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Committee on Import Licensing

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IMPORT LICENSING SYSTEM OF VIET NAM

QUESTIONS FROM THE UNITED STATES TO VIET NAM

The following communication, dated 5 March 2013, is being circulated at the request of the delegation of the United States.

At the Import Licensing Committee meeting of 29 October 2012, the United States expressed the U.S. Government's continuing frustration caused by the lack of transparency regarding Viet Nam's import licensing regime. While we take note of Viet Nam's subsequent 10 January 2013 notification under Article 1.4(a) and/or 8.2(b) of the Import Licensing Procedures Agreement (G/LIC/N/1/VNM/2), this notification fails to provide relevant information regarding the scope, objectives, and application of Viet Nam's import licensing regime. We offer the following observations and concerns to which we request Viet Nam's immediate response:

- Since its accession to the WTO in 2007, Viet Nam has yet to fulfil its notification requirements under Articles 1.4(a) and 8.2(b) of the Agreement on Import Licensing Procedures. Furthermore, although Viet Nam submitted its annual Article 7.3 notification in 2011, it has yet to provide the requisite annual Article 7.3 notification that was due on 30 September 2012. Notification is a basic responsibility of WTO Membership and a requirement of the WTO Import Licensing Procedures Agreement. The United States requests that Vietnam acknowledge its responsibility in this regard and provide these notifications without further delay.
- We remain confused about several changes to Viet Nam's import licensing regime since its accession, examples of which we have pointed out both orally at meetings of the Import Licensing Committee and in writing (see, for example, G/LIC/Q/VNM/2). It appears that Viet Nam has not notified these procedures to the Import Licensing Committee, as required by Article 5 of the Agreement on Import Licensing Procedures, and has not provided the relevant texts to the Committee or the WTO Secretariat as required by Articles 1.4(a) and 8.2(b).
- With regard to Viet Nam's notification dated 10 January 2013, and contained in G/LIC/N/1/VNM/2, we appreciate that Viet Nam has decided to suspend temporarily the import regulations applied "on a number of goods items specified in the circular No. 24/2010/TT-BCP of 28 May 2010, effective from 26 September 2012". However, Viet Nam has failed to provide to the Import Licensing Committee "Appendix No. 1," which is referenced as an attachment in Article 1 of Circular 24, and which purportedly contains the list of covered products. We therefore do not know what products are affected by Circular 27 (contained in G/LIC/N/1/VNM/2). We request that Viet Nam provide "Appendix No. 1" to the Import Licensing Committee without delay.

- Without the benefit of satisfactory import licensing notifications in accordance with the Import Licensing Procedures Agreement Viet Nam's import licensing procedures still remain unclear, six years after Viet Nam's accession. This lack of information is insupportable.

We request that Viet Nam fully explain, as soon as possible, its import licensing requirements to this Committee in accordance with the notification procedures contained in the WTO Agreement on Import Licensing Procedures.
