

CHINA'S TRANSITIONAL REVIEW MECHANISM

Comments and Questions from the EUROPEAN COMMUNITIES to CHINA

The following communication, dated 6 August 2002, has been received from the Permanent Mission of the European Communities.

We would like to indicate that the points raised in this note are based on information obtained indirectly. We deeply regret that the information to be provided by China according to section 8 and paragraph IV.3(a) of Annex 1A of its Protocol of Accession¹ has not yet been received.

We are therefore transmitting our questions well in advance of the meeting of the Committee on Import Licensing of 24 September 2002, in order for the Chinese authorities to reply and to complete any information that may be incomplete.

Our comments and questions fall into two broad categories: transparency and transposition into domestic legislation.

1. Transparency

We would like to ask the Chinese authorities when they intend notifying the following information:

- products subject to import licensing (see section 8.1(a) of the Protocol of Accession);
- procedures and criteria for import licensing and responsible authorities;
- notification of all import licensing requirements remaining in effect after accession (see section 8.1(b) of the Protocol of Accession);
- the annual report on automatic licensing procedures (see section 8.1(c) of the Protocol of Accession);
- notifications of "exceptional circumstances" requiring import licences to be valid for less than six months (see section 8.1(d) of the Protocol of Accession);
- notifications of changes in import licensing procedures (see Article 5 of the Agreement on Import Licensing Procedures);
- annual questionnaire as specified in Article 7.3 of the Agreement; and
- notification and publication of laws and regulations pursuant to Articles 1.4(a) and 8.2(b) of the Agreement.

¹ WT/L/432.

2. Transposition into domestic legislation

We would be grateful for detailed explanations on the WTO consistency of laws, regulations and other measures issued since China's accession, and in particular for:

- measures on the Administration of Automatic Licensing for Goods and Implementing Rules for the Administration of Automatic Licensing of Important Industrial Products as well as measures for the Administration of Licences for the Import of Goods; and
- administrative Regulations on the Registration of Foreign Manufacturers of Imported Food.

We would appreciate clarification by the Chinese authorities on some problems in the import licensing requirements for some products, *inter alia* meat and poultry.
