



October 14, 2020

H.E. Senator Arturo Char Chajlub
President of the Congress
Bogota, Colombia

H.E. Jose Manuel Restrepo Abondano
Minister of Commerce, Industry, and Tourism
Bogota, Colombia

H.E. Francisco Santos Calderón
Ambassador of Colombia to the United States
Washington, DC

Dear Mr. President, Mr. Minister, and Mr. Ambassador:

Internet Association (IA) wishes to commend the Government of Colombia for its tireless efforts to mitigate the COVID-19 health crisis and particularly the Ministry of Commerce, Industry, and Tourism for your leadership on economic reactivation.

IA represents over 40 of the world's leading internet companies and is the only trade association that exclusively represents leading global internet companies on matters of public policy. IA's mission is to foster innovation, promote economic growth, and empower people through the free and open internet.

It is in the spirit of cooperation that IA writes today regarding the draft bill 403 "*Por el cual se modifica la Ley General de Turismo y se dictan otras disposiciones,*" which would cause direct harm to the digital tourism sector, preventing the internet economy from contributing to the mutual goal of supporting tourism recovery and its continued growth.

The special obligations and responsibilities for digital platforms included in the abovementioned bill are opposed to a digital platform operational model and would create limitations that impede competition and innovation needed for dynamic and growing travel technology and the digital economy as a whole (see Title 6 of the draft bill). IA is concerned that, as the bill is written, the country could be advancing a law that would be out of step with international standards and subject to challenge under the free trade agreements signed between the U.S. and Colombia. IA also believes the bill could jeopardize new investments in the travel industry at a time when they are most crucial.

The draft bill defines an electronic or digital platform for tourist services as a "transactional platform through which a commercialization, sale, promotion, advertisement, offer and/or advertising and even any act of intermediation for the provision of tourist services" (see article 3 of the draft bill). The definition does not distinguish between a digital platform that provides travel services exclusively and those that offer many products, including tourist services ('mere marketplace'). For that reason, any platform that creates the conditions to offer services could be included in the definition set forth in the bill and be subject to the obligations and responsibilities described above.

IA encourages the Colombian Congress to postpone a vote on this measure to allow sufficient time for consideration to address these issues. The private sector is committed to continuing to work constructively toward tourism recovery, investment, and sustainable and inclusive growth.



IA stands ready to work with the Ministry of Commerce, Industry and Tourism, the Congress, and other agencies within the Government of Colombia to achieve these objectives. We thank you for considering our views, and IA would welcome the opportunity to discuss our concerns.

Sincerely,

A handwritten signature in black ink that reads "Jordan Haas".

Jordan Haas
Director, Trade Policy
Internet Association