

IMPORT LICENSING SYSTEM OF VIET NAM

Questions from the UNITED STATES to VIET NAM

The following communication, dated 13 March 2012, is being circulated at the request of the delegation of the United States.

1. In May of 2011 the government of Viet Nam submitted its "Replies to Questionnaire on Import Licensing Procedures" Notification under Article 7.3 of the Agreement on Import Licensing Procedures (G/LIC/N/3/VNM/1, 12 May 2011). While the United States thanked Viet Nam for its updated responses to the Annual Questionnaire at the meeting of the Import Licensing Committee on 14 October 2011, the United States remains concerned that, to date, Viet Nam has not provided copies of its import licensing legislation, and that since its accession to the WTO in 2007, Viet Nam has not provided the requisite notifications under Articles 1.4(a) and 8.2(b) of the Agreement on Import Licensing. The United States requests that Viet Nam respond to the following points as soon as possible so that Members may consider Viet Nam's responses prior to the 27 April 2012 meeting of the Import Licensing Committee. Notification is a basic responsibility of WTO Membership and a requirement of the Import Licensing Agreement. The United States urges Viet Nam to acknowledge its responsibility in this area and provide the requested information as soon as possible.

2. We understand that there have been several changes to Viet Nam's import licensing regime since its accession. For example, we are aware of Circulars Number 17/2008, 22/2010 TT-BCT and 24/2010/TT-BCT dated May 2010; Circular Number 31/2010/TT-BCT dated July 2010; and Circular 42/2010 dated December 2010. It appears that Viet Nam has not notified these procedures to the Committee on Import Licensing, as required by Article 5 of the Agreement on Import Licensing Procedures, and has not provided the relevant texts to the Committee or the WTO Secretariat as required by Articles 1.4(a) and 8.2(b).

- When will Viet Nam notify these measures to the Committee and provide copies of the legislation?
- Apart from the circulars noted above, have there been any other changes to Viet Nam's import licensing regime since its accession to the WTO?

3. The procedures published in Circular 24 appear to significantly expand the scope of products subject to import licensing procedures.

- We request that Viet Nam explain how the products, which include food, agricultural products, and textiles and apparel items, were selected for inclusion in Circular 24. We also request that Viet Nam explain what measure is being implemented through the import licensing procedure described in Circular 24.
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