

WORLD TRADE ORGANIZATION

G/L/868
11 November 2008

(08-5447)

REPORT (2008) OF THE COMMITTEE ON IMPORT LICENSING TO THE COUNCIL FOR TRADE IN GOODS

1. The Agreement on Import Licensing Procedures (hereinafter "the Agreement") which entered into force on 1 January 1995, establishes disciplines on users of import licensing systems with the principal objective of ensuring that the procedures applied for granting import licences do not in themselves restrict trade. It aims to simplify, clarify and minimize the administrative requirements necessary to obtain import licences.

2. The Committee on Import Licensing was established to afford Members the opportunity of consulting on any matters relating to the operation of the Agreement or the furtherance of its objectives. The Committee's Rules of Procedure, which were approved by the Council for Trade in Goods, are contained in document G/L/147.

3. All Members of the WTO are *ipso facto* members of the Committee. Observer governments in the General Council of the WTO have Observer status in the Committee. The International Monetary Fund, the World Bank and UNCTAD have regular Observer status in the Committee.

4. The focus of this report is on the period since the Committee's last annual report (G/L/836), i.e. 9 October 2007 - 20 October 2008 (hereinafter "the review period"). During the review period, the Committee held two meetings on 28 April and 20 October 2008 (G/LIC/M/27 and G/LIC/M/28). At its meeting on 28 April 2008, the Committee took note of the nomination of Mr. Marco J. Kassaja (Tanzania) as Chairperson of the Committee for the current year and elected him by acclamation. At that meeting, the Committee elected as Vice-Chairperson for the current year, Mrs. Anna Ashikali (Cyprus). Pursuant to Committee's Rules of Procedure, they took office at the end of that meeting.

5. Pursuant to Articles 1.4(a) and/or 8.2(b) of the Agreement and procedures agreed by the Committee, all Members are required to notify their laws, regulations and administrative procedures relevant to import licensing and submit copies of any relevant publications or laws and regulations upon becoming a WTO Member. Any subsequent changes to these laws, regulations and administrative procedures are also required to be notified. Since the entry into force of the WTO Agreement, 96 Members¹ have notified the Committee of their legislation and/or publications under these provisions. During the review period, the Committee received nine notifications from the following eight Members: Albania; India; Macao, China; Saint Lucia; Singapore; Turkey; the United States and Ukraine (see Graphic 1, first set of blocks). These notifications may be found in document series G/LIC/N/1/. Copies of publications and legislation submitted with these notifications are available for consultation in the Secretariat.

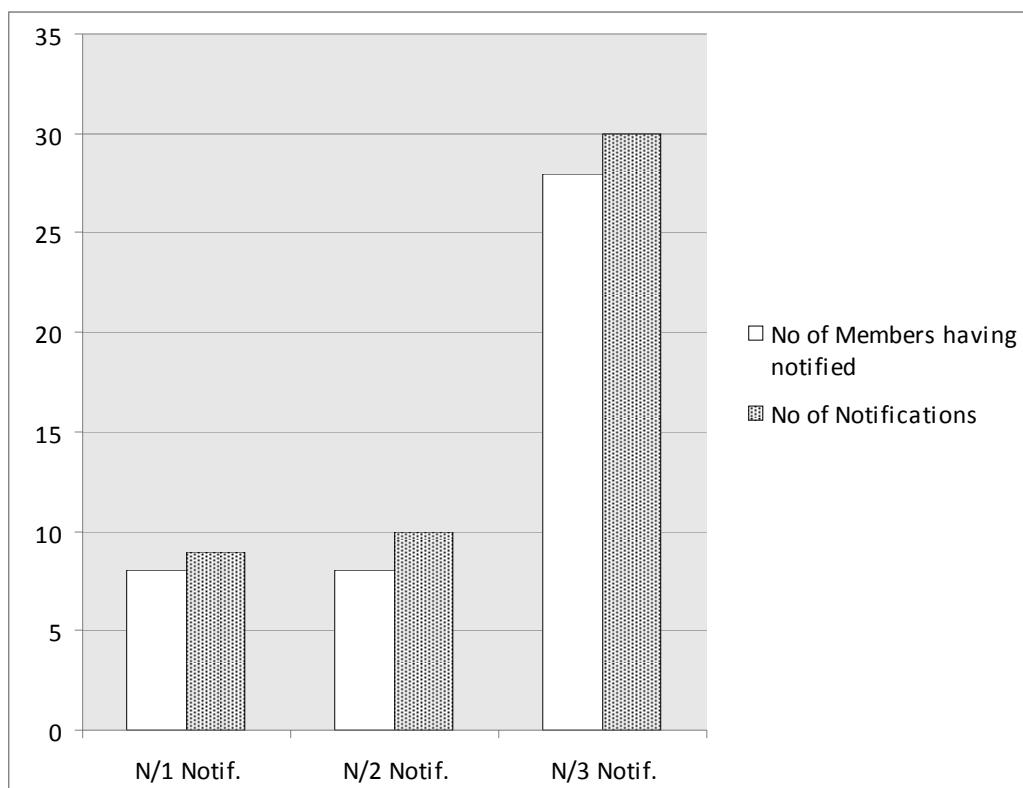
6. The Committee also received, pursuant to paragraphs 5.1-5.4 of Article 5, ten notifications relating to the institution of new import licensing procedures or changes in these procedures from eight Members: Argentina; Honduras; India; Malaysia; Mauritius; Moldova; Singapore and the United States. These notifications may be found in document series G/LIC/N/2/. Since the entry into force of the WTO Agreement 29 Members have submitted notifications under these provisions

¹ The European Communities and its Member States counted as one Member.

(see Graphic 1, second set of blocks). Article 5.5 of the Agreement allows Members to submit reverse notifications, where a Member considers that another Member has not notified the institution of a licensing procedure or changes in the procedures. However, no such reverse notifications have been received under this provision since the entry into force of the Agreement.

7. Article 7.3 of the Agreement requires all Members to provide replies to the Questionnaire on Import Licensing Procedures² by 30 September each year. Since the entry into force of the WTO Agreement, 92 Members have made notifications under this provision. This includes replies to the Questionnaire from 11 Members in 1995, 22 Members in 1996, 25 Members in 1997, 26 Members in 1998, 20 Members in 1999, 32 Members in 2000, 23 Members in 2001, 41 Members in 2002, 25 Members in 2003, 21 Members in 2004, 19 Members in 2005, 46 Members in 2006; 37 Members in 2007 and 26 Members in 2008. During the review period, the Committee received 30 notifications from the following 28 Members: Albania; Argentina; Armenia; Canada; Costa Rica; Macao, China; European Communities; Guatemala; Honduras; Hong Kong, China; India; Jamaica; Japan; Lesotho; Madagascar; Malaysia; Mauritius; Morocco; Norway; Oman; Qatar; Saint Lucia; Singapore; Trinidad and Tobago; Turkey; Ukraine; the United States; and Zimbabwe (see Graphic 1, third set of blocks). These notifications may be found in document series G/LIC/N/3/-.

GRAPHIC 1: NUMBER OF MEMBERS HAVING NOTIFIED AND NUMBER OF NOTIFICATIONS SUBMITTED DURING THE REVIEW PERIOD 2007-2008



8. Written comments and questions from Members concerning the notifications submitted to the Committee and/or on import licensing procedures maintained by Members, and replies thereto, may be found in document series G/LIC/Q/-³. During the review period, such comments and questions were submitted by: Australia to China (G/LIC/Q/CHN/22); Canada to the United States

² Annexed to document G/LIC/3.

³ See understanding on Procedures for the Review of Notifications (G/LIC/4).

(G/LIC/Q/USA/3); China to Brazil (G/LIC/Q/BRA/5); and, by the United States to Brazil (G/LIC/Q/BRA/4), to India (G/LIC/Q/IND/11), to Indonesia (G/LIC/Q/IDN/9), to the Philippines (G/LIC/N/Q/PHL/2) and to Viet Nam (G/LIC/Q/VNM/1). Responses were provided by: Argentina to the United States (G/LIC/Q/ARG/5); the United States to Canada (G/LIC/Q/USA/4) and by India to the United States (G/LIC/Q/IND/12).

9. The Committee has provided a regular forum for the discussion of specific notifications submitted by Members. As evident in the Annex to this report, there has been an improvement in the level of compliance with the mandatory notification requirements under Articles 1.4(a), 8.2(b) and 7.3 and with the ad hoc notification requirement under Article 5; but there stills some important gaps. Members' compliance with the transparency obligations of the Agreement has been the main preoccupation of the Committee for some time now.

10. During the review period, some Members had submitted, for the first time, notifications to the Committee under various Articles of the Agreement: (i) under Articles 1.4 and 8.2: Albania, Thailand and Ukraine; (ii) under Article 5: Honduras; Mauritius and Moldova; and (iii) under Article 7.3: Honduras; Lesotho and Ukraine. Nevertheless, at its meetings of 28 April and 20 October 2008, the Chair expressed continuing concern over the failure of many Members to submit the required notifications and once again urged Members who had not yet notified and had not updated their notifications or provided clarifications sought by other Members to do so as soon as possible.

11. At its meeting of 20 October 2008, the Committee conducted the Seventh Transitional Review, as appropriate to its mandate, of the implementation by China of the WTO Agreement and of the related provisions of its Protocol of Accession⁴, as provided for in Paragraph 18 of the Protocol on the Accession of the People's Republic of China to the WTO (G/LIC/M/28, paragraphs 3.1-3.7). The report of the Committee to the Council for Trade in Goods on this review is contained in document G/LIC/19.

12. The Committee also conducted, at its meeting of 20 October 2008, the Seventh Biennial Review of the implementation and operation of the Agreement under Article 7.1. The report was circulated in document G/LIC/18.

⁴ WT/L/432.

ANNEX
Notifications¹

MEMBER ²	N/1 ³	DATE	N/2 ⁴	DATE	N/3 ⁵	DATE
ALBANIA	N/1/ALB/2	30.06.08	N/2/ALB/1	22.02.02	N/3/ALB/2	02.01.08
ANGOLA						
ANTIGUA & BARBUDA	N/1/ATG/1	31.01.02			N/3/ATG/2	30.01.02
ARGENTINA	N/1/ARG/2	22.01.98	N/2/ARG/13	21.09.07	N/3/ARG/5	10.09.08
ARMENIA	N/1/ARM/4	24.09.07			N/3/ARM/5	21.09.07
AUSTRALIA	N/1/AUS/1/A.1	22.05.97	N/2/AUS/1	14.06.04	N/3/AUS/3	23.10.06
BAHRAIN	N/1/BHR/1	13.06.97			N/3/BHR/1	15.09.00
BANGLADESH	N/1/BGD/2	01.04.05			N/3/BGD/4	05.10.07
BARBADOS	N/1//BRB/1	04.10.96			N/3/BRB/4	27.09.07
BELIZE						
BENIN	N/1/BEN/1	10.02.97				
BOLIVIA	N/1/BOL/1	16.06.97			N/3/BOL/3	29.06.00
BOTSWANA						
BRAZIL	N/1/BRA/3	18.10.06	N/2/BRA/3	18.10.06	N/3/BRA/6	08.10.07
BRUNEI DARUSSALAM					N/3/BRN/1	10.04.97
BURKINA FASO	N/1/BFA/1	10.02.97			N/3/BFA/1/A.1	18.12.00
BURUNDI	N/1/BUR/1	27.04.01			N/3/BUR/2	07.11.01
CAMBODIA						
CAMEROON	N/1/CMR/1	18.09.01			N/3/CMR/2	05.09.07
CANADA	N/1/CAN/1	16.02.96			N/3/CAN/7	17.10.08
CAPE VERDE						
CENTRAL AFRICAN REP.						
CHAD	N/1/TCD/2	16.08.00			N/3/TCD/2	20.08.01
CHILE	N/1/CHL/1	31.07.06			N/3/CHL/3	28.09.07
CHINA	N/1/CHN/5	20.03.06			N/3/CHN/7	17.10.08
COLOMBIA	N/1/COL/2	08.10.07			N/3/COL/5	08.10.07
CONGO						
COSTA RICA	N/1/CRI/2	15.03.07	N/2/CRI/1	15.03.07	N/3/CRI/5	07.10.08

¹ The title "Date" refers to the date of issuance of the document.

² The European Communities and its Member States counted as one Member.

³ Article 1.4(a) and/or Article 8.2(b) publications and/or legislation (date of latest communication).

⁴ Article 5.1-5.4 – Ad hoc new import licensing procedures or changes (date of latest communication).

⁵ Article 7.3 – Annual Replies to Questionnaire (date of latest communication).

MEMBER ²	N/1 ³	DATE	N/2 ⁴	DATE	N/3 ⁵	DATE
COTE D'IVOIRE	N/1/CIV/1	08.02.02			N/3/CIV/2	05.10.07
CROATIA	N/1/HRV/3	04.04.05			N/3/HRV/3	04.04.05
CUBA	N/1/CUB/1	24.01.96			N/3/CUB/2/A.1	15.09.04
CONGO DEM. REP. OF	N/1/COD/1	19.10.06			N/3/COD/1	18.10.06
DJIBOUTI						
DOMINICA	N/1/DMA/1	22.02.01			N/3/DMA/2	06.12.06
DOMINICAN REPUBLIC	N/1/DOM/1	04.05.04			N/3/DOM/2	04.05.04
EC COMMISSION	N/1/EEC/2/A.4	10.01.03	N/2/EEC/2	14.07.97	N/3/EEC/11/A.1	02.10.07
ECUADOR	N/1/ECU/2	15.06.06			N/3/ECU/2	20.12.02
EGYPT						
EL SALVADOR	N/1/SLV/1	03.02.04				
REP. OF THE FIJI ISLANDS	N/1/FJI/1	03.09.97			N/3/FJI/1	16.04.97
FMR. YUGOSLAV REP. OF MACEDONIA	N/1/MKD/1	29.10.04				
GABON	N/1/GAB/2	13.03.02				
GAMBIA					N/3/GMB/2	27.09.07
GEORGIA	N/1/GEO/1	08.04.02			N/3/GEO/3	04.09.06
GHANA	N/1/GHA/1	21.04.04			N/3/GHA/3	21.04.04
GRENADA	N/1/GRD/1	10.04.02			N/3/GRD/2	25.09.07
GUATEMALA	N/1/GTM/2	28.01.00			N/3/GTM/4	09.11.07
GUINEA BISSAU						
GUINEA, REP.OF						
GUYANA	N/1/GUY/1	10.04.02			N/3/GUY/2	28.10.03
HAITI	N/1/HTI/2	27.10.06			N/3/HTI/4	21.09.07
HONDURAS	N/1/HND/1	03.12.96	N/2/HND/3	12.11.07	N/3/HND/1	12.11.07
HONG KONG, CHINA	N/1/HKG/5	07.01.03	N/2/HKG/3	20.10.08	N/3/HKG/12	06.10.08
ICELAND	N/1/ISL/1	26.01.99			N/3/ISL/3	28.10.04
INDIA	N/1/IND/11	22.09.08	N/2/IND/10	22.09.08	N/3/IND/10	22.09.08
INDONESIA	N/1/IDN/1	02.11.98	N/2/IDN/1	22.04.03	N/3/IDN/3	27.11.06
ISRAEL	N/1/ISR/1	19.10.06	N/2/ISR/1	19.10.06	N/3/ISR/3	19.10.06
JAMAICA	N/1/JAM/1	11.07.96	N/2/JAM/1	01.10.03	N/3/JAM/3	03.09.08
JAPAN	N/1/JPN/2/R.1	26.02.97	N/2/JPN/3	27.04.01	N/3/JPN/6	25.03.08
JORDAN	N/1/JOR/2/A.1	03.09.03	N/2/JOR/2	10.06.05	N/3/JOR/1	11.12.00
KENYA	N/1/KEN/1	12.06.03			N/3/KEN/2/A.1	12.06.03

MEMBER ²	N/1 ³	DATE	N/2 ⁴	DATE	N/3 ⁵	DATE
KOREA, REP. OF	N/1/KOR/3	14.04.98	N/2/KOR/1	12.01.07	N/3/KOR/6	27.09.07
KUWAIT	N/1/KWT/1	18.05.07				
KYRGYZ REPUBLIC	N/1/KGZ/1	18.01.00			N/3/KGZ/2	09.10.06
LESOTHO					N/3/LSO/1	06.06.08
LIECHTENSTEIN	N/1/LIE/2	26.10.00	N/2/LIE/2	26.10.00	N/3/LIE/4/A.1	14.04.03
MACAO, CHINA	N/1/MAC/3	10.12.07			N/3/MAC/11	14.10.08
MADAGASCAR	N/1/MDG/2	25.04.00			N/3/MDG/3	15.09.08
MALAWI	N/1/MWI/1	13.10.99			N/3/MWI/2	03.10.06
MALAYSIA			N/2/MYS/3	17.10.08	N/3/MYS/4	17.10.08
MALDIVES					N/3/MDV/1	15.04.02
MALI	N/1/MLI/1	27.08.01			N/3/MLI/2	27.08.01
MAURITANIA						
MAURITIUS	N/1/MUS/2	11.05.07	N/2/MUS/1	17.03.08	N/3/MUS/3	17.03.08
MEXICO	N/1/MEX/2	18.10.06			N/3/MEX/2	18.10.06
MOLDOVA	N/1/MDA/1	22.01.02	N/2/MDA/1	16.10.08	N/3/MDA/1	08.02.02
MONGOLIA	N/1/MNG/1	27.04.01			N/3/MNG/1	12.06.03
MOROCCO	N/1/MAR/1/A.2	20.01.05			N/3/MAR/7	17.10.08
MOZAMBIQUE						
MYANMAR						
NAMIBIA	N/1/NAM/1	29.10.02			N/3/NAM/4	29.10.02
NEPAL						
NEW ZEALAND	N/1/NZL/1	22.08.96			N/3/NZL/1/A.1	06.04.98
NICARAGUA	N/1/NIC/1	05.08.96				
NIGER	N/1/NER/1	12.01.98				
NIGERIA	N/1/NGA/1	18.02.98	N/2/NGA/2	18.02.98	N/3/NGA/3	24.04.07
NORWAY	N/1/NOR/2	03.12.97			N/3/NOR/3	01.10.20 08
OMAN	N/1/OMN/1	20.02.01			N/3/OMN/3	17.04.08
PAKISTAN	N/1/PAK/1	29.05.96	N/2/PAK/1	29.05.96		
PANAMA	N/1/PAN/2	16.11.98	N/2/PAN/1	18.08.98	N/3/PAN/2	04.03.04
PAPUA NEW GUINEA			N/2/PNG/1	17.02.98		
PARAGUAY	N/1/PRY/1	12.06.03				
PERU	N/1/PER/2/R.1	31.05.05			N/3/PER/5	21.09.07
PHILIPPINES	N/1/PHL/1	14.04.98			N/3/PHL/5	21.09.07

MEMBER ²	N/1 ³	DATE	N/2 ⁴	DATE	N/3 ⁵	DATE
QATAR	N/1/QAT/1	02.04.98			N/3/QAT/5	20.03.08
RWANDA					N/3/RWA/1	20.07.06
ST. KITTS AND NEVIS	N/1/KNA/1	07.08.98				
ST. LUCIA	N/1/LCA/3	10.07.08	N/2/LCA/2	17.10.02	N/3/LCA/5	29.09.20 08
ST. VINCENT & GRENADINES						
SAUDI ARABIA					N/3/SAU/1	19.10.06
SENEGAL	N/1/SEN/1	23.10.02			N/3/SEN/2	23.10.02
SIERRA LEONE						
SINGAPORE	N/1/SGP/5	04.04.08	N/2/SGP/4	04.04.08	N/3/SGP/6	10.09.08
SOLOMON ISLANDS						
SOUTH AFRICA			N/2/ZAF/1	15.07.97	N/3/ZAF/4	17.09.02
SRI LANKA	N/1/LKA/1	20.05.03			N/3/LKA/1	27.05.03
SURINAME	N/1/SUR/1	15.12.03				
SWAZILAND	N/1/SWZ/1	04.10.96				
SWITZERLAND	N/1/CHE/2	26.09.00	N/2/CHE/2	26.09.00	N/3/CHE/4/A.1	14.04.03
TAIPEI, CHINESE	N/1/TPKM/6	20.12.04	N/2/TPKM/4	20.12.04	N/3/TPKM/2	30.07.04
TANZANIA						
THAILAND	N/1/THA/1	28.09.07			N/3/THA/1	22.03.07
TOGO	N/1/TGO/1	12.06.03			N/3/TGO/1	12.06.03
TONGA						
TRINIDAD & TOBAGO	N/1/TTO/1	10.11.98			N/3/TTO/7	19.07.07
TUNISIA	N/1/TUN/2	14.02.07			N/3/TUN/5	05.10.07
TURKEY	N/1/TUR/7	27.05.08			N/3/TUR/8	20.05.08
UGANDA	N/1/UGA/1	03.10.96			N/3/UGA/1/A.2	07.10.05
UKRAINE	N/1/UKR/1	03.09.08			N/3/UKR/1	01.10.08
UNITED ARAB EMIRATES	N/1/ARE/1	18.04.97			N/3/ARE/1	25.04.00
UNITED STATES	N/1/USA/4	17.03.08	N/2/USA/3	14.12.07	N/3/USA/5	29.02.08
URUGUAY	N/1/URY/3	25.09.01			N/3/URY/3	27.07.05
VENEZUELA	N/1/VEN/1	25.10.02	N/2/VEN/5	20.05.03	N/3/VEN/1	27.05.02
VIETNAM						
ZAMBIA	N/1/ZMB/2	18.02.04			N/3/ZMB/2	18.02.04
ZIMBABWE	N/1/ZWE/2	28.09.98			N/3/ZWE/2	18.10.07
TOTAL: 126	96		30		92	