

# GENERAL AGREEMENT ON TARIFFS AND TRADE

RESTRICTED

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## NOTIFICATIONS OF IMPORT RESTRICTIONS ON NEWLY-INDEPENDENT COUNTRIES

### Addendum

#### NIGER

This notification, submitted in response to the invitation in GATT/AIR/713, describes modifications in Niger's quantitative restrictions system which have occurred subsequent to the submission of the reports issued in L/2984/Add.5 and L/2577/Add.1. It is submitted without prejudice to the question of consistency of the restrictions with the provisions of the General Agreement.

#### 1. Reintroduction of controls on external financial relations

With effect from 27 November 1968 controls were reintroduced on external financial relations, requiring all import and export transactions to be carried out through the banks designated as officially approved intermediaries.

These measures are designed from the purely formal aspect to identify the nature of financial settlements with other countries by preventing any draining of foreign exchange but do not imply any appreciable tightening of the general quota system; the liberalization measures mentioned in document L/2984/Add.5 and likewise the freedom to choose among suppliers in all parts of the foreign exchange area remain unchanged.

Import documents, which may be either licences or certificates according to the case, have not strictly speaking been reintroduced but had always been maintained for purposes of statistical supervision of the evolution of Niger's imports.

#### 2. Establishment of new restrictive measures

The only measures introduced in this respect are based on the need to protect domestic production of certain types of footwear and are of a non-discriminatory character, being applicable to all origins without exception. They relate to tariff heading Nos. ex 64-02B and 64-02D(i), representing an annual import value of the order of CFAF 30 million during the past three years.

3. Changes in existing quotas

(a) The following quotas have been opened for 1969:

- articles of moulded thermoplastic materials - CFAF 71,000
- footwear with outer soles and uppers of rubber or plastic materials - CFAF 1,043,000
- footwear with outer soles of rubber and uppers of plastic materials - CFAF 329,000
- footwear with outer soles of rubber and uppers of woven fabric - CFAF 2,507,000.

These quotas are available solely for purchases in European Economic Community member States.

(b) The quota for sugar imports from non-CAMO countries has not yet been fixed for 1969.

(c) No quotas have been opened for imports of matches from countries outside the West African Customs Union as none have been requested by importers.

(d) Apart from the quotas specifically mentioned above, Niger's overall import programme for the non-liberalized origins and tariff headings resulted in 1968 in the issue of licences with a total value of CFAF 2,452 million, corresponding approximately to 20 per cent of total imports in that year, and are therefore largely carried out free of any quantitative restrictions.

Niger reserves the right to present at a later date proof of the consistency of the restrictions with the General Agreement.

The system of quantitative restrictions applicable in the Niger Republic is based on three general principles:

- freedom of imports from the entire franc zone apart from exceptional restrictions needed for the protection of national industries or of the West African Customs Union;

- gradual introduction of freedom of imports within the free-trade area established between the EEC and Niger under the Yaoundé Convention; this process has been completed as from 1 January 1968 except as noted in (a) below and except that importers of goods originating in EEC countries must execute a simple declaration covering imports of other EEC goods;

- increase of quotas from other sources contingent upon a possible improvement in the foreign exchange holdings, not including the French franc.

In any event, these are measures designed exclusively to make full economic use of Niger's foreign exchange holdings. With the exception of a very small number of customs items (grey cloth, bleached and printed fabrics), the issuance of import licences for all intents and purposes matches the requests of importers, without discrimination between the supplying countries.

In practice, the application of existing quantitative restrictions is as follows:

(a) Imports originating in the franc zone and in other EEC countries

These imports are made freely, except that the following require specific licences:

- articles in plastic material (BTN 39.07.31 and 39) are imported from France, and other EEC countries within a quota fixed at F 380,000;

- sugar is imported from France and other EEC countries within a quota fixed at F 1,250,000 in accordance with Niger's obligations under the African and Madagascar Sugar Agreement;

- wheat flour (BTN 11.01.08) regardless of origin, is subject to prior authorization under yearly quotas, taking into account national production capacities;

- matches (BTN 36.06.00) whose importation from the West African Customs Union is free, but no quota has been opened for imports from other countries as none has been requested by importers.

(b) Imports originating in Portugal, Rhodesia and South Africa

Total prohibition.

(c) Imports originating in other countries

(i) Any importation of products mentioned in (a) is subject to prior authorization and import licences.

(ii) Imports of products listed in Annex I to L/2577/Add.1 remain subject to the régime described in that document except that financial restrictions were removed on 1 July 1967 and there have been no bilateral quotas in use since 1966.

- (iii) Even for imports subject to licensing, the needs of importers and their preferences in matters of origin of imports are controlling considerations in issuance of licences.
- (iv) The only exception concerns printed cotton fabrics, unprinted cotton fabrics and jute bags, for which licences are issued proportionally to duly substantiated imports from France of a specified quantity of these goods.

To sum up, quantitative import restrictions cover a relatively small part of total imports of the Republic of Niger. In 1966 the value of imports not subject to restriction amounted to 73.5 per cent of all imports.

With reference to the foregoing notification of import restrictions, however, it should be noted that Niger is at present studying a definition of its commercial policy in the light of its development requirements and of the establishment of the West African Economic Community, and accordingly reserves the right to justify the restrictions in force by invoking the relevant provisions of the General Agreement.