



EMBASSY *of* COLOMBIA

W A S H I N G T O N

HOW A FREE TRADE AGREEMENT WITH THE UNITED STATES WILL AFFECT AFRO-COLOMBIAN COMMUNITIES

OVERVIEW

The impact of a Free Trade Agreement (FTA) in Colombia would be positive in the Atlantic and Pacific coastal regions where Afro-Colombians account for a substantial percentage of the population. Historically, most economic activity in Colombia has developed in the central mountain region of the country, far from the coasts. This has been a disadvantage to coastal regions because the geography of Colombia created high transportation costs between the central mountain region and the coasts. Studies indicate that the FTA would encourage relocation of key industries to the coasts and thus spark development in those historically neglected regions. The port cities on the coast would experience a much needed renaissance as a result of an FTA.

INTELLECTUAL PROPERTY – TRADITIONAL KNOWLEDGE

During the negotiations of the FTA between Colombia and the U.S., these groups were encouraged to participate in the “Side Room”¹¹ briefings in all areas of the negotiation and in issue-specific consultations with the negotiators. Intellectual Property was an important topic of discussion, specifically as relates to the protection of Colombia’s Biodiversity and its traditional knowledge.

Colombian and American negotiators responded to this concern with a ground-breaking agreement on the protection of biodiversity in an FTA signed by the United States. This agreement focused more specifically on the importance of prior informed consent and equitable sharing of benefits in the access to genetic resources or traditional knowledge.

ENVIRONMENTAL CONCERNS

The Environmental Chapter of the Colombian Trade Promotion Agreement (TPA) establishes a commitment to comply with the environmental laws related to trade. Accordingly, the Chapter outlines regulations in regards to conservation, sustainable use, and distribution of the benefits derived from the use of biodiversity. The specific mention of “Biological Biodiversity” related to trade in the Environmental Chapter of the TPA, is an important step in ensuring the existence of a legal framework for sustainable “biotrade” (imports and exports of environmentally friendly goods), protection of traditional knowledge and conservation and sustainable use of the Andean biodiversity.

POTENTIAL MARKET

During the course of the FTA negotiations representatives of the Afro-Colombian communities followed with great interest the discussions on market access and SPS (sanitary and phito-sanitary) obligations of the agreement, given the strong export potential of certain niche products such as exotic fruits and vegetables. These products represent opportunities for the Afro-Colombian regions which are potential producers of those products.

¹¹ “Cuarto de al lado” is a term that refers to a briefing room on the sidelines of the FTA negotiating rounds, where representatives from the private sector, NGO’s, civil society and any interested party could register to voice its opinion and be informed by the negotiators of the progress and agreements. They normally took place every evening of every day of a negotiating round, and typically began after the negotiating schedule ended (19:00).