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**Trade Policy Review Body
24 and 26 May 2023**

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TRADE POLICY REVIEW

LIBERIA

MINUTES OF THE MEETING

Addendum

Chairperson: H.E. Mr. Saquer Abdullah Almoqbel (Saudi Arabia)

This document contains the advance written questions and additional questions by WTO Members, and replies provided by Liberia.¹

**Organe d'examen des politiques commerciales
24 et 26 mai 2023**

EXAMEN DES POLITIQUES COMMERCIALES

LIBÉRIA

COMPTE RENDU DE LA RÉUNION

Addendum

Président: S.E. M. Saquer Abdullah Almoqbel (Arabie Saoudite)

Le présent document contient les questions écrites communiquées à l'avance par les Membres de l'OMC, leurs questions additionnelles, et les réponses fournies par le Libéria.¹

**Órgano de Examen de las Políticas Comerciales
24 y 26 de mayo de 2023**

EXAMEN DE LAS POLÍTICAS COMERCIALES

LIBERIA

ACTA DE LA REUNIÓN

Addendum

Presidente: Excmo. Sr. Saquer Abdullah Almoqbel (Arabia Saudita)

En el presente documento figuran las preguntas presentadas anticipadamente por escrito y las preguntas adicionales de los Miembros de la OMC, así como las respuestas facilitadas por Liberia.¹

¹ In English and Spanish only./En anglais et espagnol seulement./En inglés y español solamente.

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CANADA**PART 3: TRADE POLICIES AND PRACTICES BY MEASURE****Page 54, Paragraph 3.112.**

This section notes that the participation of foreign suppliers in public procurements was 66% in 2018 and 0.3% in 2021, and that possible reasons for this fluctuation include the influence of the COVID-19 pandemic and the restrictions affecting global trade. Table 3.9 (page 55) further shows the participation of foreign suppliers, by year, from 2018-21. The data in this table shows that while the percentage of foreign suppliers was 66% in 2018, this percentage dropped to 10% in 2019, before rising to 28% in 2020 and falling again to 0.3% in 2021.

Question:

1. Noting that the disruptions to global trade caused by the COVID-19 pandemic are often recorded as beginning in the first half of 2020, a significant drop in the percentage of foreign suppliers from 66% in 2018 to 10% in 2019 (especially considering a steady total value of public procurements at USD 97.7M in 2018 and USD 91.7M in 2019), prior to these 2020 disruptions, would appear to indicate that other factors may have had an impact on the participation of foreign suppliers during this period. Could Liberia please provide its views on what other factors may explain this variation in the data?

Response: Firstly, a major reason for this variation is the classification of the ownership of the suppliers. The majority of foreign suppliers are involved in the construction sector of Liberia; these businesses won bids in previous years and when they are settled in country, they establish themselves as domestic businesses during successive bidding processes. As per the Liberian procurement law, domestic businesses (Foreign businesses registered under Liberian law) are not considered as foreign and therefore, if they win contracts, which in many instances are conducted under the National Competitive or Restricted bidding process, though foreign-owned, they are classified as registered Liberian business.

Currently, the Commission (PPCC) is reviewing the Public Procurement Act of 2010; we are certain that the redefinition of "Domestic Business" in the Act generally defined as a foreign business registered in Liberia as well as the involvement of foreign businesses to be enabled by the rollout of the eProcurement migration will enable the involvement of more foreign participation beginning 2024 and beyond.

One significant factor contributing to this variation primarily stems from the classification of supplier ownership. A considerable proportion of the suppliers operating in Liberia are engaged in the construction sector. These suppliers, predominantly foreign-owned, have successfully secured contracts in previous years. Upon establishing their presence in the country, they undergo a process of registering themselves as domestic businesses, adhering to the requirements of Liberian law. Consequently, during subsequent bidding processes, these suppliers, despite their foreign ownership, are considered and treated as registered Liberian businesses in accordance with the Liberian procurement law. This classification holds true even when they win contracts through mechanisms such as the National Competitive or Restricted bidding processes, which are typically designed to promote fair competition.

Presently, the Public Procurement and Concession Commission (PPCC) is undertaking a comprehensive review of the Public Procurement Act of 2010. This review process aims to redefine the term "Domestic Business" within the Act, which currently encompasses foreign businesses registered in Liberia. The anticipated outcome of this redefinition is the facilitation of increased foreign participation in procurement processes, particularly with the implementation of the eProcurement migration scheduled to commence in 2024.

The redefinition of "Domestic Business" is expected to broaden its scope to explicitly include foreign businesses operating within Liberia. This revision will effectively recognize and acknowledge the involvement of foreign enterprises in the country's procurement landscape. Additionally, the upcoming rollout of the eProcurement system will further enhance the framework for procurement activities. The introduction of this digital platform is anticipated to streamline processes, improve transparency, and create a more conducive environment for increased foreign participation in procurement endeavors.

By aligning the legal definitions with the practical realities of foreign businesses operating in Liberia, the PPCC's review of the Public Procurement Act and the subsequent implementation of the eProcurement system will likely foster a more inclusive and competitive procurement environment, paving the way for heightened foreign involvement from 2024 onwards.

Page 55, Paragraph 3.115.

This section notes that procuring entities are required to set aside 25% of public procurements for MSMEs, with 5% reserved for women-owned MSMEs. The report states that this has not been applied in practice. Previously, Section 3.68 (page 47) noted that this set-aside for MSMEs is mandated by Liberia's Small Business Empowerment Act.

Question:

2. Could Liberia please specify which barriers have prevented contracting entities from reserving 25% of public procurements to MSMEs and/ or 5% to women-owned MSMEs?

Response: There has been no barriers preventing contracting entities from reserving 25% of public procurement to MSMEs or 5% to women-owned MSMEs because it is mandatory for contracting entities to prepare annual MSMEs procurement plans and set aside the 25 and 5% for MSMEs; however, the low capacities of women-owned MSMEs as well as the business sectors they are interested in are normally the lowest contract thresholds available for such sectors. Furthermore, Liberia's Public Procurement "**2022 Compliance with Quarterly Reporting**" report for the first, second and third quarters reveals that 43.9% of contracts were awarded to MSMEs.

Page 56, Paragraph 3.118.

This section notes that Liberia does not have an e-procurement system, but that the Public Procurement and Concessions Commission (PPCA) has been working to build one.

Question:

3. Could Liberia please provide an update with regard to the status of the planned e-procurement system, as well as estimated timelines for completion and implementation?

Response: Currently a draft procurement law has been submitted to the World Bank for their input on the proposed e-procurement bidding process; additionally, the bid evaluation process for the recommended firm to install, train users and manage the platform has been completed and forwarded to the World Bank for no objection. We are hopeful that the two processes will be approved and the law will be forwarded to the Legislature and the office of the President for final approval and enactment so the system can be piloted and rollout in 2024.

Page 60, paragraphs 3.145 & 3.147

The Secretariat Report notes Liberia's Intellectual Property Development Plan (IPDP), which launched in 2017, as seeking to identify and address constraints in the IP System (e.g. low levels of IP awareness among citizens, inadequate infrastructure to support the use of IP for economic development, etc.). The IPDP has since set out three national strategic objectives: (i) develop Liberia as an IP powerhouse; (ii) build an IP-conscious nation; and (iii) build a business-friendly IP enforcement system

Question:

4. Can Liberia provide more information on related progress or outputs since the IPDP's inception in 2017?

Response: Liberia has made progress since the inception of the IPDP in 2017. Liberia has continued its IP awareness strategy not only in Monrovia, the Capital but also in additional two counties. The IP office has one of Liberia's coming up Artist, T Crack (author of "Let's go Buchanan" song) as one of its ambassadors, it has a copyright hour on one of the local radio

stations every Saturday. We have signed a Memorandum of Understanding (MOU) with six (6) Universities and Research Institutions as Technology Innovation Support Centers (TISCs) host institutions. There has been more awareness created in primary and secondary schools through the establishment of IP clubs.

An integrated Intellectual Property Automated System is in its concluding stage for the use of the IP office and its client based. There is an established MOU between the IP office and the Ministry of Health through the Complimentary/Alternative Medicine Unit for the creation of IP awareness amongst traditional medicine practitioners. The IP office with aid from the WIPO Covid19 package, has established IP Management Clinics for SMEs. The IP office is a member of the ad-hoc committee on the development of a roadmap for geographical indication amongst ARIPO member states. The IP office has established a CMO Secretariat as well as engaged in an ongoing Accessible Book Consortium (ABC) Project financed by WIPO for visually impaired and print-disabled community. The enforcement and compliance of Intellectual Property Rights has remained a challenge.

PART 4: TRADE POLICIES BY SECTOR

Page 63, paragraphs 4.8 and 4.9

The Secretariat report mentions the establishment of the Liberia Agriculture Commodity Regulatory Authority (LACRA), replacing the Liberian Produce Marketing Corporation (LPMC) in 2018. As per the Report, LACRA is mandated to regulate agricultural commodities such as cocoa, coffee, and oil palm products, and to promote their production, storage, processing, marketing, and exports as well as in fixing the reference price for local producer products.

Question:

5. Could Liberia provide an overview of its progress in implementing LACRA's mandate, especially in face of the challenges it is experiencing in monitoring compliance in the border regions according to the Secretariat report?

Response: The Liberia Agricultural Commodity Regulatory Authority have devised means to work with the National Security apparatus to share information on cross boarder trading activities. We developed a hotline to received reports from across the country. We are continuing to engage with central government to increase allotment and budgetary support, while working with donors to build the capacity of our staffs working in compliance, monitoring and evaluation.

Page 63, paragraph 4.10

The Central Agricultural Research Institute (CARI) is mainly active in agricultural research and setting up demonstration sites, according to the authorities.

Question:

6. What are the active agricultural research projects being undertaken by CARI? Please elaborate on CARI's role in setting up demonstration sites, for instance by providing Canada with an example.

Response:

- CARI is multiplying rice and cassava seeds for the World Bank-funded MoA projects;
- CARI has demonstration plots for the Integrated Rice and Fish Program funded by the European Union, showcasing the mutually reinforcing benefits of growing rice and fish in the same space;
- CARI has established Liberia's first National Cocoa Seed Garden which will provide high quality certified cocoa seedlings for cocoa farmers in Liberia.

Page 64, paragraph 4.15

The Secretariat report mentions that Liberia has not made a notification on domestic support or export subsidies yet since its WTO accession in 2016.

Domestic support and export subsidies notifications help to underpin the work of the WTO Committee on Agriculture and the information in the notifications allow Members to monitor the implementation of commitments under the Agreement on Agriculture.

Questions:

7. Could Liberia indicate if they have encountered technical issues or challenges that affect their ability to submit domestic support and export subsidies notifications?
8. Could Liberia advise if they will be submitting a domestic support or export subsidies notification in the near future?

Response: Domestic support in the agriculture sector has come as in kind projectized support to selected beneficiaries. Most especially in the wake of the COVID-19 crisis, and more recently with the global economic and supply-side repercussions from the war in the Ukraine, the MoA has given out stimulus packages of seeds, tools, cash and equipment grants.

- No export subsidies have been granted.
- The Ministry of Agriculture, with technical and policy support from the USAID LEPDA project is currently examining various models for applying subsidies to the rice sector in an effort to support the commercialization of rice production. These may include transport subsidies for processors and distributors; as well as price supports to smallholder farmers at farmgate.

CHINA**PART I: QUESTIONS REGARDING THE Secretariat Report****Page 6, Para 6**

Liberia participates in ECOWAS but is yet to ratify the AfCFTA treaty and sign the EPA with the European Union. Liberia currently grants tariff preferences only under the ECOWAS Trade Liberalization Scheme. Liberia acceded to the WTO on 14 July 2016 and this report is prepared for its first Trade Policy Review.

Question:

1. Why Liberia has not ratified the African Continental Free Trade Area Agreement (AfCFTA) in 5 years after signing it in March 2018? (According to the report of the Government of Liberia, the Senate has ratified the agreement, but the House of Representatives still hasn't.)

Response: The delay by the authority in the ratification of the AfCFTA is largely attributed to ongoing stakeholder engagements. The approval from the House of Representatives has been assured. At the time of this report, these engagements have progressed to an advanced stage, including the lobbying the House of Representatives for their concurrence with the Senate. We have been assured by the honourable House of Representatives of the concurrence in their next sitting.

Page 6, Para 7

The Ministry of Commerce and Industry (MoCI) is responsible for formulating and implementing policies on trade. Liberia has submitted a number of notifications to the WTO, but has several outstanding notifications in areas such as agriculture, import licensing procedures, pre-shipment inspection, and customs valuation. The ratification process for the WTO Agreement on Fisheries Subsidies is yet to start. Many of Liberia's trade- and investment-related laws were promulgated at the time of Liberia's accession to the WTO. However, in general, implementing regulations remain pending.

Question:

2. Does Liberia have any follow-up implementation plan or specific schedule for the implementing regulations that have not been promulgated?

Response: Liberia is implementing regulations developed for domestic and foreign trade in the country through various Ministries, Agencies and Commissions of Government linked to the trade environment. Implementing regulations are currently being drafted by various competent authorities. Each government functionary implement regulation based on its statutory mandate. There is no specific schedule set for promulgating the regulations.

Page 6, 32, 40, Para 8, 3.7, 3.32

8. Pre-shipment inspection was abolished and replaced by destination inspection by Liberian customs.

3.7. Nonetheless, destination inspection is being conducted by MedTech Scientific Limited, a company contracted by the Government.

3.32. For the destination inspection service provided at the Free Port of Monrovia, where more than 90% of international trade takes place in Liberia, MedTech Scientific Limited collects fees. These fees are specific: for example, for a 20 ft containerized shipment, the fee is USD 280 per container. For a 40 ft containerized shipment, the fee is USD 400 per container. Customs collects customs service fees for destination inspection services it provides at all other border entry points in Liberia. They are ad valorem: 1.2% of the c.i.f. value of imports.

Questions:

3. Pre-shipment inspection is a common regulatory tool adopted in many countries. The Liberian customs abolished and replaced it with destination inspection, what are the considerations behind this move?

Response: The move to transition to destination inspection is in conformity with Article 10.5 of the TFA which states that "Members shall not require the use of pre-shipment inspections in relation to tariff Classification and customs valuation".

4. Should all the import goods be subject to destination inspection? If not, under what circumstances or which kind of goods should be subject to destination inspection? Is there a clear goods list?

Response: Not all goods/consignments are subject to inspection. We implement Customs control base on risk management. Our risk profiling is based on several parameters and has four channels. There are several criteria that inform the risk management.

5. The Government appointed the contracted MedTech Scientific Limited to conduct the destination inspection. Is this practice against the principle of fair competition in the market? Will the information of the impositions (including the reason of the impositions, the department in charge and the time and mode of payment) be disclosed in a non-discriminate and accessible way?

Response: The selection of the company was done through a fair and transparent bidding process as required by our public procurement law. There were several bidders amongst whom there was a winner. It does not undermine fair competition in any way.

6. Will the service fee during destination inspection create extra expense to the export-oriented companies? Is the levy of the fee reasonable?

Response: The fees are not unreasonable and do not create extra expense for most export-oriented companies as they have concession agreements which specify their payables.

7. Does Liberia have plans to phase out the collection of such fees to the extent practicable?

Response: There are plans to phase out the collection of fees to the extent possible which is stated in the concession agreement. This plan also envisages for Customs to take over all Customs matters and end outsourcing of Customs function(s).

Page 7, 34, Para 10, 11, 3.17

10. Liberia has bound 100% of its tariff lines within a range of zero to 50%. Although most applied MFN rates are considerably lower than the bound rates, the applied rates exceed their bindings in 73 tariff lines.

11. In Liberia's case, migration to the ECOWAS CET by 2028 would lead to an increase in the overall level of tariff protection. In fact, with the full implementation of the ECOWAS CET without exceptions, Liberia's average MFN tariff would increase to 12.1% (up from 10.3% in 2023). About 30.3% of all tariff lines would have their rates increased. Significant tariff adjustments are ahead, especially for agricultural products.

3.17. Most of these exceptions are in the 15% band (1,411 tariff lines) and cover, inter alia, iron and steel products (HS 73), fish (HS 03), and electrical machinery and equipment (HS 85).

Questions:

8. What are the reasons for the implementation of 73 tariff lines that exceed the bound rates and what are the specific 73 tariff lines?

Response: As this statement does not reflect the provisions of our tariff lines, we will appreciate if China could please share with us the 73 tariff lines that the applied rates exceed the binding rates.

9. Does Liberia agree to follow ECOWAS to increase the overall level of tariff protection continuously to 2028?

Response: Yes

10. Currently, the products under HS73 and HS85 are subject to exceptional tariffs. After the transition to the common external tariff of the Economic Community of West African States in 2028, what will happen to the tax rates of the products under these two tax categories?

Response: We have not considered those to be exceptional rates as they will be rates applied by the ECOWAS Customs Union.

Page 7, 14, 16, Para 13, 1.17, 1.21

13. Import prohibitions, restrictions, and permit requirements are applied on various grounds, such as safety, security, and environmental protection, and for SPS reasons. Liberia has moved to an automatic import licensing regime; all imports now require an Import Notification Form for statistical purposes.

1.17. Table 1.3 Balance of payments, 2016-21

1.21. As identified in Liberia's National Trade Policy, there is a lack of reliable and timely trade data in the country.³⁴ The United Nations Comtrade database has no data on Liberia's trade flows, while trade values calculated from mirror data (i.e. partners' data) are around 10 times the values recorded by the Liberia Institute of Statistics and Geoinformation Services.³⁵ Trade data captured in the ASYCUDA system does not contain export values of mineral products, while mineral exports such as iron ore are a very important source of export revenue. Of these data sources, the CBL seems to be the best compromise.

Questions:

11. Has "single window" docking been implemented to the automatic import licensing regime?

Response: The Ministry of Commerce and Industry on behalf of the government of Liberia has secure funding from the world Bank through the Liberia Investment Finance and Trade Project (LIFT-P) for the procurement of the National Single Window for Trade. The said procurement was approved in the annual work plan as activity for this year under the project. The Ministry of Commerce and Industry is currently concluding discussions with the Liberia Revenue Authority on the model of single window to deploy.

12. When the mirror data of the other country is taken as the import data, it usually means that the import data under the trade in goods adopts FOB value, which is inconsistent with the international practice that "most countries adopt CIF value for import" mentioned in 4.7 of the United Nations International Merchandise Trade Statistics: Concepts and Definitions 2010. But the report also mentioned that for statistical purposes, all imports would be subject to an import notification. Please describe the type of value on which the value of the goods in the import notification is reported. Please explain the reasons for not using the value of goods in the Import Notification Form as statistical information for import data.

Response: The Value of goods is currently being used in the Import Notification Forms.

13. What type of value data is used as the basis for determining the duty-paid price of imported goods in Liberia?

Response: Liberia is implementing Article VII of GATT or (WTO's Agreement for Customs Valuation) which requires the use of price actually paid as the primary method for Customs valuation. We can only reference historical data where the declared value is rejected and the secondary method is being considered.

Page 7, Para 14

All exports require a licence (Export Permit Declaration) from the MoCI and, in addition, several regulatory agencies have special export permit requirements.

Questions:

14. Does Liberia have any plan in relaxing export control? For example, remove licensing restrictions on the export of certain goods.

Response: Yes. Liberia has plans to remove licensing restrictions on the export of certain goods, especially those goods that pose lower risk to human, plant and animal health. For example, goods such as iron ore, logs, gold, rubber. However, a monitoring system based on international best practices will be put into place.

Page 7, Para 16

While Liberia has made some progress in modernizing its TBT and SPS regimes, it is however facing capacity constraints in implementing them. The Liberia National Standards Act establishing the Liberia Standards Authority entered into force in 2022 but is not yet operational. Liberia has provided five TBT notifications and one SPS notification, with no specific trade concern being raised in the WTO TBT and SPS Committees. All Liberia Standards and SPS measures are based on regional or international standards, according to the authorities. Liberia adopted a new Food Law in 2017, which provides for, inter alia, the establishment of an independent Food Safety Authority (not yet established). The legal framework for phytosanitary and veterinary measures is obsolete but work on new draft legislation is under way, according to the authorities.

Question:

15. What is the current status of the implementation of the new Food Law passed in 2017? Please provide relevant information. When will the Food Safety Authority be established?

Response: The Implementation of the food law depends on the establishment of the food safety authority. There are ongoing plans to establish the Food Safety Authority by July 2023.

Page 8, Para 18

Liberia is a member of the World Intellectual Property Organization (WIPO) and the African Regional Intellectual Property Organization (ARIPO). It is also a contracting party to international conventions and treaties on the protection of intellectual property rights. Liberia adopted an Intellectual Property Act in 2016, which covers copyrights, trademarks, industrial designs, patents and utility models, and layout-designs of integrated circuits, as well as geographical indications. Also in 2016, Liberia established the Liberia Intellectual Property Office. The country is however faced with a low level of intellectual property awareness and generation, and weak enforcement.

Question:

16. What are Liberia's follow-up plans in strengthening intellectual property rights?

Response: The IP office has established a Collective Management Organization (CMO) Secretariat as well as engaged in an ongoing Accessible Book Consortium (ABC) Project financed by WIPO for visually impaired and print-disabled community. The implementation of programs have not been fully utilized due to little budgetary appropriation from National Government.

Page 8, Para 22

However, unlicensed and illegal mining in the artisanal mining sector remains a challenge.

Question:

17. Please indicate whether Liberia has any specific plans to curb illegal mining.

Response: Liberia has plans to curb illegal mining activities. Those plans include formalizing the informal mining, through community engagement and enhanced coordination amongst law enforcement agencies.

Page 19, Para 1.28

FDI inflows decreased by half from 2020 to 2021 (Table 1.2). The decline is more obvious when compared with the level at the beginning of the review period: USD 45.7 million FDI flowed into Liberia, accounting for only 10% of the level in 2016 (USD 453.2 million) (Table 1.2)....

Question:

18. The Chinese-funded enterprises in Liberia complain that the security environment in Liberia is poor, with frequent occurrence of theft and robbery, seriously limited police law enforcement capacity, low detection rate, and many unsolved homicide cases. This brings significant uncertainty to the operation of Chinese-funded enterprises and increases security costs. Could Liberia explain what measures it will take in the future to improve its business environment, especially its public security environment, to curb the trend of further decline in foreign investment?

Response: Liberia attaches importance to public safety and better business environment. This is evident by action such as increase in its budgetary appropriations for the security sector in the national budget. The increase in funding for the law enforcement agencies will provide training and equipment which will contribute to effective reduction in crime rates.

Page 26, Para 2.35

A 2017 MoCI report stated that potential benefits from these preferential schemes and agreements are dampened by cumbersome rules of origin and other non-tariff barriers, and "Liberian businesses have hardly been able to export under preferential trade agreements". The authorities state that efforts have been made to improve quality standards.

Questions:

19. In terms of rules of origin and other non-tariff barriers, what are the main barriers to preferential trade agreements for Liberian enterprises?

Response: The main barriers to Liberian enterprises in utilizing preferential trade agreements include the lack of implementation of standards on quality and food safety to production processes and products; improper labelling and limited understanding of market requirements of standards.

20. In response to the above barriers, what countermeasures has the Liberian government adopted or formulated? If so, please provide information about the content and the schedule of the plan.

Response: The National Standards Laboratory (NSL) has earmarked on the following actions to address these challenges:

1. Building a robust quality infrastructure services (certification, inspection and testing) to meet the needs of Liberian enterprises. Currently labs, certification and inspection units at the NSL are undergoing ISO accreditation and certification programs and is expected that by June 2023 ISO accreditation would have been achieved ;
2. Conducting awareness and trainings amongst Liberian enterprises on market requirements, application of quality, food safety and environmental standards to infrastructure, processes and products including labelling. These series of training are expected to be launched by July 2023;
3. Established a national verification of conformity program that will address issues of import, export and local markets. This is already in progress.

Page 28 Para 2.43-2.44

The following activities are reserved for Liberians:

- supply of sand;
- block making;
- peddling...

In addition to the reserved activities, Liberia maintains FDI restrictions that are conditional on the investment amount. Foreign investors may invest in the following business activities if they meet certain minimum capital investment requirements. First, if an enterprise is owned exclusively by non-Liberians, its total capital investment must not be less than USD 500,000. Second, if an enterprise is owned by non-Liberians in partnership with Liberians and the aggregate shareholding of the Liberian is at least 25%, the total capital invested must not be less than USD 300,000.

Question:

21. In view of the above-mentioned materials, it can be seen that the degree of openness of the Liberia market is limited, with access restrictions in many areas. What plans and arrangements does the Liberia side have for relaxing the access restrictions in the future?

Response:

- a. The Liberian Investment Law of 2010 provides a framework to reserve some business activities for Liberians-domestic firms. However, the law also provides minimum capital investment requirements if foreign-domestic firms invest in these activities. Nevertheless, due to Liberia's accession to the WTO, the Investment Law would require modification to remove this provision to foster the principle of non-discrimination.

- b. Liberia does not maintain any FDI restrictions that are conditional on minimum capital requirements. The Revenue Law of 2000 as amended provides sectoral and minimum capital requirement for firms applying for Special Investment Incentives. The minimum capital requirement is set at US \$500,000 (Five-Hundred Thousand United States Dollars), irrespective of being a foreign-domestic or Liberian-domestic enterprise. For firms investing in health and agriculture, the minimum capital requirement is US \$50,000 (Fifty Thousand United States Dollars).
- c. The 2010 Investment Law needs to be amended to remove Schedule 1, which has the provisions relating to business activities reserved for Liberians, and setting a minimum capital requirement for FDI.

Page 29, Para 2.46

The Liberian Constitution restricts land ownership to citizens, but non-Liberians may hold long-term leases, which run for 25 to 50 years. The Liberian Land Authority (LLA) estimates that less than 20% of the country's total land is formally registered, and conflicting land ownership records are common. For this reason, investors sometimes experience costly and complex land dispute issues even after they conclude land-lease agreements with the Government. The Land Rights Act, enacted in 2018, is intended to help resolve historical land disputes that have caused conflict and communal strife in the past. Article 48(3) of the Land Rights Act requires that communities where concessions are located maintain a 5% undiluted free carried interest in the rights of the concession.

Question:

- 22. Dose Liberia have any specific plans to address the negative impacts on foreign investment arising from lacking of formal registration of land?

Response: Liberia has successfully established a land registry with the support and assistance of its partners. In order to enhance efficiency and accessibility, the land registry has transitioned to a digital platform. Additionally, significant efforts have been made to train numerous surveyors, strengthening their skills and capacities in land-related matters. Furthermore, GIS technicians have been deployed in all counties, ensuring widespread geographical information system (GIS) coverage across the country. These initiatives collectively contribute to improving land management and administration in Liberia.

Page 31, 50, 51, Para 3.4, 3.83, 3.96

3.4. Currently, four Category C commitments remain to be implemented, with definitive date for implementation being 22 February 2025. They are test procedures, trade facilitation measures for authorized operators, single window, and customs cooperation. According to Liberia's notification to the WTO, the World Bank provides funds for the operation of a national single window system for domestic and international trade, by connecting all government ministries, agencies, and commissions involved with trade facilitation. The authorities indicate that a work plan to set up this national single window was drafted.

3.83. The procedure for clearing of high-risk goods at the ports of entry involves the following: High-risk goods are registered with the LRA.

3.96. Import permit applications should normally be processed within 24 hours. Liberia does not yet have an electronic, web-based system for import permit procedures.

Questions:

- 23. How can enterprises obtain information on high-risk goods that need to be registered with the LRA before the clearing at the ports of entry, or on goods that need licenses and certificates from the Liberian Ministry of Agriculture?

Response: The exact number of enterprises cannot be determined due to the varying permit requirements imposed by different agencies for different goods.

- 24. In the absence of an electronic, web-based system for import permit procedures, how does PAQS of the Department of Technical Services of the Liberian Ministry of Agriculture achieve processing of import permit applications within 24 hours?

Response:

25. In its effort to build a "single window" system, will the Government of Liberia consider to include accessing requirements like LRA registration for high-risk goods and PAQS import permits in the single window system to achieve one-stop customs clearance?

Response: The concept of Single Window is a single entry of required documents for all relevant stakeholders for a one stop shop. Where IPD is required, it will be one of the considerations for the Single Window. Where there are high-risk goods and required permission or license, it will also be one of the considerations for the Single implementation in Liberia.

Page 32, Para 3.8

Regarding the selection of lanes (Box 3.1, step 5), Liberia's risk assessment criteria are based on...

Question:

26. Please provide the specific risk assessment criteria on which the system will transfer files to each of the four lanes.

Response: There are four lanes with different perimeters including historical import data, product type, country of origin, etc.

Page 43, 65, Para 3.44, 4.19

3.44. The following products require permits from relevant ministries or agencies before the MoCI issues an Import Notification Form: Soil from foreign land – banned from entering except for scientific reasons.

4.19. Imports of all agricultural products require an SPS import permit from the MOA and an Import Notification Form (INF) from the MoCI (Sections 3.1.5.2 and 3.3.3).

Question:

27. The list of import restrictions and permits that require permits from relevant ministries or agencies includes all plants and plant products (including processed products), all living animals and animal products (including processed products), all human consumables, etc. The list includes an overly broad range of products. Is there any plan to further classify the related products, excluding the licensing requirements for lower-risk products in the above list?

Response: The Ministry of Commerce and Industry is developing along with its partner HS Codes for products. Which will categorize these lower risk product in lieu of licensing requirements.

Page 48, Para 3.70

Liberia has made some progress in reforming its TBT regime. The Liberia National Standards Act to establish the Liberia Standards Authority entered into force in July 2022. Liberia is, however, facing challenges in developing and implementing TBT (and SPS) measures. A national TBT/SPS Committee, established in 2017, has not been able to meet since 2018 due to lack of funding. Guidelines for implementing good regulatory practices were drafted and efforts have been made to improve regulatory cooperation and coordination among agencies, but progress has been slow due to overlapping responsibilities.

Question:

28. What plans does Liberia have in adopting the standards and TBT/SPS measures?

Response: Liberia is developing work items on standards adoption by the National Standards Harmonization Committees under the Liberia Standards Harmonization Model (LiSHAM) to conduct standard adoption programs for Liberia. This cycle of standard adoption process for 2023 will be completed by July 2024.

Page 48, 49, Para 3.71, 3.78

Liberia has provided five TBT notifications (see below)...

According to the authorities, the standard timeline for the submission of comments on draft technical regulations, standards, and conformity assessment procedures is 60 days (Administrative Regulation MCI/No. 001/09/2015).

Question:

29. After checking the WTO epiing-alert system, Liberia has not issued any TBT notification after 2018. Please explain any actions are going to take to better implement the WTO transparency obligations.

Response: The Ministry of Commerce and Industry is scheduling Technical Assistance for 2024 and facilitate trainings for other Ministries and Agencies of Government to deepen their understanding of the epiing alert system.

Page 50, Para 3.82

Since 2010, the NSL has also been responsible for the testing of imported high-risk goods, which are goods that are deemed to have serious health, safety, and environmental effects and include pharmaceuticals, cosmetics, medical services, alcohol and alcoholic products, chemical and petroleum products, electrical cables, electronic products, building materials, African textile prints, used goods, pyrotechnic products, motor vehicle batteries, arms and ammunition, and LPG cylinders. According to the authorities, technical regulations do not exist for these products, except LPG.

Question:

30. In the absence of appropriate relevant technical regulations, what is the basis for the conformity assessment of the National Standards Laboratory of Liberia (NSL) when conducting tests on high-risk goods other than LPG?

Response: The conformity assessment services of the National Standards Laboratory are offered to support the implementation of technical regulations and standards, e.g. National Food Fortification regulation for wheat flour, packaged drinking water etc. NSL also supports the development of some agriculture and food value chain which includes cassava, vegetables, fish and cocoa. The conformity assessment of the NSL has three components: certification, inspection and testing. Liberia is implementing plans to roll out the verification of conformity (VoC), which will require the conformity assessment by NSL.

Page 51, Para 3.93

The Plant and Animal Quarantine Services (PAQS), Department of Technical Services of the MOA, is responsible for phytosanitary and veterinary measures.⁵⁵ The PAQS operates under the authority of Title 3, Chapter 1 (Plant and Animal Quarantine) of the Liberian Codes of Laws Revised (Agriculture Law of 1950, as revised in 1972). The legal framework for phytosanitary and veterinary measures is obsolete. A new Draft Veterinary Law and a Draft SPS Law are pending.

Questions:

31. Is there a specific schedule for the new Draft Veterinary Law and Draft SPS Law? What will be the major changes after the implementation?

Response: The draft Veterinary Law and the draft SPS Law are still pending; implementation will only commence upon ratification.

Page 54-56, Para 3.112, 3.115, 3.117

The authorities indicate that government procurement accounted for 8.6% of GDP in 2021, up from 4% of GDP in 2019. The value of government procurement in 2021 more than doubled that in 2019 (Table 3.9). According to the authorities, this is due to increased investment in infrastructure (building of roads, bridges, and energy plants). The participation of foreign suppliers varies significantly, from 66% in 2018 to 0.3% in 2021. The authorities indicate that possible reasons for this fluctuation include the influence of the COVID-19 pandemic and the restrictions affecting global trade.

The public procurement procedure in Liberia is decentralized. Any entities to which this Act applies is a procuring entity, and each procuring entity establishes its own procurement unit. Procuring entities must report quarterly to the PPCC.

National open competitive bidding is the most frequently used method, accounting for 41% of total procurement in FY2021 (Table 3.10).

Questions:

32. Data show that the proportion of Liberia's public procurement in GDP has increased significantly in recent years, but the percentage of foreign supplier participation has declined significantly since 2019, before the epidemic. Please specify the reasons.

Response: One significant factor contributing to this variation primarily stems from the classification of supplier ownership. A considerable proportion of the suppliers operating in Liberia are engaged in the construction sector. These suppliers, predominantly foreign-owned, have successfully secured contracts in previous years. Upon establishing their presence in the country, they undergo a process of registering themselves as domestic businesses, adhering to the requirements of Liberian law. Consequently, during subsequent bidding processes, these suppliers, despite their foreign ownership, are considered and treated as registered Liberian businesses in accordance with the Liberian procurement law. This classification holds true even when they win contracts through mechanisms such as the National Competitive or Restricted bidding processes, which are typically designed to promote fair competition.

Presently, the Public Procurement and Concession Commission (PPCC) is undertaking a comprehensive review of the Public Procurement Act of 2010. This review process aims to redefine the term "Domestic Business" within the Act, which currently encompasses foreign businesses registered in Liberia. The anticipated outcome of this redefinition is the facilitation of increased foreign participation in procurement processes, particularly with the implementation of the eProcurement migration scheduled to commence in 2024.

The redefinition of "Domestic Business" is expected to broaden its scope to explicitly include foreign businesses operating within Liberia. This revision will effectively recognize and acknowledge the involvement of foreign enterprises in the country's procurement landscape. Additionally, the upcoming rollout of the eProcurement system will further enhance the framework for procurement activities. The introduction of this digital platform is anticipated to streamline processes, improve transparency, and create a more conducive environment for increased foreign participation in procurement endeavours.

By aligning the legal definitions with the practical realities of foreign businesses operating in Liberia, the PPCC's review of the Public Procurement Act and the subsequent implementation of the eProcurement system will likely foster a more inclusive and competitive procurement environment, paving the way for heightened foreign involvement from 2024 onwards.

33. Data show that the proportion of Liberia's public procurement in the form of international open tendering has decreased significantly, while the proportion of domestic open tendering and single-source procurement has increased significantly. Please explain whether this aligns with the criteria set by the Public Procurement and Concessions Act.

Response: This does not align with the PPCA 2010; the Act is intended to promote value for money in all public expenditure and competition internationally is highly intended based on established thresholds as stipulated in regulations 003 promulgated by the Commission (PPCC).

34. Please indicate whether the preference of the Government of Liberia, as the main procurement body, for non-international tendering models is the main reason for the decrease in the proportion of participation by foreign enterprises.

Response: This trend is not the preference of the Liberian Government or the Public Procurement & Concessions Commission; all is being done to ensure such trend does not continue at such rate; however, many foreign firms now registering under Liberian laws still compete and win contracts.

35. Please indicate whether there are plans to improve the policy framework for foreign participation in local public procurement, including, but not limited to, amending the 2010 Public Procurement and Concessions Act to reduce the explicit and hidden barriers to enhance foreign participation.

Response: Currently, the Commission (PPCC) is reviewing the Public Procurement Act of 2010; we are certain that the redefinition of "Domestic Business" in the Act generally defined as a foreign business registered in Liberia as well as the involvement of foreign businesses to be enabled by the rollout of the eProcurement migration will enable the involvement of more foreign participation beginning 2024 and beyond.

Page 60, Para 3.145

In 2017, the Government, together with WIPO, issued an Intellectual Property Development Plan (IPDP). It identified the following constraints in the IP system: weak IP legal and administrative framework; low level of IP awareness among citizens; inadequate human resource capacity on IP; low level of generation and protection of IP by locals; inadequate utilization of IP for economic growth; weak IP enforcement mechanisms; underdevelopment of creative industry; low level of commercialization/ technology transfer of research findings; and inadequate infrastructure to support the use of IP for economic development.

Question:

36. What steps has the government taken to improve IP enforcement mechanisms in Liberia?

Response: Liberia has made progress since the inception of the IPDP in 2017. Liberia has continued its IP awareness strategy not only in Monrovia, the Capital but also in additional two counties. The IP office has one of Liberia's coming up Artist, T Crack (author of "Let's go Buchanan" song) as one of its ambassadors, it has a copyright hour on one of the local radio stations every Saturday. We have signed a Memorandum of Understanding (MOU) with six (6) Universities and Research Institutions as Technology Innovation Support Centers (TISCs) host institutions. There has been more awareness created in primary and secondary schools through the establishment of IP clubs.

An integrated Intellectual Property Automated System is in its concluding stage for the use of the IP office and its client based. There is an established MOU between the IP office and the Ministry of Health through the Complimentary/Alternative Medicine Unit for the creation of IP awareness amongst traditional medicine practitioners. The IP office with aid from the WIPO Covid19 package, has established IP Management Clinics for SMEs. The IP office is a member of the ad-hoc committee on the development of a roadmap for geographical indication amongst ARIPO member states. The IP office has established a CMO Secretariat as well as engaged in an ongoing Accessible Book Consortium (ABC) Project financed by WIPO for visually impaired and print-disabled community. The enforcement and compliance of Intellectual Property Rights has remained a challenge.

Page 70, Para 4.47

EU-Liberia Sustainable Fisheries Partnership Agreement (SFPA), 201556 - The agreement and its five-year protocol, which expired on 8 December 2020, provided the European Union with fishing opportunities of 6,500 metric tonnes of tuna and other highly migratory species for 28 tuna purse seiners and 6 longline vessels, to be monitored with VMS. The European Union's financial compensation was EUR 3.25 million over five years, of which 50% was allocated for the access to the Liberian fisheries and 50% for the implementation of Liberia's fisheries policy. There has been no new protocol since the last one expired in 2020.

Question:

37. Does Liberia plan to continue negotiating fisheries agreements with the EU or other members? What are the main elements of fisheries agreements?

Response: the National Fisheries and Aquaculture Authority intends to continue negotiations of the SFPA with the EU and improve some of the technical provisions of the appending Protocol to the Agreement. However, the Protocol was not renegotiated due to the non-resolution of the pre-identification of Liberia as a non-cooperating third country under the EU's Regulation to fight and deter illegal, unreported, and unregulated (IUU) fishing. Nevertheless, the Agreement was tacitly renewed based on Article 12 which states that 'this Agreement shall apply for five years from the date of the start of its provisional application. It shall be tacitly renewed, unless notice of termination is given in accordance with Article 14'.

The Agreement establishes the guiding principles, rules and procedures governing the access of EU vessels to Liberia's EEZ, financial contributions from the vessel's owners and the EU, technical and scientific cooperation in the sustainable management of the fisheries resources.

Page 71, Para 4.50

Exports of iron ore, mainly destined for China, accounted for almost 40% of total exports in 2021.

Question:

38. What is the source of this data? There is no such data in footnote 62 of the Secretariat's report. According to us, the data is inconsistent with the facts, because from 2019 to 2022, the only iron ore enterprise in Liberia, "ArcelorMittal", does not export iron ore to China.

Response: The information contained in the Secretariat report on Liberia regarding the export of iron ore is inconsistent with our export data for the aforementioned period. This error may have occurred due to the misinterpretation of the raw data received.

Page 74, Para 4.69, 4.71, 4.72

Liberia's electricity generation is based almost entirely on hydropower and fuel.

The Liberia Rural and Renewable Energy Agency (established under EO No. 38 of 6 January 2012) has the mandate to facilitate renewable energy projects in rural areas.

EO No. 107 of May 2022 suspended import tariffs on off-grid solar lighting appliances, equipment and components, and other systems related to renewable energy.

Question:

39. Please indicate whether there are any tax incentives or other policy support for renewable power generation projects other than solar power, such as wind power projects.

Response: Liberia does not have any other tax incentives for other renewable power generation projects other than those expressed in the Executive order about solar power.

Page 76, Para 4.89

The Liberian manufacturing sector contributed about 6% to GDP in 2021 (Table 1.1). Liberia's manufacturing companies produce mainly for the domestic market. While there are a few large cement and beverage producers.

Question:

40. Please indicate whether there are any special restrictions or preferential measures for foreign investment in cement plants in Liberia. If so, please specify.

Response: Liberia does not have any restrictions or preferential measures for foreign investment in cement plants in the country.

PART II: QUESTIONS REGARDING THE GOVERNMENT REPORT

Page 6, Para 2.9

The average inflation for 2021 moderated to 7.9%, from 17.4% in 2020, while the end of year inflation in 2021 was at 5.5% from 13.1% in December 2020.

Question:

41. Please indicate whether there are any further measures to reduce the inflation rate.

Response: The Government through the CBL has been and continue to put in place policies aimed at ensuring that inflation is contain in single digit with a medium to long term goal of achieving less than or equal to 5 percent inflation consistent with the ECOWAS macroeconomic convergence criterion threshold. To this end, the monetary authority strives to ensure prudent liquidity management, while the fiscal authority continues to exercise sound fiscal policies.

However, there are key risks to the attainment of this threshold which includes the behavior of the international food and fuel prices as well as the exchange rate.

Page 8, Para 3.15

In 2014, Liberia signed the European Union Economic Partnership Agreement (EPA) inclusively as it was initialled with the 15 ECOWAS member states plus Mauritania.

Question:

42. The statement "In 2014, Liberia signed the European Union Economic Partnership Agreement (EPA)" contradicts the Para. 6 in the SUMMARY of the Secretariat Report ".....the EPA with the European Union has not been signed". Please confirm.

Response: Liberia has signed the EU EPA but is yet to be ratified by the Legislature.

DOMINICAN REPUBLIC**PÁGINA 11**

3.16. No obstante, Liberia está desarrollando mecanismos pertinentes para controlar y verificar cada política que permitirá aplicar plenamente el AAE. A este respecto, Liberia ha promulgado la Ley por la que se establece la Autoridad de Normas de Liberia. Además, ha establecido un laboratorio para el análisis microbiológico de alimentos, un laboratorio para el análisis químico de alimentos y un laboratorio de metrología.

Pregunta: *¿A través de cuál fuente pueden los Miembros tener acceso a la Ley por la que se establece la Autoridad de Normas de Liberia?*

PAGE 11

3.16 Notwithstanding, Liberia is developing the relevant mechanisms to control and verify every policy leading to the full implementation of the EPA. In this regard, Liberia has enacted a Law establishing the Liberia Standard Authority. Furthermore, Liberia has also set up a food microbiology lab, food chemistry lab, and metrology lab.

Question: *Through what source can Members access the Law establishing the Liberia Standard Authority?*

Response: The Standard Authority Law will be published on the Ministry of Commerce and Industry website for the public to access soon.

EUROPEAN UNION

WT/TPR/G/441 – Government report

No questions

WT/TPR/S/441 – WTO Secretariat report

SUMMARY

General EU question nr. 1: To what extent is the government of Liberia improving its institutional setting and enacting policies to certify products originating from Liberia?

Response: Liberia has taken a major step through the passage of a law; the Liberia Standards Authority. This new law among other responsibilities, requires the Liberia Standards Authority to provide certification of products and services to the public.

1. ECONOMIC ENVIRONMENT

No questions

2. TRADE AND INVESTMENT REGIMES

2.3 TRADE AGREEMENTS AND ARRANGEMENTS

Paragraph 2.36, page 27

EU question nr. 2: To what extent is the Voluntary Partnership Agreement (VPA) with the European Union enabling Liberia to meet EU requirements for control, verification, and licensing of timber products, despite the agreement still not being operational?

Response:

- A) Liberia has created a Legality Matrix under the VPA that currently serves as a basis for controlling, verifying, and licensing timber products.
- B) Under the VPA, Liberia has created a specialized Department within the Liberia Forestry Development Authority tasked with managing its timber chain of custody system, including but not limited to the traceability, legality, and fiscal requirements of timber products consistent with Liberian law.

EU question nr. 3: To what extent is the government of Liberia doing its best to develop a system of control, verification and licencing trade in timber and timber products?

Response: Liberia has developed a system for timber verification called LiberTrace, which tracks Liberia's timber legality.

3. TRADE POLICIES AND PRACTICES BY MEASURE

3.3 MEASURES DIRECTLY AFFECTING IMPORTS

Paragraphs 3.10 to 3.12, page 33

EU question nr. 4: To what extent is Liberia making efforts to harmonize rules of origin and other non-tariff barriers to facilitate that Liberian businesses can export under preferential trade agreements?

Response: Liberia is a member of ECOWAS and a part of the ECOWAS Customs Union and the ECOWAS Free Trade Agreement (ECOWAS Trade Liberalization Scheme). We are currently implementing the ETLS effectively. As a member of ECOWAS, the Rules of origin that Liberia is implementing is the same as the ECOWAS Rules of Origin. We are creating more awareness to the local manufacturers as we prepare for the implementation of the AfCFTA.

Paragraph 3.32, page 40

EU question nr. 5: the sentence "*Customs collects customs service fees for destination inspection services it provides at all other border entry points in Liberia. They are ad valorem: 1.2% of the c.i.f. value of imports.*" does not seem compliant with Article VIII of GATT and Article 6(2)(i) of the Trade Facilitation Agreement.

Response: It was brought to our attention that the amendment of the law to have the fee compliant with GATT was inadvertently overlooked. We have begun another round of review of the Liberia Revenue Code to ensure compliance of all outstanding provisions that are not in alignment with the WTO instruments.

Paragraphs 3.46 to 3.48, page 44

EU question nr. 6: In view of the ECOWAS trade remedy legislation, has there been an initiative to adopt trade remedy legislation on the national level?

Response: There is currently no initiative for the adoption of any trade remedy in our national law. However, having domesticated the ECOWAS Customs Code and other regional instruments through ratification, Liberia is currently implementing the ECOWAS trade remedy legislation because legislating another trade remedy will have to be consistent with that of the ECOWAS.

3.4 MEASURES DIRECTLY AFFECTING EXPORTS

Paragraphs 3.49 to 3.51, page 44

EU question nr. 7: Does the exporter in an export declaration have to be established in the customs territory of Liberia, or not? If not, then how can the public interest be ensured in case of a non-compliance at export, if the exporter is not established in Liberia? Who would be responsible in front of Customs and other authorities, where applicable?

Response: The exporter may not necessarily have to be established in Liberia. Such exporter is consider high risk, thus, resulting to some level of control including the provision of security.

4. TRADE POLICIES BY SECTOR

4.1 AGRICULTURE, FORESTRY, AND FISHERIES

Section 4.1.3, pages 68 to 71

EU question nr. 8: To what extent is the government of Liberia promoting the sustainability of the fishery sector and to what extent is the implementation of the National Plan of Action to combat IUU (illegal, unreported and unregulated) fishing giving positive results?

Response: Liberia is promoting the sustainable management of the fisheries sector through the impartial implementation of its legal framework. The effective implementation of the NPOA-IUU by Liberia has deter would violators and enhanced voluntary compliance of the Fisheries Laws and Regulations of Liberia. Most of the minor infractions now are from the small-scale fisheries which is an opened access fishery. Moreover, the activities catalogue within the timeframe for implementation of actions some have been implemented and some are currently being implemented.

EU question nr. 9: To what extent is the government of Liberia committed to implement the FAO Port State Measures Agreement?

Response: To what extent is the government of Liberia committed to implement the FAO Port State Measures Agreement?

Response: Liberia has taken the bold steps to ratify the PSMA and some of the Provisions therein have already been in cooperated in the 2019 Fisheries and Aquaculture Management and Development Law. The implementation strategy has been developed, adopted and is now being implemented.

4.2 MINING

Sections 4.2.1 and 4.2.2, pages 71 to 73

EU question nr. 10: To what extent is the government of Liberia taking continuous steps and measures to address unlicensed and illegal mining in the artisanal mining sector?

Response: The government has begun the process of formalizing the artisanal mining sector through the process of decentralizing the administration of the sector, strengthening the mining inspectorate, improving the license system, and the carving and promulgation of sets of mining regulations.

4.5 SERVICES

Paragraph 4.121, pages 81-82

EU question nr. 11: Can the Liberian authorities clarify whether the tonnage dues collected for Liberian-flagged vessels and PRC-flagged vessels in Liberian ports are the same as those collected for vessels flagged to other WTO Members? Are these tonnage dues collected in exchange for the supply of services at the port? If , which ones? Does the Liberia-China Agreement on Maritime Transport provide for other measures granting favourable treatment to Chinese-flag vessels? If , which ones?

Response: Liberia does not collect any tonnage levies for access and/or use of Liberian ports, however Liberia does impose and collect fees for maritime safety. The maritime safety charges, which are levied on vessels calling to Liberian ports are the same for all foreign flagged vessels, including PRC- flagged vessels.

Are these tonnage dues collected in exchange for the supply of services at the port?

No, the maritime safety charges which are collected at Liberian ports, pursuant to the Liberia Maritime Authority's Regulations, are not made in exchange for a direct supply of services to individual vessels but are rather collected for the support of Maritime' s regulatory activities, including but not limited to maritime safety and security, and marine pollution prevention.

Similar to the EU – Chinese Agreement on Maritime Transport, the Liberia-China Agreement on Maritime Transport, provides, inter alia, that Chinese -flag vessels received reciprocal treatment as Liberian flag vessels would receive in Chinese waters.

SINGAPORE**PART I: QUESTIONS REGARDING THE SECRETARIAT REPORT**

QUESTION:

2.4. Investment regime

Page 26 (Para 2.30)

The WTO Secretariat Report notes that Liberia, with support from the UN Economic Commission for Africa, is "*developing a National AfCFTA Strategy*". What are some key areas or sectors of focus for Liberia's National AfCFTA Strategy? How will the AfCFTA Strategy facilitate Liberia's implementation of the AfCFTA?

Response: The AfCFTA National Strategy when completed will focus on agriculture, fisheries, manufacturing, and services, as well as MSMEs (as the economy is predominantly MSMEs). The AfCFTA Strategy will facilitate Liberia's implementation of the AfCFTA through the strengthening of public institutions involved with trade and the coordination mechanisms between the public and private sectors on trade facilitation. The Strategy will also emphasize the need for policies reforms and help build Liberia trade infrastructure, thereby addressing supply side constraints.

3.3 Measures affecting production and trade

Page 47 (Para 3.65)

The WTO Secretariat Report notes that the Government of Liberia established a Special Economic Zone (SEZ) Steering Committee in 2019 "to create, drive, guide, enhance, coordinate, and manage single, multiple and mixed-use SEZs in Liberia." What are some measures considered and implemented to attract foreign investments into the Liberia's SEZs?

Response: Currently, the Government is preparing to implement some infrastructure work to include:

- a) Detailed Engineering Design for a 5 km asphalt approach road, 6.5 km, 33 kv Transmission line and the perimeter fencing, signature gate and site grading of the 200 ha). To date, a tender process is on-going for the recruitment of a consulting firm to carry out this task. It is anticipated that actual works will commence in November of this year and completion date is targeted for November of 2024.
- b) Following the completion of the Detailed Engineering and design, the Government will construct a 5 Km asphalt approach road, construct a 6.5 Km transmission line to the site and construct a perimeter fence around the 200 acres of land earmarked for the project.
- c) Thereafter, the plan is to attract a developer, who will complete construction of infrastructure needs of the park and attract operators and users to the park.
- d) The project also seeks to build the capacity of farming groups and MSMEs across the country and as such, the recruitment of a consulting firm is on-going to conduct value chain trainings and mapping of farming communities, cooperatives in an effort to identify suitable aggregators and farmers' group/ cooperatives to support the agri-hub with produces for processing and export. The SAPZ park key commodities of focus include, (cassava, rice, horticulture, (fruits & vegetables), oil palm, cocoa, coffee, rubber, and aquaculture).

UNITED KINGDOM**SECRETARIAT REPORT (S441)****Secretariat Report (S441)****1 ECONOMIC ENVIRONMENT****1.3 Developments in trade in foreign direct investment****Paragraph 1.20**

UK Question 1: The Secretariat Report notes that structural bottlenecks continue to hold back the Liberian economy's competitiveness in engaging with international trade, including the high cost of doing business. Could Liberia please confirm what they are doing to address the high cost of doing business?

Response: Liberia is taking major steps in addressing the business environment in the country. There is an expansion in road network, expansion of electricity (reducing overhead cost on the use private generators), the reduction in the timeline for processing import notification form from 5 days to 24 hours. Liberia is also expanding financial services throughout the country.

Secretariat Report (S441)**1 ECONOMIC ENVIRONMENT****1.3 Developments in trade in foreign direct investment****1.3.2 Trade in services**

UK Question 2: Could Liberia please explain what has driven the significant contraction in services trade, which shrank from USD 93 million to USD 4.4 million?

Response: The decline in trade services export from USD 93 million in 2016 to USD 4.4 million in 2021 was due mainly to the following factors:

- Government goods and services decreased from USD 63.22 million in 2016, to USD 0.36 million in 2020, and USD 0.52 million in 2021.
- Insurance and pension services declined from USD 23.91 million in 2016, and to USD 6.41 million in 2020.

Secretariat Report (S441)**2 TRADE AND INVESTMENT REGIMES****2.2 Trade policy formulation and objectives****Paragraph 2.16**

UK Question 3: Could Liberia please outline all the Intellectual Property Rights Areas that the Liberian Intellectual Property Office (LIPO) will be responsible for?

Response: The Liberia Intellectual Property Act of 2016, Section 9 through Section 16 outlines intellectual property right areas which the IP office is responsible for.

Secretariat Report (S441)**2 TRADE AND INVESTMENT REGIMES****2.3 Trade agreements and arrangements and arrangements****2.3.3 Regional and preferential trade agreements****2.3.2.2 African Union****Paragraph 2.30**

UK Question 4: The Secretariat Report notes Liberia has signed the AfCFTA Agreement in March 2018. Could Liberia please indicate when it plans to ratify the AfCFTA?

Response: The AfCFTA Agreement is currently before the Legislature for ratification.

UK Question 5: Could Liberia please explain whether it has to create/amend existing domestic legislation before it ratifies the AfCFTA?

Response: According to the hierarchy of laws in Liberia, international agreements ratified by the Legislature rank only next to the Constitution which is the supreme law of the country. The ratification of International agreements is not predicated on the amendment of national laws. Therefore Liberia does not have to amend national statutes before the ratification of the AfCFTA as its ratification will automatically rank it higher than any national statute that may come into conflict with it (except the Constitution).

Secretariat Report (S441)**2 TRADE AND INVESTMENT REGIMES****2 Trade and Investment Regimes****2.4 Investment Regime****Paragraph 2.38**

UK Question 6: Could Liberia please explain how it plans to address the infrastructure bottlenecks that international investors face?

Response: Liberia is addressing infrastructural bottlenecks through the expansion of roads networks throughout the country. We are working with regional and development partners to ease infrastructural bottlenecks mainly related to roads and energy.

Secretariat Report (S441)**2 TRADE AND INVESTMENT REGIMES****2.4 Investment Regime****Paragraphs 2.43 and 2.44**

UK Question 7: Could Liberia please explain whether it intends to liberalise the reserved and restricted sectors to international investment further in the future? And if not – why?

Response: Liberia has not made any determination in this regard. These sectors are dominated by MSMEs who do not have the means to compete in other business activities in the economy.

Secretariat Report (S441)**2 TRADE AND INVESTMENT REGIMES****2.4 Investment Regime****Paragraph 2.45**

UK Question 8: Could Liberia please provide further clarification as to how it defines "qualified" for the purposes of this provision?

Response: Qualification is defined by the employer in relation to the particular position. The law only requires that having so established the qualification, the employer is required to proof that there is no Liberian that meets the qualification as a justification for hiring a foreign national.

Secretariat Report (S441)**2 TRADE AND INVESTMENT REGIMES****2.4 Investment Regime****Paragraphs 2.46**

UK Question 9: Could Liberia please explain what measures it is taking to improve levels of formal land registration?

Response: We are currently building the Land Cadastre to geo reference all land and put on google map. Currently, we are in the process of developing a Land Cadastre system that aims to georeference and map all land parcels, making them accessible on platforms such as Google Maps.

Secretariat Report (S441)**3 TRADE POLICIES AND PRACTICES BY MEASURE****3.1 Measures Directly Affecting Imports****3.1.5 Import prohibitions, restrictions, and licensing****Paragraph 3.1.5.1**

UK Question 10: The UK notes Liberia's prohibition on the import and export of shark fins and the underpinning ban on shark finning under the Act to Amend the National Fisheries and Aquaculture Authority Law by Adding Thereto the Fisheries and Aquaculture Management and Development. Could Liberia please explain whether, in addition to the objectives highlighted in the preamble to the Act, this measure was introduced for animal welfare reasons and if so, what were these animal welfare objectives?

Response: The main intent of the prohibition on the shark finning at sea is based on the facts that most of these species have been classified as endangered species and also based on their biology. Moreover, Liberia is a CPC to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) and the International Commission for the Conservation of Atlantic Tuna (ICCAT) that's prohibits the trade some shark's species and encourages the live release of some

species. In so doing, Liberia had to domesticate and implement the provisions of these international banning agreements. Therefore, the prohibition was not due to animal welfare.

Secretariat Report (S441)

3 TRADE POLICIES AND PRACTICES BY MEASURE

3.3 Measures Affecting Production and Trade

3.3.7 Intellectual Property Rights

3.3.7.1 Overview

Paragraph 3.119

UK Question 11: Could Liberia please explain whether parallel importation of goods is explicitly prohibited by any legislation, or simply not enabled by the Industrial Property Act and/or Copyright Act?

Response: Parallel importation of goods is not explicitly provided for in the 2016 Intellectual Property Act but Sections 18.1, 18.7, 18.11, and 18.13 provides for border measures requirements for importation of goods.

Secretariat Report (S441)

3 TRADE POLICIES AND PRACTICES BY MEASURE

3.3 Measures Affecting Production and Trade

3.3.7 Intellectual Property Rights

3.3.7.1 Overview

Paragraph 3.120

UK Question 12: Could Liberia please provide more information on how the Liberian Intellectual Property Office (LIPO) operates?

Response: The Liberia IP office operates strictly in compliance with its 2016 Act on the protection, registration and enforcement of Intellectual Property Rights specifically to all protocols and treaties with which Liberia has acceded and ratified.

Secretariat Report (S441)

3 TRADE POLICIES AND PRACTICES BY MEASURE

3.3 Measures Affecting Production and Trade

3.3.7 Intellectual Property Rights

3.3.7.2 Copyright and related rights

Paragraph 3.124

UK Question 13: Could Liberia please provide more information on the legal frameworks they have developed to guide the collection and distribution of copyright royalties?

Response: COSOL specific objective is to function as a multi-purpose collective management organization with responsibility to right-holders for both copyright and related rights over all genres of copyright. To collect and distribute Royalty for the unauthorized commercial use of creative contents. There are five policies and legal framework documents to include Formulating Regulation, membership rules, distribution rules, copyright regulation on private copy, administrative regulation for copyright license tariff and copyright regulations over the use of creative contents in sound recording.

Secretariat Report (S441)

3 TRADE POLICIES AND PRACTICES BY MEASURE

3.3 Measures Affecting Production and Trade

3.3.7 Intellectual Property Rights

3.3.7.8 Plant varieties

Paragraph 3.141

UK Question 14: Could Liberia please explain whether it intends on signing up to the International Union for the Protection of New Varieties of Plants (UPOV) as an independent member?

Response: Liberia is in the final stages of preparing to submit the Arusha Protocol, along with several other Protocols and Treaties, to the Legislature for the purpose of accession and ratification. This process will be facilitated through the Ministry of Foreign Affairs.

Secretariat Report (S441)**3 TRADE POLICIES AND PRACTICES BY MEASURE****3.3 Measures Affecting Production and Trade****3.3.7 Intellectual Property Rights****3.3.7.9 Enforcement****Paragraph 3.149**

UK Question 15: Could Liberia please detail any financial or other types of support to be provided to LIPO to meet the goals laid out in the Liberia-WIPO Intellectual Property Development Plan?

Response: LIPO is currently engaged with WIPO on the formulation of a new IPDP.

Secretariat Report (S441)**4 TRADE POLICIES BY SECTOR****4.1 Agriculture, Forestry and Fisheries****4.1.1 Agriculture****4.1.1.2 Agricultural policy****Paragraph 4.14.**

UK Question 16: The UK is pleased to note the establishment of the Liberian Seed Development and Certification Agency. Could Liberia please explain what the objectives and workplan of the agency will be, once it is operational?

Response:

- The National Seed Agency is comprised of several governmental entities including the MoA, CARI, the University of Liberia, The Ministry of Finance and Development Planning, the Ministry of Internal Affairs (which oversees communal farming in Liberia).
- The NSA does not have a dedicated office but is run as a steering committee and has not yet begun to certify or market seeds in Liberia. In fiscal year 2024, there is a plan to operationalize the National Cocoa Seed Garden by certifying cocoa seed producers. A similar plan is under development for rice, oil palm and vegetable seed producers.
- The purpose of this Regulation is to establish a legal framework that will guide and direct all seed related operations and activities both public and private in Liberia and to harmonize the rules governing certification and marketing of seeds and seedlings in Liberia with those in the other Member States of ECOWAS.
- The harmonization is intended to ensure good quality seeds of plant species and varieties listed in the West African Catalogue of Plant Species and Varieties in all ECOWAS Member States.
- More specifically, the purpose of this harmonization is to:
 - facilitate local production of quality seeds amongst Member States, through application of regionally agreed principles and rules that minimize trade barriers;
 - facilitate convenient access by farmers to quality seeds;
 - create the appropriate climate for private investment in seeds and seed production;
 - help widen the choice of the seeds available to farmers; and,
 - Promote partnership between the public and private sectors.

GOVERNMENT REPORT (G441)**Government Report (G441)****3 LIBERIA'S INTERNATIONAL TRADE RELATIONS****3.2 Regional integration****3.2.1 African Continental Free Trade Agreement (AfCFTA)****Paragraph 3.9**

UK Question 17: Could Liberia please explain when it expects the ongoing AfCFTA negotiations on intellectual property to be concluded?

Response: Liberia is currently engaged in ongoing negotiations regarding intellectual property rights (IPR), and as of now, there is no specific timeline or indication as to when these negotiations will be concluded. The negotiation process is still underway, and further updates will be provided as progress is made.

Government Report (G441)**3 LIBERIA'S INTERNATIONAL TRADE RELATIONS****3.4 EU Voluntary Partnership Agreement****Paragraph 3.18.**

UK Question 18: Could Liberia please indicate what steps it is taking to implement Liberia's commitments to strengthen forestry governance and control illegal logging?

Response: Several steps have been taken, including:

- a. Increasing knowledge of the forestry legal framework
- b. Developed a forest compliance and enforcement handbook and the training of forest rangers and other law enforcement practitioners.
- c. Created a framework to formalize chainsaw milling through the Chain Sawmilling Regulations
- d. Investigating reported illegalities and referring violators to Court for prosecution
- e. Strengthening Liberia's Timber Chain of Custody System.

Government Report (G441)**6 MSME POLICY****6.1. The Pro – Poor loan**

UK Question 19: The Government Report states that Liberia is firmly committed to supporting the growth of Micro, Small and Medium Enterprises. Could Liberia please explain what steps it is taking to support the growth of such enterprises, helping to create livelihoods and strengthen domestic revenue generation?

Response: The Government of Liberia, has embarked on a financing initiatives which are intended to provide financing opportunities to Small Medium Enterprises (SMEs), Micro Finance Institutions (MFIs) and Village Savings & Loans Associations (VSLA) through fiscal stimulus for nationwide quick impact projects with the view of providing job opportunities, capital formation which will strengthen domestic revenue generation. The scheme is also designed to support the Government's Pro-Poor Agenda for Prosperity and Development (PAPD). The Government with the support of the World Bank has initiated technical assistance to MSMEs through various initiatives including the Liberia Investment, Finance and Trade Project (LIFT-P).

UNITED STATES

Part I. Questions based on the Secretariat Report (WT/TPR/S/441)

Page 31, Paragraph 3.1: The report notes that Part V of the Liberia Revenue Code governs customs procedures and formalities, and that the 2019 amendment incorporated several provisions of the WTO Trade Facilitation Agreement. Upon accession to the WTO in 2016 and under Article 22 of the Customs Valuation Agreement (CVA), Liberia was expected to incorporate provisions of the CVA into its national laws and to notify its legislation on customs valuation to the WTO.

1. Could Liberia please provide an update on the status of its notification of its national customs valuation legislation to the WTO?

Response: The CVA is fully incorporated in Part V of the Liberia Code Act of 2000 as Amended (LRC). It may have been misunderstood that sharing the amended Customs Code which is Part V of the LRC, satisfies the notification requirement of the CVA. Liberia will notify the WTO in the shortest possible time.

Page 31, Paragraph 3.1: In accordance with a May 1995 decision by the WTO Committee on Customs Valuation, Liberia is expected to respond in writing to a list of questions, known as the Checklist of Issues, that identify where provisions of the Customs Valuation Agreement are implemented in Liberia's customs valuation legislation.

2. Could Liberia please provide an update on the status of its notification of its responses to the Checklist of Issues to the WTO?

Response: Liberia began the implementation of the WTO Agreement on Customs Valuation in 2019 after the enactment of the Modernized Customs Code. The list of questions (checklist) referenced in the question has been brought to our attention. Now that it has been brought to our attention, we will access the checklist, update it and notify the WTO in reasonable time.

Page 31, Paragraph 3.3: The report notes Liberia's ratification of the WTO Trade Facilitation Agreement and the current implementation rate for commitments. In March 2021, the WTO circulated Liberia's partial notification for TFA Article 1.4. Within the notification document, Liberia stated that the enquiry point, as required by Article 1.4(c), would be designated by July 31, 2021.

3. Could Liberia please provide an update on the status of the Article 1.4(c) notification to the WTO?

Response: There are enquiry points at various ministries and agencies. However, these enquiry points have not been centralized at national level due to various factors including the COVID, capacity building about the TFA provision. There are ongoing efforts to address the issue of a national enquiry point for TFA and notify the WTO.

Page 34, Paragraphs 3.20 and 3.21: The Secretariat's Report explains that Liberia's migration to the Economic Community of West African States (ECOWAS) Common External Tariff (CET) by 2028 will lead to a significant increase in tariffs on most products, especially agricultural products where the average CET rates would increase to 15.6% (up from 11.2% in 2023). In addition, the tariffs on live animals and animal products would be most affected with an increase of 13.7 percentage points (Chart 3.2 and Table A3.1).

Considering that increasing tariffs often leads to increased prices and reduced supplies of goods available domestically:

4. Please explain how Liberia expects these tariff increases will affect imports from trading partners who are not ECOWAS members.

Response: While it is true that increase in tariff may lead to increase in prices, the Liberia's scenario is not expected to be severe or proportionate to the increase in tariff. The implementation of the ECOWAS ETLS (free trade agreement) may offset the impact. For instance, the import duty rate for life animal from a third country (outside of West Africa) may attract 35% but when imported from an ECOWAS country will attract 0%. We are cognisant of the possibility of shift consumer preference. The consumer preference may determine the level of impact

5. Has Liberia explored the effects these tariff increases might have on its domestic food security?

Response: There is no specific study for food security in the context of tariff increase.

Page 42, Paragraph 3.39; Page 43, Paragraphs 3.44 and 3.45: The report states that Liberia has not yet submitted any notifications to the WTO under the Import Licensing Agreement. The report also describes Liberia's "Import Notification Forms" requirements.

6. What is the timeline for Liberia to submit its notifications to the Committee on Import Licensing?

Response: The Ministry of Commerce and Industry shall be submitting to the Committee on Import Licensing its import notification by the end of the second quarter of this year.

Page 50, Paragraphs 3.85: The Secretariat report states that "a new regulation on "Labelling and Packaging of Pre-packaged Food and Non-food Products" is in the process of adoption." The United States notes that Liberia has not notified this regulation to the WTO TBT Committee.

7. What are Liberia's plans to notify this regulation to the WTO TBT Committee?

Response: The Labelling and Packaging of Pre-packaged Food and Non-Food Products Regulation has not been notified to the WTO TBT Committee because we are still gathering comments from Stakeholders, however, we hope to adopt the regulation and notify the TBT Committee by January 2024.

8. Could Liberia please explain its process for notification of technical regulations to the WTO?

Response: The process of developing and notifying technical regulations to the WTO is as follows: The Ministry or agency prepares or proposes the measures.

We make sure to publish a notice in a publication as soon as possible to enable stakeholders or interested parties to become acquainted with the proposed measure.

- a. The proposed measures upon request are shared with other members
- b. Stakeholder meetings are held among interested parties on written comment
- c. Before the stakeholder discussion is proposed, sixty (60) days are given for public comment.
- d. Upon the completion of the sixty (60) days, the adoption of the measure will be followed by publication of the measures
- e. Before the regulation enters into force, a six month period is given before enforcement of the measures
- f. Now, the completed notification is submitted online through WTO/TBT notification system (eping) to WTO secretariat.

Page 51, Paragraphs 3.96: According to the Secretariat Report, "Import permit applications should normally be processed within 24 hours. Liberia does not yet have an electronic, web-based system for import permit procedures."

9. Please provide information on how a trader may contact Liberian officials if the import permit application process takes longer than 24 hours.

Response: Trader shall contact the Customer service center at the Ministry of Commerce and Industry for any delay beyond the 24 hours import application process time.

10. Please explain whether Liberia intends to develop an electronic, web-based import permit system. If so, when does Liberia expect it will be implemented?

Response: The Ministry of Commerce and Industry has received support from the World Bank toward the development of a Single Window system for international trade. The single window will be a web-based system containing all import procedures.

Page 52, Paragraphs 3.103 and 3.104: According to the Secretariat Report, "The prices of the following "critical essential commodities" are monitored by the MoCI: cement, flour, petroleum products, pharmaceutical products, and rice. The MoCI may set prices for rice (Section 4.1), review

prices monthly for petroleum products (Section 4.3.3), or set profit margins on pharmaceuticals and flour."

11. Please provide the full list of goods and services subject to price controls in Liberia.

Response: The goods subject to price controls are Rice, Petroleum products, Cement, Flour and Pharmaceuticals products.

Page 56, paragraph 3.120: The Secretariat Report states that the Liberia Intellectual Property Office (LIPO) is responsible for "IPR protection."

12. What duties does LIPO have (i.e., how does it protect intellectual property)?

Response: The Liberia Intellectual Property Act of 2016, Section 9 through Section 16 outlines intellectual Property Right areas which the office is responsible for or has a duty to.

Page 56, paragraph 3.121 (Table 3.11): The Secretariat Report identifies the intellectual property treaties that Liberia has joined, including most recently the 2013 Marrakesh Treaty. To date, Liberia has not joined either the WIPO Copyright Treaty (WCT) or the WIPO Performances and Phonograms Treaty (WPPT).

13. Does Liberia plan to join the WCT and the WPPT, which include important substantive obligations for modern copyright legislation? Please describe these plans.

Response: Yes, Liberia is in the process of submitting three (3) treaties and two (2) protocols to the Legislature through the Ministry of Foreign Affairs for Accession and Ratification.

Page 57, paragraph 3.123: The Secretariat notes that the 2016 IPR law provides for payment of royalties for right holders' "exclusive economic rights."

14. Please identify which rights are rights of equitable remuneration and which rights are exclusive rights where the right holder can refuse to license or can set its own rate?

Response: Answer: Rights categorized as "rights of equitable remuneration" are rights of performers which provide a method whereby a person (performer) can control the dissemination or exploitation of their performances. Under Liberia's IP Law of 2016, Section 9.27 deals with the Rights of Performers; and Section 9.29 (a); (b); (c); (d) & (e) deal with Equitable Remuneration for Use of Sound Recordings. All rights granted under Section 9.27, (a), a. i; a. ii; a. iii; a. iv; a. v; & a. vi, are the exclusive rights of performers, which impact the rights of equitable remuneration for use of sound recordings in music, movies, films, television and radio advertisements and broadcasts which are communicated to the public; and by which a performer and producer may give or refuse to give license to a user and can set his own rate.

15. The Secretariat Report also notes that there was an administrative regulation "for copyright licence tariff for the use of music and movies in sound recordings." Please provide more information about what types of uses this license tariff covers.

Response: LIPO Administrative Regulation named LIPO/CR/LT-PC/2022/0007, is a regulation conferred on LIPO by section 9.35 (a-d) of the 2016 Act which mandates LIPO to collect funds for Private Copying of Copyright protected works and amounts to be collected must be prescribed in a regulation.

Page 57, paragraph 3.124: The Secretariat states that a collective management organization called the Copyright Society of Liberia (COSOL) was established in 2019; that COSOL, LIPO, and the Ministry of Commerce and Industry (MoCI) are working on legal frameworks to guide the collection and distribution of royalties; and that royalty collection has not started (as of early 2023).

16. Please provide an update on the status of this work on legal frameworks. What are the scope and expected deliverables?

Response: COSOL specific objective is to function as a multi-purpose collective management organization with responsibility to right-holders for both copyright and related rights over all genres

of copyright. To collect and distribute Royalty for the unauthorized commercial use of creative contents. There are five policies and legal framework documents to include Formulating Regulation, membership rules, distribution rules, copyright regulation on private copy, administrative regulation for copyright license tariff and copyright regulations over the use of creative contents in sound recording.

17. In addition, what is the expected timeline to begin collecting royalties, and for what rights in which works will royalties be collected? What is the timeline to begin distributing royalties?

Response: COSOL will begin collection and distribution of Royalties at the end of awareness and Sensitization exercises of all stakeholders especially the Judiciary.

Page 57, paragraph 3.125: The Secretariat Report notes that copyright "needs to be registered" at LIPO and that "the protection is provided equally to domestic and foreign right holders."

18. Do works still have copyright protection even if they are not registered?

Response: Under the Berne Convention. However, copyright is encouraged locally for proof of originality.

19. What benefits flow from registration?

Response: Economic rights and protections are but few benefits from registration.

20. Is copyright registration voluntary or mandatory for non-Liberian (foreign) authors?

Response: Copyright registration is voluntary.

Page 57, paragraph 3.126: The Secretariat notes that authorities have expressed infringement on the Internet is a challenge. In addition, the Secretariat states that "LIPO and COSOL rolled out nationwide public awareness and inspection campaigns to remove pirated copyright materials and illegal content from the Liberian market."

21. Please provide additional information regarding what are the specific challenges with infringement on the Internet.

Response: A major challenge of infringement on the internet is the lack of the domestication of international best practice on the issues of the usage of creative contents on the electronic media that are prohibited and non-prohibited from downloading.

22. Please provide more detail on the kinds of actions taken by LIPO and COSOL to remove physical or digital pirated copyright materials from the Liberian market.

Response: LIPO/ COSOL did a sample survey to determine the users of creative contents both in soft and hard transactions, followed by the sensitization and educational exercises through workshops, talk shows, jingles, competitions, etc. There is still a need for adequate funding to encourage additional sensitization and educational exercises for stakeholders and users.

23. Has the government taken any legal action other than the public awareness campaign?

Response: , the Government engaged in inspections and issue writs of summons on non-compliance business owners other than public awareness campaign.

Page 60, paragraph 3.144: The Secretariat Report states that LIPO recorded 12 IP infringement cases where judgments have been made through administrative procedures, with one case being taken to appeal to the court.

24. Please identify and describe the relevant administrative procedures, as well as a summary of actions taken under these procedures.

Response: The Intellectual Property Act of 2016, Section 5.7 (ix), 5.8 (g), 5.9 (h) and Section 16.1 -16.10 provides for Civil and Administrative procedures and remedies.

Page 64, Paragraph 4.16: According to the Secretariat report, Liberia provides support to its domestic farmers. Liberia has never submitted a DS:1 notification.

25. When does Liberia plan to submit the outstanding domestic support notifications?

Response: this information will henceforth be disaggregated from ongoing project reports and submitted through the MoCI from Q3 of fiscal year 2023

Page 66, Paragraph 4.25: According to the Secretariat report, the government of Liberia aims to maintain buffer stocks of three to six months of consumption of rice.

26. How does Liberia procure the buffer stock?

Response: Liberia procures its rice buffer stock through the private importers. Each rice importer is required to maintain at least 20,000 metric tons in their inventory per month. As at May 2023, there are 5 major importers of rice in Liberia.

Part II. Questions based on the Government Report (WT/TPR/G/441)

Page 7, paragraph 3.9: Liberia states it continues to actively participate in the ongoing AfCFTA trade negotiations on Intellectual Property Rights.

27. What is the status of those negotiations?

Response: The IPR Negotiations of the AfCFTA is ongoing. The Committee on IPR has adopted its Terms of Reference, and the modalities for negotiating the Protocol on IPRs. At the moment, there is stalemate on four issues: (1) whether or not to adopt existing international and regional IPRs mechanisms, (2) the establishment of a new IPRs system tailored to the needs and interests of the African Continent, (3) institutional arrangement and the financial implications, and (4) the multiplicity of IPRs systems use on the continent and the likelihood of facing unwarranted challenges of implementation in light of the fact that African countries are signatories to different IPRs instruments.

28. Other than the reference to the AfCFTA negotiations, the Government Report does not mention intellectual property. Why is intellectual property not discussed in the Report?

Response: Intellectual Property was inadvertently left out of the Government Report, but the Government of Liberia considers very highly the important role of the protection of intellectual property rights in the economy.
