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Committee on Import Licensing

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**QUESTIONS FROM THE EUROPEAN UNION TO ANGOLA REGARDING THE IMPORT  
PROCEDURES ESTABLISHED BY THE JOINT EXECUTIVE DECREE 22/15 OF 23/1/2015**

The following communication, dated 26 March 2015, is being circulated at the request of the delegation of the European Union.

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Angolian Joint Executive Decree 2215 of 23/1/2015 regulates the importation and distribution and sale of food/non-food products where domestic supply covers 60% of national consumption.

This decree establishes import quotas for 2015 for grocery products (cooking oil, corn flour, wheat flour, salt, rice and sugar), drinks (waters, soft drinks, beers, juices and nectars), eggs and vegetables (potatoes, onions and garlic) and plans to establish seasonal quotas for fruits and vegetables. Furthermore, the decree sets up detailed requirement with respect to the management of the quotas. The decree bans the importation of the above mentioned products outside of quota. The decree also bans the importation of the above mentioned products if pre-packed. The decree puts in place entry restrictions, for instance to be by sea at certain ports etc. The decree sets up a restrictive quality control of imports and puts severe limits on the possibilities to marketing the imported products to consumers.

The EU is very concerned about the effects that this decree may have on trade to Angola and would like to ask Angola clarifications on the newly established import licensing procedures for the importation of certain products through the establishment of import quotas.

As the decree seems to set up a discretionary/non-automatic licensing system for the out-of-quota importation of certain products, the EU would like to ask Angola to clarify the following aspects:

1. Could Angola clarify whether the decree is already in force? If not, could Angola clarify when it is envisaged to enter into force?
2. Could Angola justify how this measure complies with the provisions of GATT Article XIII?
3. Could Angola clarify whether the relevant import procedures have been already adopted and published?
4. Could Angola submit detailed information on the procedures to be followed by traders? In particular, could Angola clarify where (which source of information) governments and traders can find all the information related to the application of these licensing measure: the procedures for the submission of applications, eligibility of applicants, administrative body to be approached, basis for granting the license, period for processing applications etc.?
5. Article 10.3 of the Decree requires the presentation of a license certificate and of the programme contract issued and concluded by the Ministry of Trade. Could Angola submit detailed information both on the license certificate and on the programme contract?

6. Article 6 of the Decree establishes the allocation criteria for the import quotas. By reserving parts of the quotas to medium and large scale national producers, the decree arguably fails to ensure that the import licensing procedures are applied neutrally and administered fairly and equitably and seems therefore in breach of Art. 1.3 and of Art. 3.5(e) of the ILA. Could Angola comment on this and submit the relevant clarifications to clarify this aspect?

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