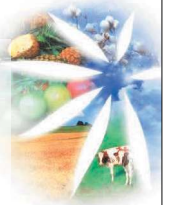


Export Restrictions (Table ER:1)



Article XI of GATT General Elimination of Quantitative Restrictions



- Art. XI.1 **No prohibitions or restrictions** other than duties, taxes or other charges, whether made effective through quotas, import or export licences or other measures, **shall be instituted...**

shall not extend to

- Art. XI.2 (a) Export prohibitions or restrictions **temporarily** applied to **prevent or relieve critical shortages of foodstuffs** or other products essential to the exporting contracting party

Article 12 of the AoA



– Where any Member institutes any new export prohibition or restriction of foodstuffs in accordance with Article XI.2(a) of GATT, the Member shall:

- Give consideration to impact on importing Members' food security;
- Advance written notice to the CoA before instituting an export prohibition or restriction; and
- Consultations upon request.

Not applicable to developing countries unless they are a net exporter of the specific foodstuff concerned.



3

Notification of Export Restrictions:



Who?

- Any Member instituting an export prohibition or restriction covered by Article 12 of the Agreement on Agriculture
- Except developing country Members
 - Unless they are net exporters of the product concerned



4

Notification of Export Restrictions:



When?

- Ad hoc
- In writing
- Before instituting any new export prohibition or restriction
 - “As far as practicable in advance of the measure being taken”

Notification of Export Restrictions: Format



Table ER:1

EXPORT RESTRICTIONS: MEMBER NAME

Notification under Article 12 of the Agreement: Export prohibitions and restrictions

1 DESCRIPTION OF PRODUCT:

XXXX

2 TARIFF ITEM NUMBER(S):

XXXXX

3 NATURE OF, AND JUSTIFICATION FOR, MEASURE TO BE INTRODUCED:

XXXX

4 DURATION OF APPLICATION OF MEASURE:

From: Day Month Year

To: Day Month Year

XXXX

Example

Table ER:1

EXPORT RESTRICTIONS: Former Yugoslav Republic of Macedonia

Notification under Article 12 of the Agreement: Export prohibitions and restrictions

(1) **Description of product:** Wheat and meslin

(2) **Tariff item number(s):** Product from HS 1001

(3) **Nature of, and justification for, measure to be introduced:**

Pursuant to Article XI, paragraph 2(a) of GATT 1994 and in accordance with Article 12, paragraph 1 of the Agreement on Agriculture, the Government of the Republic of Macedonia will introduce a temporary ban on the exports of the product above as from 10 March 2011.

The Republic of Macedonia will adopt the above-mentioned measure to prevent a serious shortage in the domestic market of the product in question.

The Republic of Macedonia is prepared to enter into consultations, under Article 12, paragraph 1(b) of the Agreement on Agriculture, with any Member having a substantial interest as an importer.

(4) **Duration of application of measure:**

The measure will be applied for a period of six months.



Example (G/AG/N/MKD/26)

Table ER:1

EXPORT RESTRICTIONS: NORTH MACEDONIA

Notification under Article 12 of the Agreement: Export prohibitions and restrictions

1 DESCRIPTION OF PRODUCT:

See table below.

2 TARIFF ITEM NUMBER(S):

See table below.

3 NATURE OF, AND JUSTIFICATION FOR, MEASURE TO BE INTRODUCED:

Due to the COVID-19, the Government of the Republic of North Macedonia via its Decision of No. 70, dated 20.03.2020, adopted a measure on the prohibition of exports of wheat and meslin, as well as wheat flour with aim to protect human health and prevent relieve critical shortage of essential products. North Macedonia has already submitted QR notification to the Committee on Market Access, dated 31 March 2020.

4 DURATION OF APPLICATION OF MEASURE:

The measure will be effective till 30 April 2020, starting from the date of its entry into force on 20 March 2020.

List of products subject to export prohibition

Tariff line code(s) affected, based on HS (2017)	Detailed Product Description
3	4
1001 19 00 00 1001 91 90 00 1001 99 00 00	Wheat and meslin
1101 00	Wheat flour



ER Notifications since 1995



Members	1995-99	2000-04	2005-09	2010-14	2015-19	2020-24	Total
Bulgaria		1					1
Czech Republic	2						2
EU						5	5
Georgia						1	1
Hungary	2	2					4
Kazakhstan						7	7
Kyrgyz Rep.			1	1		4	6
Malaysia						3	3
Moldova, Rep. of				2			2
Morocco						1	1
Myanmar						2	2
Poland	1						1
North Macedonia		1		2		1	4
Thailand						5	5
Ukraine				5		2	7
Viet Nam						1	1
Total	5	4	1	10		32	52

Notification of Export Restrictions Discussions in the WTO



- Communications by some Members on how to improve transparency both in the context of both regular CoA and in CoA Special Session
- Including following items:
 - ☐ Timing of notification (*“as far in advance as practicable”*)
 - ☐ Nature of information to be provided
 - ☐ Coverage of “foodstuffs”
 - ☐ Determination of *“Net food exporter of the specific foodstuff concerned”*
 - ☐ Possible exemptions: WFP (MC-12), LDCs/NFIDCs? En-route?



For further information:

Members' transparency toolkit

https://www.wto.org/english/tratop_e/agric_e/ag_notif_e.pdf

Handbook on Agriculture Notifications

Pages 127-129

World Trade Organization

Agriculture and Commodities Division

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