Note: For greater certainty, nothing in this Agreement shall derogate from the obligations of the Contracting Parties to accord most favored nation treatment in respect of protection of intellectual property rights under international agreements in force for the Contracting Parties, where such obligation is specifically provided for in such international agreements and applicable.

Article 19
Taxation

1. Nothing in this Agreement shall apply to taxation measures except as expressly provided for in this Agreement.

2. Nothing in this Agreement shall affect the rights and obligations of either Contracting Party under any tax convention. In the event of any inconsistency between this Agreement and any such convention, that convention shall prevail to the extent of the inconsistency.

3. Paragraphs 1 and 3 of Article 7 and Article 11 shall apply to taxation measures. Non-discriminatory treatment with regard to access to the courts of justice and administrative tribunals shall also apply to taxation measures.

4. Chapter IV shall apply to disputes regarding taxation measures to the extent covered by paragraph 3.

5. (a) No investor may invoke Article 11 as the basis for an investment dispute under Chapter IV, where it has been determined pursuant to subparagraph (b) that the taxation measure in question is not an expropriation.

(b) The investor shall refer the issue, at the time that it delivers the notice of intent under paragraph 3 of Article 27, to the competent authorities of both Contracting Parties to determine whether such measure is not an expropriation. If the competent authorities of both Contracting Parties do not consider the issue or, having considered it, fail to determine, within a period of one hundred and eighty (180) days of such referral, that the measure is not an expropriation, the investor may submit its claim to arbitration under Article 27.

(c) For the purposes of subparagraph (b), the term "competent authorities" means:

(i) with respect to Japan, the Minister of Finance or his or her authorized representatives, who shall consider the issue in consultation with the Minister for Foreign Affairs or his or her authorized representatives; and

(ii) with respect to the Republic of Colombia, the Minister of Finance and Public Credit, or his or her authorized representatives.

Article 20
Joint Committee

1. The Contracting Parties shall establish a Joint Committee (hereinafter referred to as "the Committee") with a view to accomplishing the objectives of this Agreement.

2. Each Contracting Party shall designate a contact point to facilitate communications between the Contracting Parties on any matter relating to this Article. The contact points are:

(a) with respect to Japan, Ministry of Foreign Affairs or the entity in lieu of or replacing the aforementioned; and

(b) with respect to the Republic of Colombia, the Ministry of Trade, Industry and Tourism or the entity in lieu of or replacing the aforementioned.

3. The functions of the Committee shall be:

(a) to discuss and review the implementation and operation of this Agreement;

(b) to share information on and to promote cooperation in investment-related matters within the scope of this Agreement, which relate to improvement of investment environment;

(c) to make appropriate recommendations by consensus to the Contracting Parties for the more effective functioning or the attainment of the objectives of this Agreement; and

(d) to discuss any other investment-related matters concerning this Agreement.