

DRAFT

**REPORT (2012) OF THE COMMITTEE ON IMPORT LICENSING
TO THE COUNCIL FOR TRADE IN GOODS**

Revision

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/968), i.e. 15 October 2011 - 29 October 2012 (hereinafter "the review period"). During the review period, the Committee held two meetings on 27 April and 29 October 2012 (G/LIC/M/35 and [G/LIC/M/36]). At its meeting on 27 April 2012, the Committee took note of the nomination of Mr. Pierre-Emmanuel Brusselmans (Belgium) 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. Elisa Olmedo de Alejandro (Mexico). 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, upon membership to the WTO, to notify the sources of the information pertaining to their laws, regulations and administrative procedures relevant to import licensing. Any subsequent changes to these laws, regulations and administrative procedures are also required to be published and notified. Since the entry into force of the WTO Agreement, [101] (up to 15.10.12) Members¹ 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 [13] Members: [Albania, the European Union, Georgia, Liechtenstein, Macao China, Malawi, Morocco, Nicaragua, the Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu, Switzerland, Trinidad and Tobago, Turkey, and Viet Nam, updated (15.10.2012). (see Figure 1).

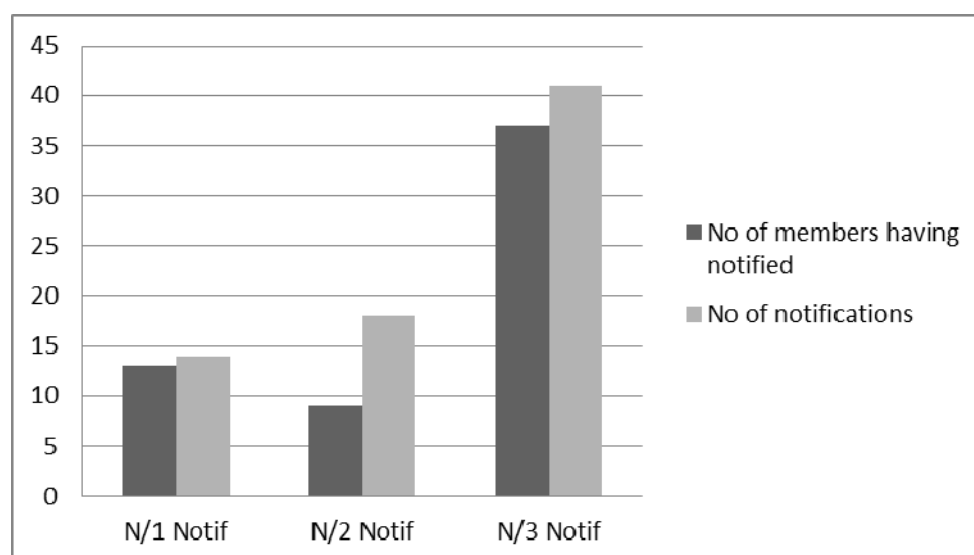
¹ The European Union and its Member States counted as one Member.

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, [18] notifications relating to the institution of new import licensing procedures or changes in these procedures from [9] Members: [Argentina, the European Union, Indonesia, Kuwait, Malawi, Malaysia, Morocco, Thailand, and Viet Nam (up to 15.10.2012) (see Figure 1). These notifications may be found in document series G/LIC/N/2/-. Since the entry into force of the WTO Agreement [40] 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 Procedures² by 30 September each year. Since the entry into force of the WTO Agreement, [104] (up to 15.10.12) 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, 41 Members in 2010, 43 Members up in 2011, and [32] Members in 2012 (up to 15.10.2012). During the review period, the Committee received [41] notifications from the following [37] Members: [Argentina, Australia, Bahrain, Barbados, Cambodia, Canada, Costa Rica, Croatia, Dominican Republic, the European Union, Georgia, Honduras, Hong Kong China, Japan, Liechtenstein, Malawi, Malaysia, Mali, Nepal, Nicaragua, Nigeria, Norway, Oman, Panama, Peru, Paraguay Rwanda, the Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu, Singapore, South Africa, Switzerland, Thailand, Trinidad and Tobago, Turkey, Ukraine, Uruguay and the United States (up to 15.10.2012) (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 2011-2012



[up to 15.10.2012]

² Annexed to document G/LIC/3.

8. Written questions and replies to and from Members concerning notifications submitted to the Committee and/or on import licensing procedures maintained by Members, may be found in document series G/LIC/Q/-³. During the period under review:

- (i) the United States submitted written questions to Viet Nam (G/LIC/Q/VNM//2), with respect to its import licensing regime and responses to the Annual Questionnaire (G/LIC/N/3/VNM/1);
- (ii) the United States, (G/LIC/Q/IND/19), submitted additional questions to India relating to its import licensing regime applied to boric acid;
- (iii) the United States and Canada (G/LIC/Q/IND/19), submitted questions to Indonesia on its non-automatic import licensing requirements applied to livestock, livestock products including meats, and fresh and processed fruits and vegetables;
- (iv) Switzerland (G/LIC/Q/BRA/16), submitted written questions to Brazil on its "RADAR import authorization system" to prevent fraud by the so-called "ghost companies" in Brazil;
- (v) Turkey (G/LIC/Q/IND/20) submitted written questions to India concerning the import licensing regime and quota system applied to imports of marble and similar stones from Turkey;
- (vi) the United States (G/LIC/Q/IND/21) submitted follow-up questions to Indonesia on its responses in document G/LIC/Q/IND/18 to the initial questions posed by the United States in document G/LIC/Q/IND/17;
- (vii) the United States, the European Union and Japan (G/LIC/Q/IND/22 and G/LIC/Q/IND/22/Add.1) submitted written questions to Indonesia on its import restrictions applied to horticultural products; and,

The following Members provided responses to comments and questions:

- (i) Viet Nam responded in document G/LIC/Q/VNM/3 to questions posed by the United States in document G/LIC/Q/VNM/2;
- (ii) Indonesia responded in document G/LIC/Q/IND/18 to the questions posed by the United States on Regulation 57/12/2010, which renewed Decree 56 of 2008, and on Indonesia's responses to the Annual Questionnaire contained in document G/LIC/N/3/IND/4;
- (iii) Indonesia responded in document G/LIC/Q/IND/20 to the questions posed by the United States and Canada in document G/LIC/Q/IND/19; and
- (iv) India responded in document G/LIC/Q/IND/18 to questions posed by Turkey in document G/LIC/Q/IND/17 on India's import licensing regime applied to marble and similar stones, as referred to in India's response to the Annual Questionnaire (G/LIC/N/3/IND/12).

9. The delegations of Australia, the European Union, Japan, Korea, Norway, Turkey and the United States requested the Secretariat to include in the agenda of the meeting on 27 April 2012, an item concerning Argentina's Import Licensing Measures and Procedures. These Members stated that,

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

further to the joint statement by Canada, China, Costa Rica, Israel, New Zealand, Panama, Switzerland, Chinese Taipei and Thailand at a meeting of the Goods Council in March 2012, they continued to have concerns over Argentina's trade-restrictive IL measures, particularly the new import requirements introduced on 1 February 2012, which required, in essence, the personal approval by the Secretary of Commerce, of every product imported into Argentina. Thailand, New Zealand, Costa Rica, Colombia, Peru, Chinese Taipei and Switzerland echoed the concerns.

10. Argentina reiterated the statement made at the Goods Council on 30 March 2012 (G/C/W/668) and indicated that during the Committee meetings, it had not only responded to the various concerns expressed by Members, but had also fulfilled its transparency obligations. Additionally and with the aim to provide further transparency to its NAL, Argentina indicated that it had introduced in March 2011 the "Sistema Integrado de Comercio Exterior (SISCO)" so as to allow importers to submit their applications on line.

11. The European Union, the United States, Japan and Mexico requested formal consultations with Argentina (see documents G/LIC/D/41-43).

12. Turkey requested the Secretariat to include in the agenda of the meeting on 29 October 2012, an item concerning Thailand's import licensing practices for marble and similar stones. [To be updated in light of developments at the 29 October meeting of the Committee]

13. The Committee took note of the recommendation adopted by the General Council in paragraphs 29 to 31 of document WT/BFA/128 and agreed to follow them wherever possible. With regard to notifications, the Secretariat was asked to prepare, for Members' consideration, a draft notification form for notifying under Article 7.3 of the Agreement and a draft text on the use of electronic versions of attachments to notifications submitted under the different provisions in the Agreement. Consultations on these proposed drafts would be held in informal mode.

14. During the review period, five Members had submitted, for the first time, notifications to the Committee under various Articles of the Agreement: under Articles 1.4a) Viet Nam; under Article 5 Morocco and Kuwait; and, under Article 7.3 Nepal and Paraguay.

15. At its meeting of 29 October 2012, the Committee conducted the Ninth Biennial Review of the Implementation and Operation of the Agreement under Article 7.1. The Committee's report to the Council for Trade in Goods on this review is contained in document G/LIC/[XX].

ANNEX

Notifications¹

**MEMBERS HAVING SUBMITTED NOTIFICATIONS SINCE THE ENTRY INTO FORCE
OF THE AGREEMENT UNTIL [15.10.2012]**

MEMBERS²	N/1³	DATE	N/2⁴	DATE	N/3⁵	DATE
ALBANIA	N/1/ALB/4	09.10.12	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/25	28.09.12	N/3/ARG/9	24.04.12
ARMENIA	N/1/ARM/4	24.09.07			N/3/ARM/5	03.10.08
AUSTRALIA	N/1/AUS/1/Add.1	22.05.97	N/2/AUS/1	14.06.04	N/3/AUS/5	28.09.12
BAHRAIN, KINGDOM OF	N/1/BHR/1	13.06.97			N/3/BHR/2	23.01.12
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/6	10.08.12
BELIZE						
BENIN	N/1/BEN/1	10.02.97				
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	16.09.11
BRUNEI DARUSSALAM					N/3/BRN/1	10.04.97
BURKINA FASO	N/1/BFA/1	10.02.97			N/3/BFA/4	12.09.11
BURUNDI	N/1/BDI/1	27.04.01			N/3/BDI/2	07.11.01
CAMBODIA					N/3/KHM/2	02.02.12
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/10	18.11.11
CAPE VERDE					N/3/CPV/2	12.09.11
CENTRAL AFRICAN REP.					N/3/CAF/1	16.12.10
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/6	16.09.11

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

² The European Union 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).

MEMBERS ²	N/1 ³	DATE	N/2 ⁴	DATE	N/3 ⁵	DATE
CHINA	N/1/CHN/6	24.03.10			N/3/CHN/9	11.11.10
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/8	02.02.12
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/7	02.10.12
CUBA	N/1/CUB/1	24.01.96			N/3/CUB/3	20.01.09
CONGO, DEM. REP. OF	N/1/COD/1	20.10.06			N/3/COD/1	18.10.06
DJIBOUTI						
DOMINICA	N/1/DMA/1	23.02.01			N/3/DMA/2	06.12.06
DOMINICAN REPUBLIC	N/1/DOM/1	04.05.04			N/3/DOM/6	06.03.12
EU	N/1/EU/1 N/1/EU/2	11.04.12	N/2/EU/1 N/2/EU/2	11.04.12	N/3/EU/1 N/3/EU/1/Add.1	25.09.12 26.09.12
ECUADOR	N/1/ECU/2	15.06.05			N/3/ECU/3/Add.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
GABON	N/1/GAB/2	13.03.02				
GAMBIA					N/3/GMB/3	15.12.10
GEORGIA	N/1/GEO/2	20.03.12			N/3/GEO/4	20.03.12
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	07.09.11
HONG KONG, CHINA	N/1/HKG/5	07.01.03	N/2/HKG/4	18.09.09	N/3/HKG/16	19.09.12
ICELAND	N/1/ISL/1	26.01.99			N/3/ISL/3	28.10.04
INDIA	N/1/IND/13	27.09.11	N/2/IND/11	20.09.11	N/3/IND/12	27.09.11
INDONESIA	N/1/IDN/1	02.11.98	N/2/IDN/12	03.10.12	N/3/IDN/4	23.02.10
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	04.10.11	N/3/JAM/3	03.09.08

MEMBERS ²	N/1 ³	DATE	N/2 ⁴	DATE	N/3 ⁵	DATE
JAPAN	N/1/JPN/2/Rev.1	26.02.97	N/2/JPN/3	27.04.01	N/3/JPN/11	27.09.12
JORDAN	N/1/JOR/2/Add.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/Add.1	12.06.03
KOREA, REP. OF	N/1/KOR/3	14.04.98	N/2/KOR/1/Rev1	27.07.09	N/3/KOR/10	27.09.11
KUWAIT	N/1/KWT/2	28.09.11	N/2/KWT/1	08.11.11	N/3/KWT/2	27.09.11
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/3	23.02.12	N/2/LIE/2	26.10.00	N/3/LIE/5	24.02.12
MACAO, CHINA	N/1/MAC/4	20.06.12			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/2	26.10.11	N/2/MWI/2	27.10.11	N/3/MWI/3	25.10.11
MALAYSIA	N/1/MYS/1	07.09.11	N/2/MYS/5	03.07.12	N/3/MYS/7	10.10.11
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, REP. OF	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
MONTENEGRO						
MOROCCO	N/1/MAR/4	29.11.11	N/2/MAR/1	29.11.11	N/3/MAR/7/Rev.1	09.10.09
MOZAMBIQUE						
MYANMAR						
NAMIBIA	N/1/NAM/1	29.10.02			N/3/NAM/6	30.08.10
NEPAL					N/3/NPL/1	03.10.12
NEW ZEALAND	N/1/NZL/1	22.08.96			N/3/NZL/1/Add.1	06.04.98
NICARAGUA	N/1/NIC/2	23.03.12			N/3/NIC/4	13.08.12
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/7	17.01.12
NORWAY	N/1/NOR/2	03.12.97			N/3/NOR/7	01.10.12
OMAN	N/1/OMN/1	18.02.01			N/3/OMN/6	30.01.12
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/3	01.10.12

MEMBERS ²	N/1 ³	DATE	N/2 ⁴	DATE	N/3 ⁵	DATE
PAPUA NEW GUINEA			N/2/PNG/1	17.02.98		
PARAGUAY	N/1/PRY/2	14.09.10	N/2/PRY/1	14.07.11	N/3/PRY/1	04.10.12
PERU	N/1/PER/2/Rev.1	31.05.05			N/3/PER/8	27.08.12
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	24.06.11
RUSSIAN FEDERATION						
RWANDA					N/3/RWA/2	18.10.11
SAMOA						
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						
SAUDI ARABIA, KINGDOM OF					N/3/SAU/2	29.09.11
SENEGAL	N/1/SEN/1	23.10.02			N/3/SEN/4	04.10.11
SIERRA LEONE						
SINGAPORE	N/1/SGP/5	04.04.08	N/2/SGP/5	05.10.09	N/3/SGP/8	29.05.12
SOLOMON ISLANDS						
SOUTH AFRICA			N/2/ZAF/1	15.07.97	N/3/ZAF/5	01.10.12
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/3	20.01.12	N/2/CHE/2	26.09.00	N/3/CHE/8	11.09.12
CHINESE TAIPEI	N/1/TPKM/7	30.07.12	N/2/TPKM/4	20.12.04	N/3/TPKM/3	30.07.12
TANZANIA						
THAILAND	N/1/THA/1	28.09.07	N/2/THA/3	02.10.12	N/3/THA/5	14.09.12
THE FORMER YUGOSLAV REP. OF MACEDONIA	N/1/MKD/4	28.09.11	N/2/MKD/1	17.04.09	N/3/MKD/3	28.09.11
TOGO	N/1/TGO/2	24.05.11			N/3/TGO/2	19.09.11
TONGA	N/1/TON/1	06.04.11			N/3/TON/1	05.04.11
TRINIDAD & TOBAGO	N/1/TTO/2	14.09.12			N/3/TTO/10	14.09.12
TUNISIA	N/1/TUN/2	14.01.07			N/3/TUN/6	28.09.11
TURKEY	N/1/TUR/10	01.10.12			N/3/TUR/12	11.09.12
UGANDA	N/1/UGA/1	03.10.96			N/3/UGA/1/Add.2	07.10.05
UKRAINE	N/1/UKR/1	03.09.08	N/2/UKR/2	17.05.11	N/3/UKR/5	21.09.12
UNITED ARAB EMIRATES	N/1/ARE/1	18.04.97			N/3/ARE/1	25.04.00

MEMBERS²	N/1³	DATE	N/2⁴	DATE	N/3⁵	DATE
UNITED STATES	N/1/USA/6/Add.1	04.10.11	N/2/USA/2/Add.1	06.04.09	N/3/USA/9	25.09.12
URUGUAY	N/1/URY/3	25.09.01			N/3/URY/6 N/3/URY/6/Add.1	14.09.12 05.10.12
VANUATU						
VENEZUELA, BOLIVARIAN REP. OF	N/1/VEN/1	25.10.02	N/2/VEN/5	20.05.03	N/3/VEN/1	27.05.02
VIET NAM	N/1/VNM/1	30.04.12	N2/VNM/1	30.04.12	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	101		40		104	