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Committee on Import Licensing

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IMPORT LICENSING SYSTEM OF INDONESIA

QUESTIONS FROM THE EUROPEAN UNION AND THE UNITED STATES TO INDONESIA

The following communication, dated 11 April 2013, is being circulated at the request of the delegation of the United States.

In October 2011 (see G/LIC/Q/IDN/18 dated 14 October 2011), the United States requested an update on the status of Decree 56, which Indonesia notified in G/LIC/N/2/IDN/2. We understood that Decree 56 was to have expired in December 2010, but it appears that Ministry of Trade Regulation 57/M-DAG/PER/12/2010, dated 29 December 2010, instead renewed Decree 56. It also appears that Indonesia never notified Regulation 57 in accordance with Article 5 of the Import Licensing Procedures Agreement.

Now, we understand that on 27 December 2012, the Indonesian Ministry of Trade issued Regulation Number 83/M-DAG/PER/12/2012 concerning the "Provisions for Import of Certain Products". This new regulation appears to extend Regulation 57, which we understand expired on 31 December 2012. Apparently, Regulation 83 authorizes the Minister of Trade to impose administrative procedures on imports of seven groups of goods, namely food and beverages, traditional medicine and food supplements, cosmetics, ready-to-wear clothes, electronics, footwear, and children's toys. We further understand that Indonesia claims that there is no significant difference between Regulation 57 and its successor, Regulation 83.

We, therefore, request that Indonesia take the following actions immediately:

- notify Regulations 57 and 83 in accordance with Article 5 of the Import Licensing Procedures Agreement;
- provide copies of Regulation 83, and the underlying regulations 56 and 57, to the Secretariat as required by Article 1.4(a) of the Import Licensing Procedures Agreement;
- identify by specific HS tariff number each item that is now covered by Regulation 83, including those items covered by virtue of Regulations 56 and 57;
- explain how these import licensing requirements administer measures that conform with the GATT 1994.

We understand that Regulation 83 took effect on 1 January 2013, and that it will expire on 31 December 2015. Is this correct? Please explain why Indonesia has decided to extend these requirements for an additional three years.
