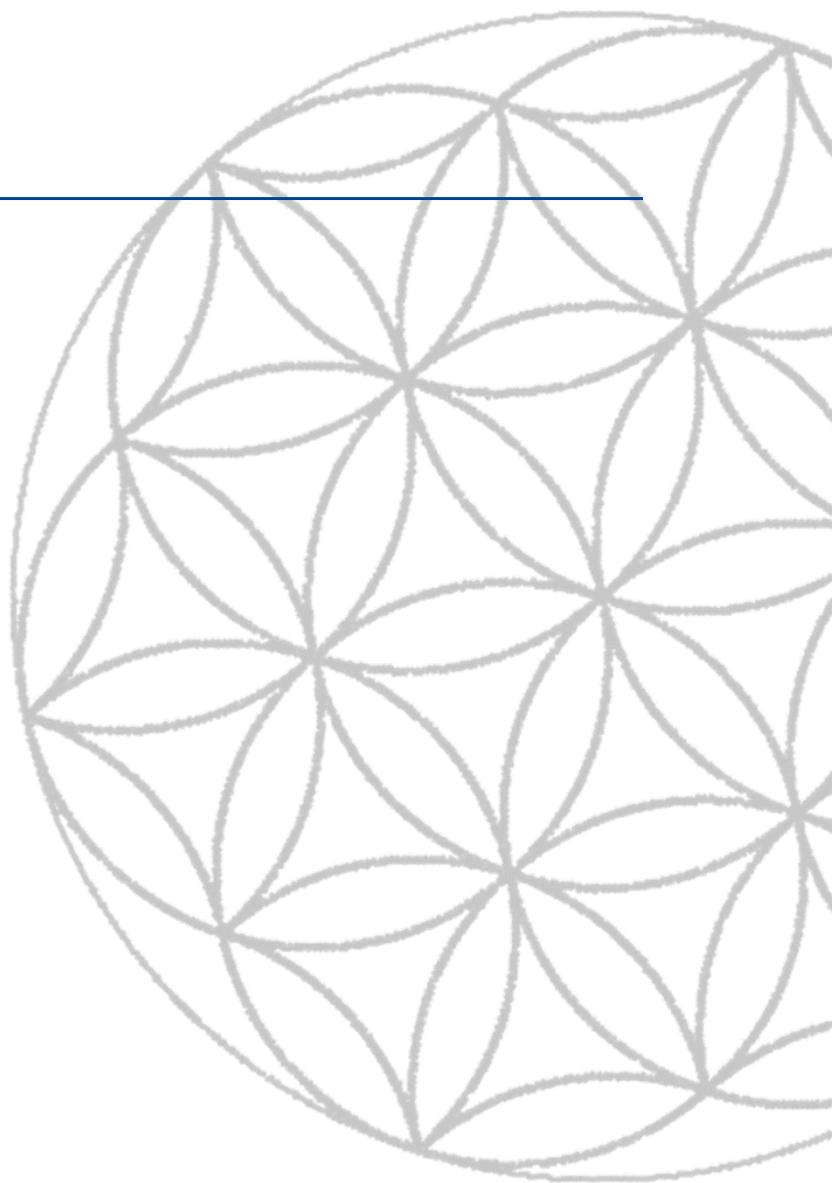


Residing and working in Colombia

(Guide for citizens of Ukraine)

18th march 2022



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1. Border crossing

1.1. General remarks

In accordance with immigration regulations, foreigners who enter and remain in Colombian territory must have an adequate immigration status according to their nationality, activities in the country and length of stay in the country.

In this order of ideas, foreigners will be able to enter Colombia by means of an entry and stay permit stamped at the port of entry or by means of a visa.

1.2. Visa entry

According to Resolution 10535 of 2018 nationals of Ukraine may not enter Colombia with an entry and stay permit (visa free). This means that Ukrainian nationals must apply for a visa in advance before a Colombian Consulate. The Colombian Consulate with competence/jurisdiction over Ukraine is in Poland.

1.3. Visa types

The Colombian immigration system has 3 main visa categories (Visit, Migrant and Residence). For the purposes of this memorandum, only categories intended for long-term or permanent stay that do not require a sponsoring third party will be addressed.

Migrant as shareholder

The M visa as an entrepreneur may be granted to the foreigner who wishes to enter and / or remain in the national territory having established or acquired participation in the shared capital of a commercial company for an amount not less than one hundred (100) minimum monthly legal salaries. The main holder of this visa will have a work permit only for the company of which he/she is a shareholder.

The M visa is normally granted with a validity of up to three (3) years. This visa is issued with multiple entries. The authorized stay of this visa is for the same term of the validity. This type of visa may be renewed and allows sponsoring of dependents.

The processing time of a Migrant (M) Visa is 10 days approximately, from the submission of the complete documentation required to the migratory authority. If the application was made in Colombia, the foreign national should stay in the country during the process. If the application was made abroad, the foreign national should refrain to enter to Colombia until the visa is approved.

Please note the processing time could vary without prior notice.

Documents required from the foreign national:

- Scanned copy of the valid passport bio page, in good conditions, with available pages to stamp the visa. Under current migratory legislation, it is not required a passport with validity of 180 days minimum. Nevertheless, we recommend presenting a travel document that fulfills this specification as the Officer could make use of discretionary faculties to request it.
- Scanned copy of the passport page where the last Colombian entry or exit stamp was sealed (If applicable).
- Digital and recent white background photograph (clear ear and forehead visibility), optimal resolution, without glasses, in JPG format.

Documents required from the Colombian company:

- Submission letter signed by the foreign national. BU will prepare this document for signatures as soon as we receive the information of the foreign national and the company.
- Company's certificate of legal representation and establishment (Cámara de Comercio).
- Certificate of shareholding signed by a public accountant, indicating the amount of capital or assets registered and paid by the foreigner, which cannot be less than the equivalent of one hundred (100) minimum monthly legal salaries.

- Scanned copy of ID Card and Professional License of Accountant signing the certificate of shares.
- Background certificate of the Accountant signing the certificate of shares issued by the Board of Accountants. This certificate must be issued within the last 3 months prior de visa application.
- Company's Income Tax Declaration for the past year.
- Company's last 6 months of bank statements.

IMPORTANT: Additional documents. Recently the Ministry of Foreign Affairs has requested the following documents randomly, even though there has not been changes in the immigration law.

First time visa applications:

- Documents that demonstrate the legal provenance of the invested resources.
- Purchase receipts of materials, machines, equipment, leasing contracts or any documents that demonstrate the investment of money in Colombian Territory.
- International health insurance

This kind of visa is ideal for a person who wants to live in Colombia, because don't allow more than six (06) months outside the country per year.

Migrant as student

The M visa as a student may be granted to foreigners who wish to enter and / or remain in the national territory because they have been admitted or enrolled in an educational institution in Colombia to pursue elementary, secondary, or undergraduate studies. This type of visa will not allow working activities.

The M visa is normally granted with a validity of up to three (3) years or less, depending on the duration of the studies. This visa is issued with multiple entries. The authorized stay of this visa is for the same term of the validity. This type of visa may be renewed and allows sponsoring of dependents.

The processing time of a Migrant (M) Visa is 10 days approximately, from the submission of the complete documentation required to the migratory authority. If the application was made in Colombia, the foreign national should stay in the country during the process. If the application was made abroad, the foreign national should refrain to enter to Colombia until the visa is approved.

Please note the processing time could vary without prior notice.

Documents required from the foreign national:

- Scanned copy of the valid passport bio page, in good conditions, with available pages to stamp the visa. Under current migratory legislation, it is not required a passport with validity of 180 days minimum. Nevertheless, we recommend presenting a travel document that fulfills this specification as the Officer could make use of discretionary faculties to request it.
- Scanned copy of the passport page where the last Colombian entry or exit stamp was sealed (If applicable).
- Scanned copy of the last Colombian visa (If applicable).
- Copy of the valid immigration ID card (For renewals)
- Digital and recent white background photograph (clear ear and forehead visibility), optimal resolution, without glasses, in JPG format.

Documents required for an M visa application for students:

- Documents to prove enough financial means to assume the costs of maintenance and studies in Colombia, such as bank statements, sponsorship of a person with enough resources or a scholarship certificate.
- Responsibility letter signed by the sponsor of the Visa (if applicable).
- Certificate of admission or enrollment.
- Birth certificate duly legalized in accordance with the Apostille convention, in cases the applicant is a minor. This certificate cannot have more than 3 months of issuance.

IMPORTANT: Additional documents. Recently the Ministry of Foreign Affairs has requested the following documents randomly, even though there has not been changes in the immigration law.

- International health insurance, or proof of affiliation and contributions made to the Social Security System.

This kind of visa is ideal for a person who wants to live in Colombia, because don't allow more than six (06) months outside the country per year.

Migrant as rentist or annuitant

The M visa as a student may be granted to foreigners who receive a periodic income that is creditable. This type of visa will not allow working activities.

The M visa is normally granted with a validity of up to three (3) years or less, depending on the duration of the studies. This visa is issued with multiple entries. The authorized stay of this visa is for the same term of the validity. This type of visa may be renewed and allows sponsoring of dependents.

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Documents required from the foreign national:

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- Scanned copy of the passport page where the last Colombian entry or exit stamp was sealed (If applicable).
- Scanned copy of the last Colombian visa (If applicable).
- Copy of the valid immigration ID card (For renewals)
- Digital and recent white background photograph (clear ear and forehead visibility), optimal resolution, without glasses, in JPG format.
- Certification issued by a public entity or private company, recognized by the respective Government, specifying the income paid or drawn on behalf of the foreign applicant for the visa, an amount not less than ten (10) current monthly legal minimum wages.

This kind of visa is ideal for a person who wants to live in Colombia, because don't allow more than six (06) months outside the country per year.

Migrant as real estate investor

The M visa as real estate investor is granted to the foreigner who has acquired a property in Colombia for an amount not less than three hundred and fifty (350) current legal monthly minimum wages. This type of visa will not allow working activities.

The M visa is normally granted with a validity of up to three (3) years or less, depending on the duration of the studies. This visa is issued with multiple entries. The authorized stay of this visa is for the same term of the validity. This type of visa may be renewed and allows sponsoring of dependents.

The processing time of a Migrant (M) Visa is 10 days approximately, from the submission of the complete documentation required to the migratory authority. If the application was made in Colombia, the foreign national should stay in the country during the process. If the application was made abroad, the foreign national should refrain to enter to Colombia until the visa is approved.

Please note the processing time could vary without prior notice.

Documents required from the foreign national:

- Scanned copy of the valid passport bio page, in good conditions, with available pages to stamp the visa. Under current migratory legislation, it is not required a passport with validity of 180 days minimum. Nevertheless, we recommend presenting a travel document that fulfills this specification as the Officer could make use of discretionary faculties to request it.
- Scanned copy of the passport page where the last Colombian entry or exit stamp was sealed (If applicable).

- Scanned copy of the last Colombian visa (If applicable).
- Copy of the valid immigration ID card (For renewals)
- Digital and recent white background photograph (clear ear and forehead visibility), optimal resolution, without glasses, in JPG format.
- Certificate of freedom and tradition of the acquired property that proves ownership of the domain.
- Communication issued by the Department of International Exchange of the Banco de la República certifying the registration of direct foreign investment for the purchase of real estate in the name of the foreign applicant for the visa, for an amount not less than three hundred and fifty (350) current legal monthly minimum wages.

This kind of visa is ideal for a person who wants to live in Colombia, because don't allow more than six (06) months outside the country per year.

Migrant as refugee

The foreigner who has been formally recognized as a refugee in Colombia may apply. Main holders of this visa can conduct any legal occupation in Colombia including working activities.

The M visa is normally granted with a validity of up to three (3) years or less, depending on the duration of the studies. This visa is issued with multiple entries. The authorized stay of this visa is for the same term of the validity. This type of visa may be renewed and allows sponsoring of dependents.

The processing time of a Migrant (M) Visa is 10 days approximately, from the submission of the complete documentation required to the migratory authority. If the application was made in Colombia, the foreign national should stay in the country during the process. If the application was made abroad, the foreign national should refrain to enter to Colombia until the visa is approved.

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Documents required from the foreign national:

- Scanned copy of the valid passport bio page, in good conditions, with available pages to stamp the visa. Under current migratory legislation, it is not required a passport with validity of 180 days minimum. Nevertheless, we recommend presenting a travel document that fulfills this specification as the Officer could make use of discretionary faculties to request it.
- Scanned copy of the passport page where the last Colombian entry or exit stamp was sealed (If applicable).
- Scanned copy of the last Colombian visa (If applicable).
- Copy of the valid immigration ID card (For renewals)
- Digital and recent white background photograph (clear ear and forehead visibility), optimal resolution, without glasses, in JPG format.
- Copy of the act of recognition of refugee status in Colombia*.

**Refugee Procedure in Colombia*

Through the Advisory Commission for the Determination of Refugee Status, applications submitted by foreigners who consider that their situation meets the definition of refugee contemplated in Article 2.2.3.1.1.1 of Decree 1067 of 2015, are received, processed, and studied. Namely:

“a) That due to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a certain social group or political opinion, is outside the country of their nationality and cannot or, due to said fears, does not want to avail themselves of the protection of such a country; or that, not having a nationality and being, as a result of such events, outside the country where she previously had her habitual residence, she is unable or, because of such fear, is unwilling to return to it; b) That she has been forced to leave her country because her life, security or freedom have been threatened by generalized violence, foreign aggression, internal conflicts, massive violation of human rights or other circumstances that have seriously disturbed public order.”

Information required from the applicant and/or his/her beneficiaries

1. Full names and surnames of the applicant and the beneficiaries.
2. Copy of the passport and/or ID of the country of origin or habitual residence.
3. Date and port of entry to Colombia.

4. Address, phone number and/or email through which the applicant can be notified. If at any time during the procedure the applicant changes the address or other contact information, he/she must inform the entity.
5. Complete and detailed description of the facts on which the request is based.
6. Documents that support the request, if any.
7. Recent color photograph 3x4 cm, blue background (of the applicant and his/her beneficiaries).
8. Signature of the interested party. In the case of people who do not know how to or cannot sign, the signature will be made upon request, as provided for in articles 39 and 69 of Decree 960 of 1970.
9. Express statement about the willingness to be or not notified or contacted by email.

The request along with supporting documentation can be filed at the Correspondence Office of the Ministry of Foreign Affairs at Carrera 5 No. 9-03 - Office Hours: 8:00 am - 12:30 pm and 2:00 pm - 4:30 pm or sent by regular or certified mail.

The applicant must attend the personal interview when summoned, otherwise the application will be withdrawn, and a certificate of non-appearance will be issued. Based on this record, the Special Administrative Unit Migration Colombia will be notified. The entity will proceed with the cancellation of the Permanence Safe-conduct. The refugee status determination procedure does not constitute a migratory regularization procedure, but rather to a figure of international protection.

Decree 1067 of 2015 does not provide a term to advance and/or process applications for recognition of refugee status, since they are studied and analyzed considering the provisions of international instruments and the internal regulations that regulate the matter.

Resident due to investment

The R visa may be granted, among others, to a foreigner who makes a direct investment in his/her own name, amounting to more than six hundred and fifty (650) minimum legal salaries before the Foreign Exchange Department of the Colombia's Central Bank. Main holders of this visa can conduct any legal occupation in Colombia including working activities.

The Resident (R) visa has indefinite validity, however, the visa tag stamped on the passport must be renewed every five (5) years. This visa is issued with multiple entries. The authorized stay of this visa is for the same term of the validity. This type of visa allows sponsoring of dependents.

The processing time of a Resident (R) Visa is 10 days approximately, from the submission of the complete documentation required to the migratory authority. If the application was made in Colombia, the foreign national should stay in the country during the process. If the application was made abroad, the foreign national should refrain to enter to Colombia until the visa is approved.

Please note the processing time could vary without prior notice.

Documents required from the foreign national:

- Scanned copy of the valid passport bio page, in good conditions, with available pages to stamp the visa. Under current migratory legislation, it is not required a passport with validity of 180 days minimum. Nevertheless, we recommend presenting a travel document that fulfills this specification as the Officer could make use of discretionary faculties to request it.
- Scanned copy of the passport page where the last Colombian entry or exit stamp was sealed (If applicable).
- Digital and recent white background photograph (clear ear and forehead visibility), optimal resolution, without glasses, in JPG format.
- Attached questionnaire with the foreign national information and his/her dependents.
- Certificate issued by the Department of International Exchange of the Colombia's Central Bank, confirming the registration of the foreign direct investment for an amount of more than six hundred and fifty (650) minimum legal salaries.

IMPORTANT: Additional documents. Recently the Ministry of Foreign Affairs has requested the following documents randomly, even though there has not been changes in the immigration law.

- Copy bachelor's degree apostilled or legalized as appropriate.
- International health insurance, or proof of affiliation and contributions made to the Social Security System.

This type of visa requires a major investment but is recommended because it has a long-term duration and allows multiple entrances to Colombian territory.

Please do not hesitate to contact us should you have any question regarding this matter.

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