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Committee on Import Licensing

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**QUESTIONS FROM THE EUROPEAN UNION TO NIGERIA REGARDING
THE IMPORT LICENSING PROCEDURES RELATING TO
THE IMPORTATION OF FISH AND FISH PRODUCTS**

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

The EU would like to seek some clarifications on certain aspects of the import licensing procedures for the importation of fish and fish products.

In the lack of any notification to the WTO, the EU would ask Nigeria to submit the following information:

1. Could Nigeria submit detailed information on the procedures to be followed for the importation of maritime pelagic fish to Nigeria? In particular, could Nigeria clarify the source (internet, official gazette, national newspapers, etc.) where governments and traders can find sufficient information concerning the procedures for the application of import licenses, eligibility of applicants, administrative body to be approached, basis for granting the license, period for processing applications etc.?
2. Could Nigeria clarify whether new guidelines and/or a new policy on the import of maritime pelagic fish have been adopted and where they can be found?
3. If new guidelines and/or a new policy on the import of maritime pelagic fish have not yet been adopted, could Nigeria indicate by when it intends to adopt them? Could Nigeria also indicate where the draft guidelines and/or the draft new policy can be found, and what is the deadline by which all interested stakeholders (importers, exporters, producers, consumers, organised private sector) could submit their comments?

In its replies (G/LIC/Q/NGA/1 of 27 October 2014) *"Nigeria informed the WTO Members that was considering the introduction of quota restrictions in fish importation within the ambit of GATT Article XIII on administration of quantitative restrictions in order to avail its teeming population of fresh and wholesome fish and to prevent health hazards that could arise from prolonged storage of fish and fish products due to over importation as it is the case with some big fish importers in Nigeria (GATT Article XX(b) and (d)). Nigeria is not introducing an import license regime or planning to increase in import duties of fish and fish products to reduce imports, however Nigeria wishes to state that it reserves the right to use its policy space of increasing import tariffs within its bound limit should the need arise"*.

4. Could Nigeria clarify whether quota restrictions on the importation of pelagic maritime fish have already been introduced and, if not, whether and by when does Nigeria intend to introduce them?
5. If quota restrictions on the importation of pelagic maritime fish have been introduced (or will be introduced in the coming weeks or months), could Nigeria justify how these restrictions comply with the provisions of GATT Articles XI and XIII?

6. If quota restrictions on the import of pelagic maritime fish have been introduced (or will be introduced in the coming weeks or months), could Nigeria indicate whether and when it intends to proceed with the publication(s) and notification(s) of these measures, as required by Article 1, paragraph 4, letter (a), Article 3, paragraph 5, letter (b), and Article 5 of the Agreement on Import Licensing Procedures?
 7. Could Nigeria clarify whether farmed fish is currently subject to an import ban or, alternatively, to an import licensing regime?
 8. If an import ban exists for the importation of farmed fish, could Nigeria justify how this restriction complies with the provision of GATT Articles XI?
 9. If an import licensing regime exists for farmed fish, could Nigeria clarify the source (internet, official gazette, national newspapers) where governments and traders can find sufficient information concerning the procedures for the application of import licenses, eligibility of applicants, administrative body to be approached, basis for granting the license, period for processing applications etc.?
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