

# WORLD TRADE ORGANIZATION

G/L/968  
26 October 2011

(11-5376)

## REPORT (2011) OF THE COMMITTEE ON IMPORT LICENSING TO THE COUNCIL FOR TRADE IN GOODS

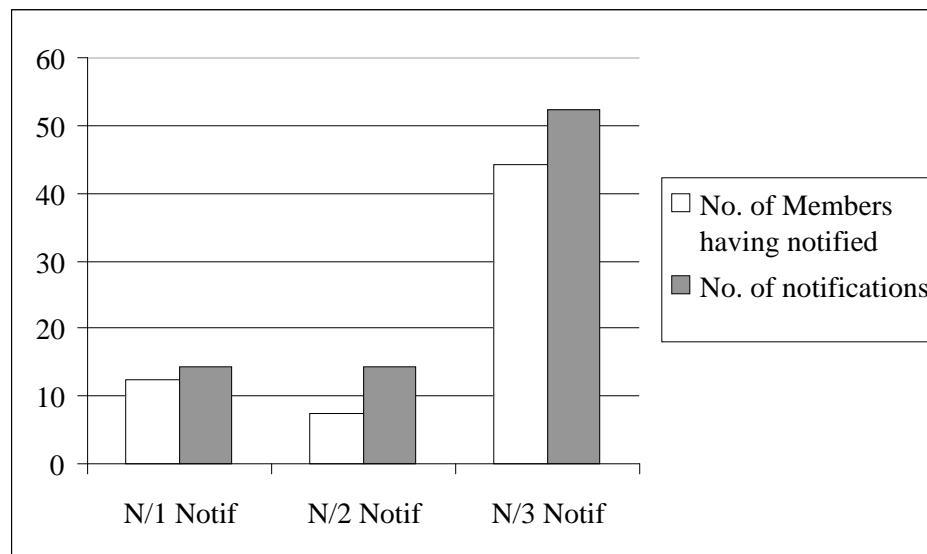
1. The Agreement on Import Licensing Procedures (hereinafter "the Agreement") which entered into force on 1 January 1995, establishes disciplines on users of import licensing systems with the principal objective of ensuring that the procedures applied for granting import licences do not in themselves 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/941), i.e. 30 October 2010 - 14 October 2011 (hereinafter "the review period"). During the review period, the Committee held two meetings on 11 April and 14 October 2011 (G/LIC/M/33 and [G/LIC/M/34]). At its meeting on 11 April 2011, the Committee took note of the nomination of Mr Flavio Soares Damico (Brazil) 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, Mr. Gustavo Bosio (Israel). 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, 100 Members<sup>1</sup> have notified the Committee of their legislation and/or publications under these provisions. During the review period, the Committee received 14 notifications from the following 12 Members: Angola, Argentina, Former Yugoslav Republic of Macedonia, India, Kuwait, Lesotho, Malaysia, Morocco, Togo, Tonga, Turkey, and the United States (see Figure 1). 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, 14 notifications relating to the institution of new import licensing procedures or changes in these procedures from 7 Members: Argentina, Colombia, India, Jamaica, Paraguay, Thailand, and Ukraine (see

<sup>1</sup> The European Union and its Member States counted as one Member.

Figure 1). These notifications may be found in document series G/LIC/N/2/- . Since the entry into force of the WTO Agreement, 37 Members 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.

7. Article 7.3 of the Agreement requires all Members to provide replies to the Questionnaire on Import Licensing Procedures<sup>2</sup> by 30 September each year. Since the entry into force of the WTO Agreement, 102 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, 31 Members in 2008, 42 Members in 2009, 34 Members in 2010 and 35 Members up in 2011. During the review period, the Committee received 53 notifications from the following 44 Members: Albania, Argentina, Australia, Brazil, Burkina Faso, Cambodia, Cape Verde, Central African Republic, Chile, China, Colombia, Croatia, Dominican Republic, European Union, Former Yugoslav Republic of Macedonia, Gambia, Honduras, Hong Kong China, India, Japan, Kingdom of Saudi Arabia, Korea, Kuwait, Lesotho, Macao China, Madagascar, Malaysia, Nicaragua, Norway, Peru, the Philippines, Qatar, Senegal, Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu, Switzerland, Thailand, Togo, Tonga, Tunisia, Turkey, Ukraine, United States, Uruguay and Viet Nam updated (see Figure 1). These notifications may be found in document series G/LIC/N/3/-.

FIGURE 1: NUMBER OF MEMBERS HAVING NOTIFIED AND NUMBER OF NOTIFICATIONS SUBMITTED DURING THE REVIEW PERIOD 2010-2011



8. Written replies to 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/<sup>3</sup>. During the review period, the United States posed written questions to Indonesia on its Decree 56/2008 (document G/LIC/Q/IDN/17) and Turkey to India on import licensing procedures applied to marble and similar stones (G/LIC/Q/IND/17). The following Members provided responses to comments and questions: (i)

<sup>2</sup> Annexed to document G/LIC/3.

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

Argentina (in document G/LIC/Q/ARG/13) to questions from Turkey (in document G/LIC/Q/ARG/12) with regard to its non-automatic import licensing regime which affected Turkey's exports of household electrical appliances; (ii) India (in document G/LIC/Q/IND/16) to questions from the United States (in document G/LIC/Q/IND/11/Add.2), concerning India's import licensing regime applied to boric-acid; and, (iii) Indonesia (in document G/LIC/Q/IDN/16) to questions from the European Union (in document G/LIC/Q/IDN/15) with regard to the procedures in Decree 56/2008 which the EU considered an import licensing regime, even though Indonesia had asserted it was only to register importers. The Committee received, immediately before the meeting of 14 October 2011, India's responses to the questions by the United States in G/LIC/Q/IND/17 and Indonesia's responses to Turkey in document G/LIC/Q/IDN/17. These two documents (G/LIC/Q/IND/18 and G/LIC/Q/IDN/18), were referred to the next meeting.

9. At the 14 October meeting, the EU, the US, Japan, Turkey, Switzerland, Peru, Canada and Korea reiterated their concerns with regard to the non-automatic import licensing regime (NAL) notified and applied by Argentina. Argentina indicated that its NAL was WTO compatible.

10. The Committee has provided a regular forum for the discussion of specific notifications submitted by Members. Members' compliance with the transparency obligations of the Agreement has been the main preoccupation of the Committee for some time now. Informal meetings have taken place, preceded by informal consultations with various delegations from a large geographical range. During this process, delegations who have attended the informal consultations as well as those who have intervened at the informal Committee meetings have unanimously highlighted the importance of improving compliance with notification obligations. As a result of two years of informal discussions, two notification forms under Articles 1.4a) and/or 8.2b) and under Article 5 of the Agreement, were submitted by the Chair for the Committee's consideration. At the 11 April 2011 meeting, in light of the wide support for the use of the forms, on a voluntary basis, the Committee agreed that these forms be circulated in the G/LIC document series and posted on the Members website (document G/LIC/22). Since then, many Members have started to use these forms as well as a short statement form to indicate that the already notified import licensing regimes under Article 7.3 remain valid. As evident in the Annex to this report, there have been improvements in the level of compliance with the mandatory notification requirements, particularly under Articles 1.4(a), 8.2(b) and 7.3.

11. During the review period, eleven Members had submitted, for the first time, notifications to the Committee under various Articles of the Agreement: under Articles 1.4a) Angola, Lesotho, Malaysia and Tonga; under Article 5 Colombia, Paraguay and Ukraine; and, under Article 7.3 Cambodia, Central African Republic, Tonga and Viet Nam. The Chair thanked these Members for their notifications and 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.

12. At its meeting of 14 October 2011, the Committee conducted the Final Transitional Review under Paragraph 18 of the Protocol on Accession of the People's Republic of China. The committee's report to the Goods Council is contained in document G/LIC/23.

## ANNEX

### Notifications<sup>1</sup>

#### **NOTIFICATIONS SUBMITTED BY MEMBERS SINCE THE ENTRY INTO FORCE OF THE AGREEMENT UNTIL 14.10.2011**

<b>MEMBERS<sup>2</sup></b>	<b>N/1<sup>3</sup></b>	<b>DATE</b>	<b>N/2<sup>4</sup></b>	<b>DATE</b>	<b>N/3<sup>5</sup></b>	<b>DATE</b>
ALBANIA	N/1/ALB/3	07.10.09	N/2/ALB/2	28.11.08	N/3/ALB/5	24.01.11
ANGOLA	N/1/AGO/1	12.05.11				
ANTIGUA & BARBUDA	N/1/ATG/1	31.01.02			N/3/ATG/2	30.01.02
ARGENTINA	N/1/ARG/4	14.04.11	N/2/ARG/24	04.04.11	N/3/ARG/6 N/3/ARG/7	20.10.10 20.10.10
ARMENIA	N/1/ARM/4	24.09.07			N/3/ARM/5	03.10.08
AUSTRALIA	N/1/AUS/1/A.1	22.05.97	N/2/AUS/1	14.06.04	N/3/AUS/4	25.05.11
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/5	26.01.10
BELIZE						
BENIN	N/1/BEN/1	10.02.97				
BOLIVARIAN REP. OF VENEZUELA	N/1/VEN/1	25.10.02	N/2/VEN/5	20.05.03	N/3/VEN/1	27.05.02
BOLIVIA, PLURINATIONAL STATE OF	N/1/BOL/1	16.06.97			N/3/BOL/3	29.06.00
BOTSWANA						
BRAZIL	N/1/BRA/5	19.04.10	N/2/BRA/5	19.04.10	N/3/BRA/9	15.09.11
BRUNEI DARUSSALAM					N/3/BRN/1	10.04.97
BURKINA FASO	N/1/BFA/1	10.02.97			N/3/BFA/4	05.09.11
BURUNDI	N/1/BDI/1	27.04.01			N/3/BDI/2	07.11.01
CAMBODIA					N/3/KHM/1	23.11.10
CAMEROON	N/1/CMR/1	18.09.01			N/3/CMR/3	25.09.09
CANADA	N/1/CAN/2	10.06.09			N/3/CAN/9	18.10.10
CAPE VERDE					N/3/CPV/2	05.09.11
CENTRAL AFRICAN REP.					N/3/CFA/1	16.12.10
CHAD	N/1/TCD/2	16.08.00			N/3/TCD/2	20.08.01

<sup>1</sup> The title "Date" refers to the date of issuance of the document.

<sup>2</sup> The European Union and its Member States counted as one Member.

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

<sup>4</sup> Article 5.1-5.4 – Ad hoc New import licensing procedures or changes (date of latest communication).

<sup>5</sup> Article 7.3 – Annual Replies to Questionnaire (date of latest communication).

<b>MEMBERS<sup>2</sup></b>	<b>N/1<sup>3</sup></b>	<b>DATE</b>	<b>N/2<sup>4</sup></b>	<b>DATE</b>	<b>N/3<sup>5</sup></b>	<b>DATE</b>
CHILE	N/1/CHL/1	31.07.06			N/3/CHL/6	15.09.11
CHINA	N/1/CHN/6	24.03.10			N/3/CHN/9	09.11.10
COLOMBIA	N/1/COL/2	08.10.07	N/2/COL/1	06.10.11	N/3/COL/9	10.10.11
CONGO						
COSTA RICA	N/1/CRI/2	15.03.07	N/2/CRI/2	20.10.10	N/3/CRI/7	14.10.10
COTE D'IVOIRE	N/1/CIV/1	08.02.02			N/3/CIV/2	05.10.07
CROATIA	N/1/HRV/5	21.10.10	N/2/HRV/1	09.10.09	N/3/HRV/6	26.09.11
CUBA	N/1/CUB/1	24.01.96			N/3/CUB/3	20.01.09
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/5	06.04.11
EUROPEAN UNION	N/1/EEC/2/A.4	10.01.03	N/2/EEC/2	14.07.97	N/3/EEC/14+A.1	26.09.11
ECUADOR	N/1/ECU/2	15.06.06			N/3/ECU/3/A.1	19.04.10
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/4	26.09.11	N/2/MKD/1	17.04.09	N/3/MKD/3	26.09.11
GABON	N/1/GAB/2	13.03.02				
GAMBIA					N/3/GMB/3	12.12.10
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/4	29.09.09
GRENADA	N/1/GRD/1	10.04.02			N/3/GRD/4	08.09.10
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/5	30.10.09
HONDURAS	N/1/HND/1	03.12.96	N/2/HND/4	18.01.10	N/3/HND/6	29.08.11
HONG KONG, CHINA	N/1/HKG/5	07.01.03	N/2/HKG/4	18.09.09	N/3/HKG/15	29.09.11
ICELAND	N/1/ISL/1	26.01.99			N/3/ISL/3	28.10.04
INDIA	N/1/IND/13	20.09.11	N/2/IND/11	20.09.11	N/3/IND/12	21.09.11
INDONESIA	N/1/IDN/1	02.11.98	N/2/IDN/3	06.07.09	N/3/IDN/4	23.02.10

<b>MEMBERS<sup>2</sup></b>	<b>N/1<sup>3</sup></b>	<b>DATE</b>	<b>N/2<sup>4</sup></b>	<b>DATE</b>	<b>N/3<sup>5</sup></b>	<b>DATE</b>
ISRAEL	N/1/ISR/1	19.10.06	N/2/ISR/1	19.10.06	N/3/ISR/1	19.10.06
JAMAICA	N/1/JAM/1	11.07.96	N/2/JAM/2	02.09.11	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/10	30.09.11
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
KINGDOM OF SAUDI ARABIA					N/3/SAU/2	27.09.11
KOREA, REP. OF	N/1/KOR/3	14.04.98	N/2/KOR/1/R1	27.07.09	N/3/KOR/10	21.09.11
KUWAIT	N/1/KWT/2	30.09.11			N/3/KWT/2	26.09.11
KYRGYZ REPUBLIC	N/1/KGZ/1	18.01.00			N/3/KGZ/2	09.10.06
LESOTHO	N/1/LSO/1	23.11.10			N/3/LSO/2	23.11.10
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/14	07.10.11
MADAGASCAR	N/1/MDG/2	25.04.00			N/3/MDG/6	19.05.11
MALAWI	N/1/MWI/1	13.10.99	N/2/MWI/1	10.05.10	N/3/MWI/2	03.10.06
MALAYSIA	N/1/MYS/1	05.09.11	N/2/MYS/4	19.04.10	N/3/MYS/6	28.04.11
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/3	18.01.10			N/3/MEX/3	18.01.10
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/2+C1	26.01.10			N/3/MAR/7/R.1	09.10.09
MOZAMBIQUE						
MYANMAR						
NAMIBIA	N/1/NAM/1	29.10.02			N/3/NAM/6	30.08.10
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			N/3/NIC/3	27.09.11
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/6	26.07.10
NORWAY	N/1/NOR/2	03.12.97			N/3/NOR/6	04.07.11
OMAN	N/1/OMN/1	20.02.01			N/3/OMN/4	08.05.09

<b>MEMBERS<sup>2</sup></b>	<b>N/1<sup>3</sup></b>	<b>DATE</b>	<b>N/2<sup>4</sup></b>	<b>DATE</b>	<b>N/3<sup>5</sup></b>	<b>DATE</b>
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/2	14.09.10	N/2/PRY/1	17.05.11		
PERU	N/1/PER/2/R.1	31.05.05			N/3/PER/7	23.09.11
PHILIPPINES	N/1/PHL/1	14.04.98			N/3/PHL/8	07.02.11
QATAR	N/1/QAT/1	02.04.98			N/3/QAT/8	14.06.11
RWANDA					N/3/RWA/1	20.07.06
ST. KITTS AND NEVIS	N/1/KNA/1	07.08.98			N/3/KNA/1	08.12.09
ST. LUCIA	N/1/LCA/3	10.07.08	N/2/LCA/2	17.10.02	N/3/LCA/5	29.09.08
ST. VINCENT & GRENADINES						
SENEGAL	N/1/SEN/1	23.10.02			N/3/SEN/4	01.10.11
SIERRA LEONE						
SINGAPORE	N/1/SGP/5	04.04.08	N/2/SGP/5	05.10.09	N/3/SGP/7	06.10.09
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			N/3/SUR/1	09.10.09
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/7	03.10.11
CHINESE TAIPEI	N/1/TPKM/6	20.12.04	N/2/TPKM/4	20.12.04	N/3/TPKM/2/R.2	05.09.11
TANZANIA						
THAILAND	N/1/THA/1	28.09.07	N/2/THA/2	21.09.11	N/3/THA/4	21.09.11
TOGO	N/1/TGO/2	24.05.11			N/3/TGO/2	15.09.11
TONGA	N/1/TON/1	06.04.11			N/3/TON/1	05.04.11
TRINIDAD & TOBAGO	N/1/TTO/1	10.11.98			N/3/TTO/9	22.09.10
TUNISIA	N/1/TUN/2	14.02.07			N/3/TUN/6	26.09.11
TURKEY	N/1/TUR/9	23.09.11			N/3/TUR/11	23.09.11
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/2/UKR/2	17.05.11	N/3/UKR/4	22.08.11
UNITED ARAB EMIRATES	N/1/ARE/1	18.04.97			N/3/ARE/1	25.04.00
UNITED STATES	N/1/USA/6/Add.1	30.09.11	N/2/USA/2/A1	06.04.09	N/3/USA/8	30.09.11
URUGUAY	N/1/URY/3	25.09.01			N/3/URY/5	06.10.11

<b>MEMBERS<sup>2</sup></b>	<b>N/1<sup>3</sup></b>	<b>DATE</b>	<b>N/2<sup>4</sup></b>	<b>DATE</b>	<b>N/3<sup>5</sup></b>	<b>DATE</b>
VIETNAM					N/3/VNM/1	12.05.11
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/3	24.06.10
TOTAL:	100		37		102	