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Committee on Import Licensing

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IMPORT LICENSING SYSTEM OF THAILAND

QUESTIONS FROM THE EUROPEAN UNION TO THAILAND REGARDING ITS NEWLY INTRODUCED IMPORT PROCEDURES FOR FEED WHEAT

The following communication, dated 18 April 2017, is being circulated at the request of the delegation of the European Union.

The EU would like to refer to the following legislation for the importation on feed wheat:

1. Ministry of Commerce's Notification Re: Establishing wheat as a product subject to import license and import control procedures for the importation into the Kingdom B.E. 2559 (2016) published in the Royal Gazette on 9 December 2016 and effective from 10 December 2016.
2. Ministry of Commerce's (Implementing) Regulation Re: Criteria, Procedures and Conditions in the application and the approval of import license for the importation of wheat into the Kingdom B.E. 2559 (2016), dated 20 December 2016 with an immediate effect. A 30 days grace period is allowed after the effective date.

The EU would like to ask Thailand to provide clarifications on the newly introduced measures, in accordance with the provisions of the Import Licensing Agreement.

In particular the EU would like to ask Thailand to clarify the following aspects:

1. Could Thailand clarify why these regulations have not been notified to the WTO in accordance with Articles 1.4 and 5 of the Import Licensing Agreement? Does Thailand have any plan to comply with its transparency obligation and submit the due notification in the near future?
2. Could Thailand confirm that it is a non-automatic license and, should it be the case, give an overview of the applicable import procedures in accordance with Article 3 of the Import Licensing Procedures Agreement including the timeline in the procedures?
3. Could Thailand submit further clarifications on the need of an import license for the economic security as stated in the Ministry of Commerce's Notification establishing wheat as a product subject to import license and import control procedures for the importation into the Kingdom - B.E. 2559 (2016)? In particular, could Thailand present the compatibility of this measure in accordance with Article XI of the GATT?