

Note on the Status of the Draft International Trade Law Booz Allen Hamilton (Booz Allen) for the USAID Mission Beirut, WTO Accession Assistance

1. Status of the draft Law:

The draft International Trade and Licensing Law is a key requirement for WTO accession. The law implements the WTO Agreement on Import Licensing Procedures.

The draft was initially approved by the Council of Ministers through Decision No. 75 dated 12/1/2007 and sent to the Parliament for enactment. This approval occurred after November 11, 2006, the date when six opposition Ministers resigned from the Cabinet headed by Prime Minister Fouad Siniora. The Speaker refused, and still refuses, to include all draft laws referred to the Parliament by the above Cabinet on the basis that said body did not have the authority to approve any law because it lacked the sectarian representation called for in the Lebanese constitution.

In order to counter the Parliamentary deadlock, the draft law was adopted by three Parliamentarians from different political backgrounds who resubmitted the draft law to the General Assembly of the Parliament for discussion. These MPs are: MP Yassine Jaber (Politically close to the Speaker of the Parliament), MP Nabil de Freij (Future Movement- Politically close to Prime Minister Hariri) and MP Ghassan Moukheiber (Free National Movement- Politically close to MP Michel Aoun). With this step, the draft law is the only law to have been removed from the basket of laws, subject to the Parliamentary deadlock (i.e. referred to the Parliament by the Siniora Cabinet after November 11, 2006).

On February 11 2010, the draft Law was included on the Agenda of the Joint Parliamentary Committees. MPs did not have sufficient time to discuss all the agenda items including the draft International Trade and Licensing Law. On February 18 2010, the Joint Parliamentary Committees met to resume discussion of the items left on the agenda of the February 11th session. Unfortunately, once again, the list of items was too long and MPs did not get to discuss the draft International Trade and Licensing Law.¹

2. Role/Input of the WTO Accession Project:

The WTO Project has played an instrumental role in drafting this law and reviewing later versions for conformity with WTO Agreements. The last review was presented to the Parliament by the Project's expert, Mr. John Adams, on February 23, 2006. The expert provided an article by article reading of the draft law.

In addition, the Project team has regularly followed up with MP Yassine Jaber and MP Nabil de Freij regarding the possible role that MPs could play in adopting WTO related laws and submitting these laws to the Parliament.

3. Next Steps:

The immediate next step is to monitor when the next meeting of the Joint Parliamentary Committee will take place, and political efforts should focus on ensuring that the draft International Trade and Licensing Law is among the first items to be discussed.

Note: The draft International Trade and Licensing Law can move forward and should not pose significant issues to be enacted nor require major debate within the Parliamentary Joint Committees since it is a fairly technical draft law that has no major political implications.

¹ Source of Information: Ministry of Economy and Trade.