

WORLD TRADE ORGANIZATION

G/L/715
23 November 2004

(04-5081)

REPORT (2004) 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/652), i.e. 3 October 2003-30 September 2004 (hereinafter "the review period"). During the review period, the Committee held two meetings on 5 May and 30 September 2004 (G/LIC/M/19 + Corr.1 and G/LIC/M/20). At its meeting on 5 May 2004, the Committee took note of the nomination of Dr. Victoria Campeanu (Romania) as Chairperson of the Committee for the current year and elected her by acclamation. At that meeting, the Committee elected as Vice-Chairperson for the current year, Dr. Dayaratna Silva (Sri Lanka). 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, 90 Members¹ have notified the Committee of their legislation and/or publications under these provisions. During the review period, the Committee received notifications from the following Members: Dominican Republic; El Salvador; Ghana; Macao, China; Mexico; Suriname; Chinese Taipei; and Zambia. 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.

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

6. 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, 84 Members³ have made notifications under this provision. This includes replies to the Questionnaire from 11 Members in 1995, 22 Members in 1996, 25 Members³ in 1997, 26 Members in 1998, 20 Members³ in 1999, 32 Members³ in 2000, 23 Members³ in 2001, 41 Members³ in 2002, 25 Members³ in 2003 and 16 Members in 2004. During the review period, the Committee received notifications from the following Members: Armenia; China; Colombia; Cuba; Dominican Republic; Ghana; Guatemala; Guyana; Iceland; India; Japan; Macao, China; Mexico; Panama; Saint Lucia; Singapore; Chinese Taipei; Trinidad and Tobago; and Zambia. These notifications may be found in document series G/LIC/N/3/-.

7. The Committee also received, pursuant to paragraphs 5.1-5.4 of Article 5, notifications relating to the institution of new import licensing procedures or changes in these procedures from Argentina, Australia and Chinese Taipei. These notifications may be found in document series G/LIC/N/2/- . Since the entry into force of the WTO Agreement 26 Members³ have submitted notifications under these provisions. 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.

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/-⁴. During the review period, such comments and questions were submitted by the United States to Argentina, India and Jamaica, by Australia to Indonesia, and by the United States, EC and Japan to China. During the same period responses were provided by Argentina, Brazil, China, India, Indonesia and Turkey to the United States, and by Indonesia to Australia.⁵ Statements of Members in this context, including responses given orally at the meetings, are reflected in the minutes of the meetings.

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 continues to be a low 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. This low level of compliance of Members with the transparency obligations of the Agreement has been the main preoccupation of the Committee for some time now.

10. At the meetings of 5 May and 30 September, the Chair expressed continuing concern over the failure of many Members to submit the required notifications. This unsatisfactory situation with respect to compliance with the notification obligations of the Agreement seriously undermined the ability of the Committee to carry out its main function of reviewing Members' import licensing systems. The Chair informed the Committee that in order to improve the situation she held informal consultations with several delegations and, on 30 July 2004, addressed a letter to all delegations whose notifications were overdue or who had not yet provided responses to the questions posed by some Members. She also reminded Members that the Secretariat was ready to assist any Member requiring assistance in fulfilling the notification obligations of the Agreement. The Committee noted that despite the efforts of the Chair and the Secretariat, 24 Members had not, as yet, made any notification under the Agreement, nor had they informed the Secretariat of any difficulties in

² Annexed to document G/LIC/3.

³ The European Communities and its member States counted as one Member.

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

⁵ Pending clarifications sought from Bahrain and the United Arab Emirates in May 2004, the responses provided by them to the United States have not yet been circulated in document series G/LIC/Q/-.

notifying, or of any technical assistance needs to improve their compliance. The Chair 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 30 September, the Committee conducted the third 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 Accession⁶, 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/20, paragraphs 3.1-3.29). The report of the Committee to the Council for Trade in Goods on this review is contained in document G/LIC/13.

12. At the same meeting, the Committee conducted its fifth biennial review of the implementation and operation of the Agreement under Article 7.1 on the basis of a factual report prepared by the Secretariat (G/LIC/W/22 and G/LIC/12).

⁶ WT/L/432.

ANNEX

Notifications

Member	Articles 1.4.(a)/8.2.(b) Publications/legislation - First notification upon WTO Membership, ad hoc thereafter (date of latest communication)	Article 7.3 Replies to Questionnaire - Annual, by 30 September (date of latest communication)	Article 5 - Ad hoc (date of latest communication)
Albania	Not notified	G/LIC/N/3/ALB/1 (28.1.02)	G/LIC/N/2/ALB/1 (20.2.02)
Angola	Not notified	Not notified	
Antigua & Barbuda	G/LIC/N/1/ATG/1 (8.12.01)	G/LIC/N/3/ATG/1-2 (18.12.01)	
Argentina	G/LIC/N/1/ARG/1-2 (19.12.97)	G/LIC/N/3/ARG/1-ARG/2 + Add.1 (8.2.02)	G/LIC/N/2/ARG/1-7 (13.8.04)
Armenia	G/LIC/N/1/ARM/1 (29.9.03)	G/LIC/N/3/ARM/1 + Add.1 (13.4.04)	
Australia	G/LIC/N/1/AUS/1 + Add.1 (28.4.97)	G/LIC/N/3/AUS/1/Rev.1- AUS/2 (24.5.02)	G/LIC/N/2/AUS/1 (28.5.04)
Bahrain	G/LIC/N/1/BHR/1 (27.5.97)	G/LIC/N/3/BHR/1 (5.9.00)	
Bangladesh	G/LIC/N/1/BGD/1 (31.3.00)	G/LIC/N/3/BGD/1 (31.3.00)	
Barbados	G/LIC/N/1/BRB/1 (4.10.96)	G/LIC/N/3/BRB/1-2 (8.5.02)	
Belize	Not notified	Not notified	
Benin	G/LIC/N/1/BEN/1 (18.12.96)	Not notified	
Bolivia	G/LIC/N/1/BOL/1 (29.5.97)	G/LIC/N/3/BOL/1-2 + Corr.1 & BOL/3 (20.6.00)	
Botswana	Not notified	Not notified	
Brazil	G/LIC/N/1/BRA/1 (24.4.98)	G/LIC/N/3/BRA/1-3 (23.9.03)	G/LIC/N/2/BRA/1 (24.4.98)
Brunei Darussalam	Not notified	G/LIC/N/3/BRN/1 (4.3.97)	
Bulgaria	G/LIC/N/1/BGR/1 (20.3.97)	G/LIC/N/3/BGR/1-2 (8.5.02)	
Burkina Faso	G/LIC/N/1/BFA/1 (8.1.97)	G/LIC/N/3/BFA/1+Add.1 (24.11.00)	
Burundi	G/LIC/N/1/BUR/1 (3.4.01)	G/LIC/N/3/BUR/1-2 (12.10.01)	
Cameroon	G/LIC/N/1/CMR/1 (13.7.01)	Not notified	
Canada	G/LIC/N/1/CAN/1 (29.1.96)	G/LIC/N/3/CAN/1-4 + Corr.1 (2.1.02)	
Central African Rep.	Not notified	Not notified	
Chad	G/LIC/N/1/TCD/1-2 (18.7.00)	G/LIC/N/3/TCD/1-2 (13.6.01)	
Chile	G/LIC/N/1/CHL/1 (16.7.96)	G/LIC/N/3/CHL/1 + Adds.1-2 (3.2.99)	
China	G/LIC/N/1/CHN/1 & Add.1- CHN/3 (1.10.03)	G/LIC/N/3/CHN/1-2 (1.10.03) G/LIC/N/3/CHN/3 (29.9.04)	
Colombia	G/LIC/N/1/COL/1 + Add.1 (4.12.00)	G/LIC/N/3/COL/1 + Adds.1-2 - COL/2 (29.7.04)	
Congo	Not notified	Not notified	
Congo, Dem Rep. of	Not notified	Not notified	
Costa Rica	G/LIC/N/1/CRI/1 (21.11.95)	G/LIC/N/3/CRI/1-3 (15.12.00)	
Côte d'Ivoire	G/LIC/N/1/CIV/1 (10.1.02)	G/LIC/N/3/CIV/1 (10.1.02)	
Croatia	G/LIC/N/1/HRV/1-2 (3.7.03)	G/LIC/N/3/HRV/1-2 (3.7.03)	
Cuba	G/LIC/N/1/CUB/1 (11.1.96)	G/LIC/N/3/CUB/1-2 + Add.1 (30.9.04)	
Djibouti	Not notified	Not notified	
Dominica	G/LIC/N/1/DMA/1 (8.2.01)	G/LIC/N/3/DMA/1 (8.2.01)	
Dominican Rep.	G/LIC/N/1/DOM/1 (28.4.04)	G/LIC/N/3/DOM/1-2 (28.4.04)	
Ecuador	G/LIC/N/1/ECU/1 (25.10.02)	G/LIC/N/3/ECU/1 + Add.1 - ECU/2 (25.10.02)	
Egypt	Not notified	Not notified	
El Salvador	G/LIC/N/1/SLV/1 (13.1.04)	Not notified	

Member	Articles 1.4.(a)/8.2.(b) Publications/legislation - First notification upon WTO Membership, ad hoc thereafter (date of latest communication)	Article 7.3 Replies to Questionnaire - Annual, by 30 September (date of latest communication)	Article 5 - Ad hoc (date of latest communication)
European Communities	G/LIC/N/1/EEC/1/Rev.2 + Adds.1-2 EEC/2 + Adds.1-4 (6.1.03)	G/LIC/N/3/EEC/1 + Add.1 EEC/2 + Adds.1-27 EEC/3 +Adds.1-26 EEC/4 + Add.1 EEC/5 + Add.1 & Add.1/Corr.1 EEC/6 + Add.1+ EEC/6/Corr.1 (30.9.03)	G/LIC/N/2/EEC/1-2 (4.7.97)
Fiji	G/LIC/N/1/FJI/1 (30.7.97)	G/LIC/N/3/FJI/1 (1.4.97)	
Gabon	G/LIC/N/1/GAB/1-2 (5.3.02)	Not notified	
Gambia	Not notified	G/LIC/N/3/GMB/1 (31.10.97)	
Georgia	G/LIC/N/1/GEO/1 (22.3.02)	G/LIC/N/3/GEO/1 (3.7.01)	
Ghana	G/LIC/N/1/GHA/1 (15.4.04)	G/LIC/N/3/GHA/1-3 (15.4.04)	
Grenada	G/LIC/N/1/GRD/1 (13.3.02)	Not notified	
Guatemala	G/LIC/N/1/GTM/1-2 (20.1.00)	G/LIC/N/3/GTM/1-2 (3.9.04)	
Guinea	Not notified	Not notified	
Guinea Bissau	Not notified	Not notified	
Guyana	G/LIC/N/1/GUY/1 (5.4.02)	G/LIC/N/3/GUY/1-2 (22.10.03)	
Haiti	G/LIC/N/1/HTI/1 (8.10.99)	G/LIC/N/3/HTI/1-2 (27.4.00)	
Honduras	G/LIC/N/1/HND/1 (31.10.96)	Not notified	
Hong Kong, China	G/LIC/N/1/HKG/1-5 (24.12.02)	G/LIC/N/3/HKG/1 + Rev.1-2, HKG/2 -HKG/3 + Corr.1 HKG/4 - 7 (29.9.03)	G/LIC/N/2/HKG/1-2 (27.1.98)
Iceland	G/LIC/N/1/ISL/1 (8.1.99)	G/LIC/N/3/ISL/1-2 (5.6.00) G/LIC/N/3/ISL/3 (30.9.04)	
India	G/LIC/N/1/IND/1/Rev.1 + IND/2-6 (11.6.03)	G/LIC/N/3/IND/1-6 (9.12.03)	G/LIC/N/2/IND/1-6 (11.6.03)
Indonesia	G/LIC/N/1/IDN/1 (27.10.98)	G/LIC/N/3/IDN/1-2 (12.5.03)	G/LIC/N/2/IDN/1 (14.4.03)
Israel	Not notified	Not notified	
Jamaica	G/LIC/N/1/JAM/1 (1.7.96)	G/LIC/N/3/JAM/1+ Adds.1-2 (18.9.02)	G/LIC/N/2/JAM/1 (23.9.03)
Japan	G/LIC/N/1/JPN/1-2/Rev.1 (7.1.97)	G/LIC/N/3/JPN/1 + Corr.1- JPN/3 (28.1.04)	G/LIC/N/2/JPN/1-3 (12.4.01)
Jordan	G/LIC/N/1/JOR/1-2 + Add.1 (19.8.03)	G/LIC/N/3/JOR/1 (2.10.00)	G/LIC/N/2/JOR/1 (1.12.00)
Kenya	G/LIC/N/1/KEN/1 (9.5.03)	G/LIC/N/3/KEN/1-2 + Add.1 (9.5.03)	
Korea	G/LIC/N/1/KOR/1-3 (3.4.98)	G/LIC/N/3/KOR/1-3 (16.5.02)	
Kuwait	Not notified	Not notified	
Kyrgyz Republic	G/LIC/N/1/KGZ/1 (6.1.00)	G/LIC/N/3/KGZ/1 (11.4.00)	
Lesotho	Not notified	Not notified	
Liechtenstein	G/LIC/N/1/LIE/1-2 (17.10.00)	G/LIC/N/3/LIE/1 + Add.1- LIE/4 +Add.1 (25.2.03)	G/LIC/N/2/LIE/1-2 (17.10.00)
Macao, China	G/LIC/N/1/MAC/1 + Adds.1-3 – MAC/2 (16.1.04)	G/LIC/N/3/MAC/1-6 (23.2.04)	
Macedonia, Former Yugoslav Rep. of	Not notified	Not notified	
Madagascar	G/LIC/N/1/MDG/1-2 (31.3.00)	G/LIC/N/3/MDG/1 (23.8.02)	
Malawi	G/LIC/N/1/MWI/1 (10.5.99)	G/LIC/N/3/MWI/1 + Add.1 (11.10.02)	
Malaysia	Not notified	G/LIC/N/3/MYS/1 (4.12.97)	G/LIC/N/2/MYS/1-2 (21.7.99)
Maldives	Not notified	G/LIC/N/3/MDV/1 (21.3.02)	
Mali	G/LIC/N/1/MLI/1 (23.7.01)	G/LIC/N/3/MLI/1-2 (23.7.01)	
Mauritania	Not notified	Not notified	

Member	Articles 1.4.(a)/8.2.(b) Publications/legislation - First notification upon WTO Membership, ad hoc thereafter (date of latest communication)	Article 7.3 Replies to Questionnaire - Annual, by 30 September (date of latest communication)	Article 5 - Ad hoc (date of latest communication)
Mauritius	G/LIC/N/1/MUS/1 + Adds.1-3 (4.5.98)	G/LIC/N/3/MUS/1-2 + Corr.1 (24.5.02)	
Mexico	G/LIC/N/1/MEX/1 (29.9.04)	G/LIC/N/3/MEX/1 (29.9.04)	G/LIC/N/2/MEX/1 (16.10.98)
Moldova	G/LIC/N/1/MDA/1 (9.1.02)	G/LIC/N/3/MDA/1 (30.1.02)	
Mongolia	Not notified	G/LIC/N/3/MNG/1 (15.5.03)	
Morocco	G/LIC/N/1/MAR/1+Add.1 (25.3.03)	G/LIC/N/3/MAR/1-2 + Add.1- MAR/3 (25.3.03)	
Mozambique	Not notified	Not notified	
Myanmar	Not notified	Not notified	
Namibia	G/LIC/N/1/NAM/1 (8.10.02)	G/LIC/N/3/NAM/1-4 (8.10.02)	
Nepal	Not notified	Not notified	
New Zealand	G/LIC/N/1/NZL/1 (2.8.96)	G/LIC/N/3/NZL/1 + Add.1 (24.3.98)	
Nicaragua	G/LIC/N/1/NIC/1 (18.7.96)	Not notified	
Niger	G/LIC/N/1/NER/1 (10.12.97)	Not notified	
Nigeria	G/LIC/N/1/NGA/1 (16.2.98)	G/LIC/N/3/NGA/1-2 (16.2.98)	G/LIC/N/2/NGA/1-2 (16.2.98)
Norway	G/LIC/N/1/NOR/1-2 (3.11.97)	G/LIC/N/3/NOR/1 + Corr.1- NOR/2 + Adds.1-2 (7.4.00)	
Oman	G/LIC/N/1/OMN/1 (9.1.01)	G/LIC/N/3/OMN/1 + Add.1 (9.4.03)	
Pakistan	G/LIC/N/1/PAK/1 (6.5.96)	Not notified	G/LIC/N/2/PAK/1 (6.5.96)
Panama	G/LIC/N/1/PAN/1-2 (19.10.98)	G/LIC/N/3/PAN/1-2 (2.3.04)	G/LIC/N/2/PAN/1 (21.7.98)
Papua New Guinea	Not notified	Not notified	G/LIC/N/2/PNG/1 (6.2.98)
Paraguay	G/LIC/N/1/PRY/1 (21.5.03)	Not notified	
Peru	G/LIC/N/1/PER/1 (13.2.96)	G/LIC/N/3/PER/1-2 + Add.1 (4.10.99)	
Philippines	G/LIC/N/1/PHL/1 (6.4.98)	G/LIC/N/3/PHL/1-4 + Add.1 (29.9.03)	
Qatar	G/LIC/N/1/QAT/1 (24.3.98)	G/LIC/N/3/QAT/1 (24.3.98)	
Romania	G/LIC/N/1/ROM/1-2 (1.3.99)	G/LIC/N/3/ROM/1-2 +Add.1 (12.12.00)	G/LIC/N/2/ROM/1-3 (4.2.02)
Rwanda	Not notified	Not notified	
Saint Kitts & Nevis	G/LIC/N/1/KNA/1 (17.7.98)	Not notified	
Saint Lucia	G/LIC/N/1/LCA/1 (14.10.02)	G/LIC/N/3/LCA/1-2 (30.8.04)	G/LIC/N/2/LCA/1-2 (14.10.02)
Saint Vincent & Grenadines	Not notified	Not notified	
Senegal	G/LIC/N/1/SEN/1 (14.10.02)	G/LIC/N/3/SEN/1-2 (14.10.02)	
Sierra Leone	Not notified	Not notified	
Singapore	G/LIC/N/1/SGP/1-3 (23.2.00)	G/LIC/N/3/SGP/1-4 (5.11.03)	G/LIC/N/2/SGP/1-2 (23.2.00)
Solomon Islands	Not notified	Not notified	
South Africa	Not notified	G/LIC/N/3/ZAF/1-3 + ZAF/4 (11.9.02)	G/LIC/N/2/ZAF/1 (9.7.97)
Sri Lanka	G/LIC/N/1/LKA/1 (5.5.03)	G/LIC/N/3/LKA/1 (5.5.03)	
Suriname	G/LIC/N/1/SUR/1 (10.12.03)	Not notified	
Swaziland	G/LIC/N/1/SWZ/1 (19.8.96)	Not notified	
Switzerland	G/LIC/N/1/CHE/1-2 (21.9.00)	G/LIC/N/3/CHE/1-4 + Add.1 (21.2.03)	G/LIC/N/2/CHE/1-2 (21.9.00)
Chinese Taipei	G/LIC/N/1/TPKM/1-3/Rev.1 + TPKM/4 (21.6.04)	G/LIC/N/3/TPKM/1/Rev.1- TPKM/2 (21.6.04)	G/LIC/N/2/TPKM/1-2 (21.10.03)
Tanzania	Not notified	Not notified	
Thailand	Not notified	Not notified	

Member	Articles 1.4.(a)/8.2.(b) Publications/legislation - First notification upon WTO Membership, ad hoc thereafter (date of latest communication)	Article 7.3 Replies to Questionnaire - Annual, by 30 September (date of latest communication)	Article 5 - Ad hoc (date of latest communication)
Togo	G/LIC/N/1/TGO/1 (8.5.03)	G/LIC/N/3/TGO/1 (8.5.03)	
Trinidad & Tobago	G/LIC/N/1/TTO/1 (28.10.98)	G/LIC/N/3/TTO/1-4 (30.7.04)	
Tunisia	G/LIC/N/1/TUN/1 + Add.1 (21.1.99)	G/LIC/N/3/TUN/1-3 + Adds.1- 3 (21.10.02)	
Turkey	G/LIC/N/1/TUR/1, TUR/2/Rev.1-TUR/4 (22.9.03)	G/LIC/N/3/TUR/1-5 (22.9.03)	
Uganda	G/LIC/N/1/UGA/1 (16.8.96)	G/LIC/N/3/UGA/1+ Add.1 (8.11.00)	
United Arab Emirates	G/LIC/N/1/ARE/1 (19.3.97)	G/LIC/N/3/ARE/1 (11.4.00)	
United States	G/LIC/N/1/USA/1 + Rev.1- USA/2 (28.4.03)	G/LIC/N/3/USA/1-3 (6.11.00)	G/LIC/N/2/USA/1 (28.4.03)
Uruguay	G/LIC/N/1/URY/1-3 (17.9.01)	G/LIC/N/3/URY/1 + Add.1- URY/2/Rev.1 (21.10.02)	
Venezuela	G/LIC/N/1/VEN/1 (12.10.02)	G/LIC/N/3/VEN/1 + Corr.1-2 (8.11.02)	G/LIC/N/2/VEN/1-5 (16.5.03)
Zambia	G/LIC/N/1/ZMB/1-2 (10.2.04)	G/LIC/N/3/ZMB/1-2 (10.2.04)	
Zimbabwe	G/LIC/N/1/ZWE/1-2 (21.9.98)	G/LIC/N/3/ZWE/1+Adds.1-2 (15.2.01)	
TOTAL MEMBERS =122⁷	90⁷	84⁷	26⁷

⁷ The European Communities and its member States counted as one Member.