in art. 77 of the Civil Code. Currently, the Colombian law only recognizes the residence visa as the only proof of domicile. Therefore, rather than jus soli, one can say that the principle that applies in Colombia is jus domicili. Colombia also grants the nationality to children born in national territory to undocumented parents, to avoid that they become stateless. In the latter case, the parents do not have to proof domicile but have to instead have proof that their state of origin does not grant the nationality of the parents to the child by kinship.

Sources: Constitución Política de Colombia [Political Constitution of Colombia]. 1991. Art. 96. / Ley 43 [Law 43]. 1993. Art. 1 and 2. / Ley 962. [Law 962]. 2005. Art. 5.

6.1.5. Qualified jus soli

IMNAT_5: Qualified jus soli.

Does the country provide for children to acquire nationality by birth in the territory only if their parents were also born there?

Answer: No

Code: 0

Explanation: No. Children born in national territory to foreign parents can also acquire the Colombian nationality by birth in the territory

Sources: Constitución Política de Colombia [Political Constitution of Colombia]. 1991. Art. 96. / Ley 43 [Law 43]. 1993. Art. 1 and 2. / Ley 962. [Law 962]. 2005. Art. 5.

6.1.6. Standard naturalization procedure for immigrants due to residence

IMNAT_6: Ordinary naturalization.

Does the country provide for standard naturalization procedure for immigrants due to residence in it?

Answer: Yes, provision for standard naturalization based on residence

Code: 1

Explanation: Immigrants can acquire the Colombian nationality: (1) After having lived in Colombia for five (5) continuous years, previous to the date when the application was submitted and the applicant has a residence R visa. If the foreign is married to a Colombian national or is parent to Colombian nationals, the requirement of residence in the country is only of two (2) years. The absence of the territory for more than one year would interrupt the continuous domicile in the country (Law 952, Art. 40); (2) As a national by birth of another Latin-American or Caribbean country who has lived in Colombian territory for at least one (1) year previous to the date of the application. This condition only applies under the principle of reciprocity; (3) Members of indigenous groups that live at the border, under the principle of reciprocity; (4) Children born in national territory to undocumented parents, to avoid that they become stateless. In the latter case, the parents do not have to proof domicile but have to instead have proof that their state of origin does not grant the nationality of the parents to the child by kinship.

Sources: Constitución Política de Colombia [Political Constitution of Colombia]. 1991. Art. 96. / Ley 43 [Law 43]. 1993. Art. 5. / Ley 962. [Law 962]. 2005. Art. 39 and 40.

Number of years of residence required for naturalization:

Answer: 5

Code: 5

Explanation: Immigrants can acquire the Colombian nationality: (1) After having lived in Colombia for five (5) continuous years, previous to the date when the application was submitted and the applicant has a residence R visa. If the foreign is married to a Colombian national or is parent to Colombian nationals, the requirement of residence in the country is only of two (2) years. The absence of the territory for more than one year would interrupt the continuous domicile in the country (Law 952, Art. 40); (2) As a national by birth of another Latin-American or Caribbean country who has lived in Colombian territory for at least one (1) year previous to the date of the application. This condition only applies under the principle of reciprocity; (3) Members of indigenous groups that live at the border, under the principle of reciprocity; (4) Children born in national territory to undocumented parents, to avoid that they become stateless. In the latter case, the parents do not have to proof domicile but have to instead have proof that their state of origin does not grant the nationality of the parents to the child by kinship.

Sources: Constitución Política de Colombia [Political Constitution of Colombia]. 1991. Art. 96. / Ley 43 [Law 43]. 1993. Art. 5. / Ley 962. [Law 962]. 2005. Art. 39 and 40.

Number of continuous years of residence required for naturalization:

Answer: 5

Code: 5

Explanation: Immigrants can acquire the Colombian nationality: (1) After having lived in Colombia for five (5) continuous years, previous to the date when the application was submitted and the applicant has a residence R visa. If the foreign is married to a Colombian national or is parent to Colombian nationals, the requirement of residence in the country is only of two (2) years. The absence of the

territory for more than one year would interrupt the continuous domicile in the country (Law 952, Art. 40); (2) As a national by birth of another Latin-American or Caribbean country who has lived in Colombian territory for at least one (1) year previous to the date of the application. This condition only applies under the principle of reciprocity; (3) Members of indigenous groups that live at the border, under the principle of reciprocity; (4) Children born in national territory to undocumented parents, to avoid that they become stateless. In the latter case, the parents do not have to proof domicile but have to instead have proof that their state of origin does not grant the nationality of the parents to the child by kinship.

Sources: Constitución Política de Colombia [Political Constitution of Colombia]. 1991. Art. 96. / Ley 43 [Law 43]. 1993. Art. 5. / Ley 962. [Law 962]. 2005. Art. 39 and 40.

Permanent residence status is required for naturalization:

Answer: No

Code: 0

Explanation: Immigrants can acquire the Colombian nationality: (1) After having lived in Colombia for five (5) continuous years, previous to the date when the application was submitted and the applicant has a residence R visa. If the foreign is married to a Colombian national or is parent to Colombian nationals, the requirement of residence in the country is only of two (2) years. The absence of the territory for more than one year would interrupt the continuous domicile in the country (Law 952, Art. 40); (2) As a national by birth of another Latin-American or Caribbean country who has lived in Colombian territory for at least one (1) year previous to the date of the application. This condition only applies under the principle of reciprocity; (3) Members of indigenous groups that live at the border, under the principle of reciprocity; (4) Children born in national territory to undocumented parents, to avoid that they become stateless. In the latter case, the parents do not have to proof domicile but have to instead have proof that their state of origin does not grant the nationality of the parents to the child by kinship.

Sources: Constitución Política de Colombia [Political Constitution of Colombia]. 1991. Art. 96. / Ley 43 [Law 43]. 1993. Art. 5. / Ley 962. [Law 962]. 2005. Art. 39 and 40.

Renunciation of previous nationality is required:

Answer: No renunciation requirement

Code: 0

Explanation: Immigrants can acquire the Colombian nationality: (1) After having lived in Colombia for five (5) continuous years, previous to the date when the application was submitted and the applicant has a residence R visa. If the foreign is married to a Colombian national or is parent to Colombian nationals, the requirement of residence in the country is only of two (2) years. The absence of the territory for more than one year would interrupt the continuous domicile in the country (Law 952, Art. 40); (2) As a national by birth of another Latin-American or Caribbean country who has lived in Colombian territory for at least one (1) year previous to the date of the application. This condition only applies under the principle of reciprocity; (3) Members of indigenous groups that live at the border, under the principle of reciprocity; (4) Children born in national territory to undocumented parents, to avoid that they become stateless. In the latter case, the parents do not have to proof domicile but have to instead have proof that their state of origin does not grant the nationality of the parents to the child by kinship.

Sources: Constitución Política de Colombia [Political Constitution of Colombia]. 1991. Art. 96. / Ley 43 [Law 43]. 1993. Art. 5. / Ley 962. [Law 962]. 2005. Art. 39 and 40.

Language condition for naturalization:

Answer: With certification or test at B1 level

Code: 0.75

Explanation: Immigrants can acquire the Colombian nationality: (1) After having lived in Colombia for five (5) continuous years, previous to the date when the application was submitted and the applicant has a residence R visa. If the foreign is married to a Colombian national or is parent to Colombian nationals, the requirement of residence in the country is only of two (2) years. The absence of the territory for more than one year would interrupt the continuous domicile in the country (Law 952, Art. 40); (2) As a national by birth of another Latin-American or Caribbean country who has lived in Colombian territory for at least one (1) year previous to the date of the application. This condition only applies under the principle of reciprocity; (3) Members of indigenous groups that live at the border, under the principle of reciprocity; (4) Children born in national territory to undocumented parents, to avoid that they become stateless. In the latter case, the parents do not have to proof domicile but have to instead have proof that their state of origin does not grant the nationality of the parents to the child by kinship. Further requisites are: Accredited basic knowledge of the Political Constitution of Colombia, homeland history, geography of Colombia and Spanish. The exams must be presented in the respective Government of the place of their domicile, upon request of this Ministry, in accordance with the provisions of Law 43 of 1993, modified by Law 962 of 2005. Those who prove that they have obtained Bachelor's degree, or those who have completed university studies in Colombia, and people over 65 years. If no evidence of Bachelor or University degrees is attached in Colombia, the Nationality Coordination will officiate at the Government of the applicant's domicile, to carry out the practice of knowledge exams. The Spanish exam is excepted for those whose mother tongue is Spanish. The homologation of university degrees does not exempt from the knowledge test. The exams are presented before the Government of the applicant's domicile, on the date established by the respective Government.

Sources: Constitución Política de Colombia [Political Constitution of Colombia]. 1991. Art. 96. / Ley 43 [Law 43]. 1993. Art. 5. / Ley 962. [Law 962]. 2005. Art. 39 and 40.

Civil knowledge is a requisite for naturalization:

Answer: Formal naturalization test containing civic and cultural knowledge questions, not very demanding with questions and study material available and/or exemptions for applicants who have attended schools in the country; or alternative of more onerous or expensive course

Code: 0.75

Explanation: Immigrants can acquire the Colombian nationality: (1) After having lived in Colombia for five (5) continuous years, previous to the date when the application was submitted and the applicant has a residence R visa. If the foreign is married to a Colombian national or is parent to Colombian nationals, the requirement of residence in the country is only of two (2) years. The absence of the territory for more than one year would interrupt the continuous domicile in the country (Law 952, Art. 40); (2) As a national by birth of another Latin-American or Caribbean country who has lived in Colombian territory for at least one (1) year previous to the date of the application. This condition only applies under the principle of reciprocity; (3) Members of indigenous groups that live at the border, under the principle of reciprocity; (4) Children born in national territory to undocumented parents, to avoid that they become stateless. In the latter case, the parents do not have to proof domicile but have to instead have proof that their state of origin does not grant the nationality of the parents to the child by kinship. Further requisites are: Accredited basic knowledge of the Political Constitution of Colombia, homeland history, geography of Colombia and Spanish. The exams must be presented in the respective Government of the place of their domicile, upon request of this Ministry, in accordance with the provisions of Law 43 of 1993, modified by Law 962 of 2005. Those who prove that they have obtained Bachelor's degree, or those who have completed university studies in Colombia, and people

over 65 years. If no evidence of Bachelor or University degrees is attached in Colombia, the Nationality Coordination will officiate at the Government of the applicant's domicile, to carry out the practice of knowledge exams. The Spanish exam is excepted for those whose mother tongue is Spanish. The homologation of university degrees does not exempt from the knowledge test. The exams are presented before the Government of the applicant's domicile, on the date established by the respective Government.

Sources: Constitución Política de Colombia [Political Constitution of Colombia]. 1991. Art. 96. / Ley 43 [Law 43]. 1993. Art. 5. / Ley 962. [Law 962]. 2005. Art. 39 and 40.

Clean criminal record is a requisite:

Answer: No criminal record or good character condition

Code: 0

Explanation: Immigrants can acquire the Colombian nationality: (1) After having lived in Colombia for five (5) continuous years, previous to the date when the application was submitted and the applicant has a residence R visa. If the foreign is married to a Colombian national or is parent to Colombian nationals, the requirement of residence in the country is only of two (2) years. The absence of the territory for more than one year would interrupt the continuous domicile in the country (Law 952, Art. 40); (2) As a national by birth of another Latin-American or Caribbean country who has lived in Colombian territory for at least one (1) year previous to the date of the application. This condition only applies under the principle of reciprocity; (3) Members of indigenous groups that live at the border, under the principle of reciprocity; (4) Children born in national territory to undocumented parents, to avoid that they become stateless. In the latter case, the parents do not have to proof domicile but have to instead have proof that their state of origin does not grant the nationality of the parents to the child by kinship.

Sources: Constitución Política de Colombia [Political Constitution of Colombia]. 1991. Art. 96. / Ley 43 [Law 43]. 1993. Art. 5. / Ley 962. [Law 962]. 2005. Art. 39 and 40.

Economic resources as requisite for naturalization:

Answer: Includes employment condition or no welfare dependency ONLY at time of application

Code: 0.75

Explanation: Immigrants can acquire the Colombian nationality: (1) After having lived in Colombia for five (5) continuous years, previous to the date when the application was submitted and the applicant has a residence R visa. If the foreign is married to a Colombian national or is parent to Colombian nationals, the requirement of residence in the country is only of two (2) years. The absence of the territory for more than one year would interrupt the continuous domicile in the country (Law 952, Art. 40); (2) As a national by birth of another Latin-American or Caribbean country who has lived in Colombian territory for at least one (1) year previous to the date of the application. This condition only applies under the principle of reciprocity; (3) Members of indigenous groups that live at the border, under the principle of reciprocity; (4) Children born in national territory to undocumented parents, to avoid that they become stateless. In the latter case, the parents do not have to proof domicile but have to instead have proof that their state of origin does not grant the nationality of the parents to the child by kinship. Further requisites are: Accredited profession or trade with the labor certificate of the company where you work, no longer than six (6) months.

Sources: Constitución Política de Colombia [Political Constitution of Colombia]. 1991. Art. 96. / Ley 43 [Law 43]. 1993. Art. 5. / Ley 962. [Law 962]. 2005. Art. 39 and 40.

6.1.7. Socialization based acquisition of citizenship

IMNAT_7: Naturalization by socialization.

Does the country provide for acquisition of nationality of minors who reside for a certain period or schooling in the country?

Answer: No provision

Code: 0

Explanation: No. Colombian law only grants the Colombian nationality for jus soli, jus sanguinis, jus domicilii. However, underage children of naturalized parents can also acquire the nationality. When the child reaches the majority of age (18 years) he/she has to communicate to the governor or mayor of the place where he/she received the nationality, his/her willingness to continue being a Colombian national by making the loyalty oath. A copy of the letter will be sent to the Ministry of Foreign Affairs.

Sources: Constitución Política de Colombia [Political Constitution of Colombia]. 1991. Art. 96. / Ley 43 [Law 43]. 1993. Art. 5. / Ley 962. [Law 962]. 2005. Art. 39.

6.1.8. Special procedure for immigrants with very long residence in country

IMNAT_8: Long residence.

Does the country provide for acquisition of nationality by a person who has resided there for a very long time (e.g. more or equal of 12 years)?

Answer: No

Code: 0

Explanation: No provision in main regulations.

Sources: Constitución Política de Colombia [Political Constitution of Colombia]. 1991. Art. 96. / Ley 43 [Law 43]. 1993. Art. 5. / Ley 962. [Law 962]. 2005. Art. 39 and 40.

6.1.9. Preferential naturalization for immigrants from specific countries

IMNAT_9: Preferential naturalization by country.

Does the country provide for a special (e.g. quicker, easier) acquisition of nationality by a person who is a national of another specific country?

Answer: Yes

Code: 1

Explanation: Yes. Under the principle of reciprocity, Latin American and Caribbean nationals, can submit their application after having resided in Colombia for one (1) year. Also, indigenous people living in bordering areas can also acquire the Colombian nationality under the principle of reciprocity. Last but not least, because of the Agreement signed between Colombia and Spain, Spanish nationals who have resided in national territory for two (2) continuous years, can acquire the Colombian nationality. It is important to remark that this agreement was signed due to the common tradition, culture and language.

Sources: Constitución Política de Colombia [Political Constitution of Colombia]. 1991. Art. 96. / Ley 43 [Law 43]. 1993. Art. 5. / Decreto 1067 [Decree 1067]. 2015. Art. 2.2.4.2.1. / Escobar, Cristina. 2015. "Report on Citizenship Law: Colombia." San Domenico di Fiesole, Italy: European University Institute. P. 15. Accessed December 7, 2019.

6.1.10. Cultural affinity/Ethnic ties

IMNAT_10: Preferential naturalization due to cultural or ethnic ties.

Does the country provide for acquisition of nationality by a person who has an affinity with its culture or is somehow defined as co-ethnic?

Answer: No

Code: 0

Explanation: No. There are no provisions in the main regulation.

Sources: Constitución Política de Colombia [Political Constitution of Colombia]. 1991. Art. 96. / Ley 43 [Law 43]. 1993. Art. 5. / Ley 962. [Law 962]. 2005. Art. 39 and 40.

6.1.11. Spousal transfer

IMNAT_11: Spousal transfer.

Does the country provide for acquisition of nationality by the spouse or registered partner of a person who is already a national citizen?

Answer: No

Code: 0

Explanation: No. There are no provision in the main regulation. However, spouses of Colombian nationals can apply for naturalization after having resided in Colombia for two (2) years.

Sources: Constitución Política de Colombia [Political Constitution of Colombia]. 1991. Art. 96. / Ley 43 [Law 43]. 1993. Art. 5 and 17.

6.1.12. Filial transfer

IMNAT_12: Filial transfer.

Does the country provide for acquisition of nationality by the child of a person who is already a national citizen?

Answer: No

Code: 0

Explanation: No. Colombian law only grants the Colombian nationality for jus soli, jus sanguinis, jus domicili. However, underage children of naturalized parents can also acquire the nationality. When the child reaches the majority of age (18 years) he/she has to communicate to the governor or mayor of the place where he/she received the nationality, his/her willingness to continue being a Colombian national by making the loyalty oath. A copy of the letter will be sent to the Ministry of Foreign Affairs.

Sources: Constitución Política de Colombia [Political Constitution of Colombia]. 1991. Art. 96. / Ley 43 [Law 43]. 1993. Art. 5 and 17. / Ley 962. [Law 962]. 2005. Art. 39 and 40.

6.1.13. Special naturalization for refugees

IMNAT_13: Refugees.

Does the country facilitate the acquisition of nationality by a refugee in its territory?

Answer: No

Code: 0

Explanation: No. There are no provisions in the main regulation (Law 43 of 1993, Law 962 of 2005, Political Constitution).

Sources: Constitución Política de Colombia [Political Constitution of Colombia]. 1991. Art. 96. / Ley 43 [Law 43]. 1993. Art. 5. / Ley 962. [Law 962]. 2005. Art. 39 and 40.

6.1.14. Naturalization for special achievements/talents

IMNAT_14: Special talents.

Does the country provide for the acquisition of nationality by a person in account of special achievements/talents?

Answer: No

Code: 0

Explanation: No. There are no provisions in the main regulation (Law 43 of 1993, Law 962 of 2005, Political Constitution).

Sources: Constitución Política de Colombia [Political Constitution of Colombia]. 1991. Art. 96. / Ley 43 [Law 43]. 1993. Art. 5. / Ley 962. [Law 962]. 2005. Art. 39 and 40.

6.1.15. Naturalization due to investment/financial assets

IMNAT_15: Special talents.

Does the country provide for the acquisition of nationality by a person with special financial assets (say which) or persons who invest money in the country?

Answer: No

Code: 0

Explanation: No. There are no provisions in the main regulation (Law 43 of 1993, Law 962 of 2005, Political Constitution).

Sources: Constitución Política de Colombia [Political Constitution of Colombia]. 1991. Art. 96. / Ley 43 [Law 43]. 1993. Art. 5. / Ley 962. [Law 962]. 2005. Art. 39 and 40.

6.1.16. Transfer to other relatives

IMNAT_16: Transfer to other relatives.

Does the country provide for the acquisition of nationality by a relative other than the spouse or child of a person who is already a citizen?

Answer: No

Code: 0

Explanation: No. The law only foresees the transfer of the nationality to the children of a person who is already a citizen.

Sources: Ley 43 [Law 43]. 1993. Art. 17.

6.1.17. Nationality for the stateless

IMNAT_17: Stateless.

Does the country facilitate the naturalization of a stateless person in its territory?

Answer: No

Code: 0

Explanation: No. There are no provisions in the main regulation (Law 43 of 1993, Law 962 of 2005, Political Constitution).

Sources: Constitución Política de Colombia [Political Constitution of Colombia]. 1991. Art. 96. / Ley 43 [Law 43]. 1993. Art. 5. / Ley 962. [Law 962]. 2005. Art. 39 and 40.

6.1.18. Nationality for regularized immigrants

IMNAT_18: Regularization.

Does the country make any differentiation in terms of naturalization procedures regarding persons that have benefited from regularization programs ((i.e. is there any special naturalization scheme for regularized immigrants)?

Answer: No differentiation

Code: 0.5

Explanation: There are no provisions in the main regulation (Law 43 of 1993, Law 962 of 2005, Political Constitution).

Sources: Constitución Política de Colombia [Political Constitution of Colombia]. 1991. Art. 96. / Ley 43 [Law 43]. 1993. Art. 5.

6.1.19. Naturalization possible even if applicant had irregular status before

IMNAT_19: Irregular status.

Does the country provide for a person who has or has had irregular migrant status who can however prove having had resided long enough in the country to apply for naturalization (i. e. is ever having been an irregular migrant an impediment to regularize)?

Answer: No

Code: 0

Explanation: There are no provisions in the main regulation (Law 43 of 1993, Law 962 of 2005, Political Constitution).

Sources: Constitución Política de Colombia [Political Constitution of Colombia]. 1991. Art. 96. / Ley 43 [Law 43]. 1993. Art. 5. / Ley 962. [Law 962]. 2005. Art. 39, 40 and 41.

6.2. Immigrant citizenship

6.2.1. Restrictions on citizenship for naturalized immigrants

IMCIT_1: Restrictions for naturalized immigrants.

Does the country restrict citizenship (i.e. mainly political-electoral rights, either passive or active) of those who have naturalized (even if they only have that one nationality)?

Answer: Yes

Code: 1

Explanation: Yes. Nationals by naturalization cannot access the following public offices: President and Vice-president of the Republic; Senators of the Republic; judges of the Constitutional Court, Supreme Court, and the Higher Council of the Judiciary; Attorney General; Members of the National Electoral Council and National Civil Registrar; Comptroller General; Procurator General; Minister of Foreign Relations and Minister of National Defense; Directors of Intelligence and Security organizations; and 'others determined by law'.

Sources: Constitución Política de Colombia [Political Constitution of Colombia]. 1991. Art. 40, 172 and 355. / Ley 43 [Law 43]. 1993. Art. 28. / Escobar, Cristina. 2015. "Report on Citizenship Law: Colombia." San Domenico di Fiesole, Italy: European University Institute. Accessed December 7, 2019.

For how long are the restrictions applied?

Answer: Indefinitely

Code: 0

Explanation: For the whole life of the migrants dual nationals by naturalization are excluded from the occupying certain public offices as well as from becoming members of the Congress and from ministries and administrative departments.

Sources: Constitución Política de Colombia [Political Constitution of Colombia]. 1991. Art. 179. / Ley 43 [Law 43]. 1993. Art. 29.

Do the restrictions apply to electoral rights?

Answer: Yes

Code: 1

Explanation: Nationals by naturalization cannot access the following public offices: President and Vice-president of the Republic; Senators of the Republic; judges of the Constitutional Court, Supreme Court, and the Higher Council of the Judiciary; Attorney General; Members of the National Electoral Council and National Civil Registrar; Comptroller General; Procurator General; Minister of Foreign Relations and Minister of National Defense; Directors of Intelligence and Security

Sources: Constitución Política de Colombia [Political Constitution of Colombia]. 1991. Art. 40, 172 and 191. / Ley 43 [Law 43]. 1993. Art. 28. / Escobar, Cristina. 2015. "Report on Citizenship Law: Colombia." San Domenico di Fiesole, Italy: European University Institute. Accessed December 7, 2019.

Do the restrictions apply to public office posts?

Answer: Yes

Code: 1

Explanation: Nationals by naturalization cannot access the following public offices: President and Vice-president of the Republic; Senators of the Republic; judges of the Constitutional Court, Supreme Court, and the Higher Council of the Judiciary; Attorney General; Members of the National Electoral Council and National Civil Registrar; Comptroller General; Procurator General; Minister of Foreign Relations and Minister of National Defense; Directors of Intelligence and Security

Sources: Constitución Política de Colombia [Political Constitution of Colombia]. 1991. Art. 40, 172 and 191. / Ley 43 [Law 43]. 1993. Art. 28. / Escobar, Cristina. 2015. "Report on Citizenship Law: Colombia." San Domenico di Fiesole, Italy: European University Institute. Accessed December 7, 2019.

Other type of restrictions

Answer: No

Code: 0

Explanation: Nationals by naturalization cannot access the following public offices: President and Vice-president of the Republic; Senators of the Republic; judges of the Constitutional Court, Supreme Court, and the Higher Council of the Judiciary; Attorney General; Members of the National Electoral Council and National Civil Registrar; Comptroller General; Procurator General; Minister of Foreign Relations and Minister of National Defense; Directors of Intelligence and Security

Sources: Constitución Política de Colombia [Political Constitution of Colombia]. 1991. Art. 40, 172, 191 and 355. / Ley 43 [Law 43]. 1993. Art. 28. / Escobar, Cristina. 2015. "Report on Citizenship Law: Colombia." San Domenico di Fiesole, Italy: European University Institute. Accessed December 7, 2019.

6.2.2. Loss or suspension of citizenship after residence abroad for immigrants who naturalized

IMCIT_2. Loss or suspension of citizenship.

Does the country deprive their national citizens by naturalization who emigrated of their citizenship rights (i.e. political rights mostly) or suspend them because of residence abroad?

Answer: No

Code: 0

Explanation: No. Citizenship can only be lost if the person has renounced to the nationality (Colombian Constitution of 1991, Art. 98).

Sources: Constitución Política de Colombia [Political Constitution of Colombia]. 1991. Art. 98.

Are these rights recovered upon return?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

6.2.3. Restrictions on citizenship for naturalized immigrants who are dual nationals

IMCIT_3: Restrictions for naturalized immigrants who are dual nationals.

Does the country restrict citizenship (i.e. mainly political-electoral rights, either passive or active) of those who have naturalized and have another/other nationality/ies?

Answer: Yes

Code: 1

Explanation: Dual nationals by naturalization are excluded from the occupying certain public offices as well as from becoming members of the Congress and from ministries and administrative departments.

Sources: Asamblea Nacional Constituyente. 1991. Art. 179 Constitución Política de Colombia [Political Constitution of Colombia]. Accessed September 16, 2014.

http://www.senado.gov.co/images/stories/Informacion_General/constitucio... / El Congreso de Colombia. 1993. Art. 29 Ley 43 de 1993 Por Medio de La Cual Se Establecen Las Normas Relativas a La Adquisición, Renuncia, Pérdida y Recuperación de La Nacionalidad Colombiana; Se Desarrolla El Numeral 7 Del Artículo 40 de La Constitución Política y Se Dictan Otras Disposiciones [Law 43 of 1993 By Which The Norms Relative To The Acquisition, Renunciation, Loss And Recovery Of Colombian Nationality Are Established; Numeral 7 Of Article 40 Of The Political Constitution Is Developed And Other Provisions Are Issued]. Accessed September 18, 2014.

<http://www.alcaldiabogota.gov.co/sisjur/normas/Norma1.jsp?i=286>.

How long do the restrictions apply?

Answer: Indefinitely

Code: 0

Explanation: Dual nationals by naturalization are excluded from the occupying certain public offices as well as from becoming members of the Congress and from ministries and administrative departments. Restrictions are indefinite.

Sources: Constitución Política de Colombia [Political Constitution of Colombia]. 1991. Art. 179. / Ley 43 [Law 43]. 1993. Art. 29.

Do the restrictions apply to electoral rights?

Answer: Yes

Code: 1

Explanation: Dual nationals by naturalization are excluded from the occupying certain public offices as well as from becoming members of the Congress and from ministries and administrative departments.

Sources: Constitución Política de Colombia [Political Constitution of Colombia]. 1991. Art. 179. / Ley 43 [Law 43]. 1993. Art. 29.

Do the restrictions apply to public office post?

Answer: Yes

Code: 1

Explanation: Dual nationals by naturalization are excluded from the occupying certain public offices as well as from becoming members of the Congress and from ministries and administrative departments.

Sources: Constitución Política de Colombia [Political Constitution of Colombia]. 1991. Art. 179. / Ley 43 [Law 43]. 1993. Art. 29.

Other type of restrictions (beyond electoral and public office posts).

Answer: Yes

Code: 1

Explanation: Dual nationals by naturalization are excluded from the occupying certain public offices as well as from becoming members of the Congress and from ministries and administrative departments.

Sources: Constitución Política de Colombia [Political Constitution of Colombia]. 1991. Art. 179. / Ley 43 [Law 43]. 1993. Art. 29.