

IMPORT LICENSING SYSTEM OF INDONESIA

Questions from CANADA to INDONESIA

The following communication, dated 10 March 2009, is being circulated at the request of the delegation of Canada.

This refers to Indonesia's new import licensing procedures for certain products including electronics, clothing, footwear, toys, and food and beverages, as contained in Regulation of the Trade Minister of the Republic of Indonesia, Number 44/M-DAG/PER/10/2008, dated 31 October 2008 ("Decree 44"), and as modified by Regulation of the Trade Minister of the Republic of Indonesia, Number 56/M-DAG/PER/12/2008, dated 24 December 2008 ("Decree 56"). Canada would like to obtain clarifications on these new import licensing procedures and submits the following questions:

1. Has Indonesia notified the WTO Committee on Import Licensing Procedures of the new import licensing procedures of Decree 44 and 56, as required by Article 5 of the Agreement on Import Licensing Procedures?
 2. What specific objectives does Indonesia want to achieve by introducing the new import licensing procedures of Decree 44 and 56? Has it considered alternative ways of achieving these objectives?
 3. Please explain what measures have been taken to ensure that the new import licensing procedures of Decree 44 and 56 are the most transparent and least trade restrictive for achieving these objectives as required by Articles 1 and 3 of the Agreement on Import Licensing Procedures.
 4. Please describe the methodology used for selecting products listed in Annex I of Decree 56. Why is there such a broad range of products?
 5. Will a company be designated automatically as an importer of products listed in Annex I if it complies with all the documentation requirements of Article 2 of Decree 56? Are there other factors taken into consideration by the Director when reaching a decision? If so, what are the other factors?
 6. What is the purpose of requiring a one-year import plan from companies applying to become designated importers as per Article 2.3(f) of Decree 56?
 7. Why is the importation of products listed in Annex I of Decree 56 restricted to only five sea ports and all international airports?
 8. Please clarify the meaning of "raw material" in Article 11(d) of Decree 56. Does this apply to the food processing industry?
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