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Committee on Import Licensing

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## IMPORT LICENSING SYSTEM OF THE REPUBLIC OF MOLDOVA

### QUESTIONS FROM THE EUROPEAN UNION TO THE REPUBLIC OF MOLDOVA REGARDING ITS NOTIFICATION UNDER ARTICLE 7.3 OF THE AGREEMENT ON IMPORT LICENSING PROCEDURES

The following communication, dated 22 April 2015, is being circulated at the request of the delegation of the European Union.

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Reference is made to Moldova's Import Licensing notification (G/LIC/N/3/MDA/3), circulated by the WTO on 3 March 2015. The EU would like to ask Moldova to clarify the following aspects:

1. With reference to the list of products subject to licence/permission, could Moldova submit additional information defining the "strategic goods" (point 2.j of the notification)? In particular, could Moldova submit a detailed list of goods and clarify whether this is a fixed list of goods or whether it can be modified? If the list of strategic goods can be modified, could Moldova clarify how frequently it happens and which procedures are followed? Which is the legal basis defining the "strategic goods"?
2. According to a previous notification submitted by Moldova (G/LIC/N/2/MDA/1 of 16 October 2008), the importation of Meat, Edible Offal, Meat Products (Commodities) and Dairy were subject to non-automatic import licensing on the basis of the Government Decision No. 1363 of 29 November 2006. As these products are not mentioned in the notification at stake (G/LIC/N/3/MDA/3), could Moldova clarify which are the import procedures to be followed for the importation of Meat, Edible Offal and Dairy?
3. According to the notification, licence/permission on importation can be granted either by the Ministry (Agriculture or Environment depending upon the product) or by Agencies/Committees. Could Moldova clarify what is the division of the roles between the Ministry of Agriculture and the Licensing Chamber in the process and why both need to give approval to import of agricultural products?
4. According to the notification, the license are issued for statistical purposes; however, the notification also states that a licence/permission may be refused if any of the requirements set forth in the legislation is not met? Do applicants have a right of appeal in the event of refusal to issue a licence and, if so, to what bodies and under what procedures?
5. From the notification, it is difficult to understand the required documents for each product listed under point 2 of the notification. Could Moldova clarify which are, for each product listed under point 2 of the notification, the "*additional documents in accordance with the legislative acts regulating the licensed activity of the requested license*" (reference is done to the reply under p. 10.b) - 2<sup>nd</sup> bullet point)?

6. Under point 10 of the notification, Moldova states that "in order to obtain the permissive act, the applicant must submit to the issuing authority, personally, by recommended letter or by e-mail the necessary documents required by the legislative act that regulates the respective activity or an application accompanied by an affidavit on compliance requirements of legal acts regulating activities for which require permissive act". Considering that, in order to improve the regulatory mechanism, Moldova has been implemented the procedure "single window" (G/LIC/N/1/MDA/2), could Moldova explain why it is still necessary for an importer to submit the relevant documentation by a recommended letter or by email? In particular, how does this requirement fit with the use of the single window?

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