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Export licensing in the WTO context

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World Trade Organization

Economic Research and Statistics Division

EXPORT LICENSING IN THE WTO CONTEXT

Carlo Gamberale* and Irina Tarasenko†

Manuscript date: 15 September 2023

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Abstract

This paper addresses the issue of export licensing procedures in the WTO context. It aims to contribute to the understanding of the existing rules applicable to export licensing in the WTO, and what the development of specific disciplines would mean to international trade. The paper looks at the definition of export licensing, the past discussions on developing specific rules on export licensing in the GATT and in the WTO, the existing WTO rules applicable to export and import licensing of goods and services, and the surge in export restricting measures and export licensing implemented by several Members in the context of COVID-19 pandemic and the conflict in Ukraine.

Key words: trade policy, export licensing, export restrictions

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1 INTRODUCTION

1.1. The COVID-19 pandemic and the conflict in Ukraine have led to a wave of export restricting measures and related export licensing procedures. Several WTO Members adopted these measures to prevent shortages of goods; to protect human, animal or plant life or health; and/or to pursue national security interests. While some of these measures have been rolled back, others remain in place. This surge in restrictions and their continued application has brought the spotlight on WTO rules disciplining export restrictions and export licensing.

1.2. This paper addresses the issue of export licensing procedures in the WTO context. Specifically, it aims to contribute to the understanding of the existing rules applicable to export licensing in the WTO, and what the development of specific disciplines would mean to international trade. In doing so, the paper looks at the definition of export licensing, the past discussions on developing specific rules on export licensing in the GATT and in the WTO, the existing WTO rules applicable to export and import licensing of goods and services, and the surge in export restricting measures and export licensing implemented by several Members in the context of two above mentioned crises.

1.3. The paper finds that, from the international trade viewpoint, export licensing presents similar challenges as import licensing. It can be used to pursue policy objectives in a transparent and non-trade restrictive manner, but it can also have a chilling effect on international trade if it is arbitrary and opaque and/or adds to the trade restrictiveness of the measure it is used to implement. Developing disciplines on export licensing procedures could add an important element of transparency to international trade by ensuring that the licensing process is neutral, fair, equitable, and no more burdensome than necessary. Where relevant this paper draws upon the experience of several WTO Members. These examples are merely illustrative of a general point made in this paper.

1.4. This paper is structured as follows. First, it provides a definition of import and export licensing procedures as well as an overview of the main policy objectives underlying import and export licensing procedures. Second, it focuses on the evolution of disciplines on licensing procedures in the GATT and in the WTO, which has resulted mainly in the development of disciplines on import licensing procedures. Third, it turns to the description of various attempts in the GATT and in the WTO at developing disciplines on export licensing procedures. Fourth, it distinguishes between export restrictions and related export licensing procedures and the WTO applicable rules. Fifth, it describes export restrictions and export licensing procedures implemented in the context of COVID- 19 and the conflict in Ukraine. Finally, it looks at various issues related to developing rules on export licensing. In Annex I, several examples of existing export restrictions and related export licensing procedures are provided.¹ Annex II lists export restricting measures in relation to COVID- 19 and the conflict in Ukraine, implemented by WTO Members, relying on the WTO Secretariat Trade Monitoring Section's collection, WTO notifications and other public sources.

2 BACKGROUND ON IMPORT AND EXPORT LICENSING PROCEDURES

2.1 What are import and export licensing procedures

2.1. Import licensing is defined by Article 1.1 of the WTO Agreement on Import Licensing Procedures "as administrative procedures used for the operation of import licensing regimes", which require "the submission of an application or other documentation ... to the relevant administrative body as a prior condition for importation into the customs territory of the importing Member". Excluded from this definition are application of other documentation requirements for customs purposes.

2.2. During the Doha round negotiations, Japan included a definition of export licensing procedures in its proposed Protocol on Transparency in Export Licensing to the GATT 1994. Article 1 of this proposal provided the following definition of export licensing, which mirrors the definition of import licensing in Article 1.1 of the Agreement on Import Licensing Procedures: "Export licensing means any administrative procedures involving the submission of an application or other documentation (i.e., other than that required for customs purposes) to the relevant administrative body or bodies

¹ The list of export licensing regimes is clearly not exhaustive, and it is provided only as example. As we discuss further below, often the most restrictive export regimes are those which are not implemented by means of an export licensing regime. This paper briefly describes the export licensing regimes of the following WTO Members: Botswana, Chile, China, European Union, Japan, Republic of Korea, Mexico, Switzerland, United Kingdom, United States and Zimbabwe.

as a prior condition for exportation from the customs territory of the exporting Member".² Early Uruguay Round drafts of the Import Licensing Agreement, including options expanding the agreement to cover export licensing, contained also a definition of export licensing mirroring import licensing.³

2.3. The United States International Trade Administration defines an export license as "a government document that authorizes or grants permission to conduct a specific export transaction" and notes that "[e]xport licenses are issued by the appropriate licensing agency after a careful review of the facts surrounding the given export transaction".⁴ Gerlach, a company specializing in customs services, defines export license as "a government document that indicates an approval to export specific number of goods to specified countries". It notes that certain goods such as protected animal species (CITES), narcotics and dual-use goods "are subject to special surveillance by the authorities and may only be exported by the organisation that holds the export licence".⁵

2.4. While import and export licenses concern different stages in international trade, the steps and the processes involved are the same. They concern obtaining a government authorization to import or export. This will normally involve submitting applications and documentations to relevant government authorities as condition to import or export.

2.2 Policy objectives underlying import and export licensing procedures

2.5. Both import and export licensing procedures are generally used by governments to keep track of import/export statistics and conduct market surveillance; to apply import/export restrictions to pursue various policy objectives; and to administer quantitative restrictions. Depending on the nature of the imported and exported goods and their proposed destination, governments use licensing or control systems to pursue different policy objectives. These include: (i) protection of human, animal, plant life and health; (ii) safeguarding the environment; (iii) national security; and (iv) compliance with obligations under various international treaties and arrangements.

2.6. When it comes to health and environmental protection, importing Members aim to ensure that any good entering their territory complies with their domestic regulations and standards and do not pose any risk to human and animal health and the environment. Exporting Members also aim to ensure that export permit and license holders satisfy the necessary conditions and requirements relating to the same objectives. Many WTO Members are also parties/signatories to various international agreements and regimes. Often these international arrangements control import, transit, and export of specific products for a variety of policy objectives. For example, the Kimberley Process Certification Scheme (KPCS) establishes a series of minimum requirements – defined in the KPCS Core Document – that each Participant must comply with when exporting or importing rough diamonds which are aimed at removing conflict diamonds from the global supply chain. Those WTO Members that are Participants to the KPCS request their importers and exporters of rough diamonds to obtain an import/export license from the relevant authority(ies).⁶ Furthermore, WTO Members use import/export licensing when it comes to implementing national security policy objectives. For instance, both import and export controls are used to prevent the proliferation of Weapons of Mass Destruction (WMD), thus contributing to international peace and security.⁷ Similarly, export and import controls are often in place when governments pursue some specific foreign policy objectives such as imposition of trade sanctions and embargoes. Export licensing or authorization mechanisms are also imposed by governments to introduce more control over supplies and address the lack of transparency over exports of specific products.

² TN/MA/W/15/Add.4/Rev.7, 23 November 2010.

³ Agreement on Import Licensing Procedures, Status of Work, Revision, MTN.GNG/NG8/W/83/Add.1/Rev.1, 20 September 1990; Agreement on Import Licensing Procedures, Status of Work, Second Revision, MTN.GNG/NG8/W/83/Add.1/Rev.2, 9 October 1990.

⁴ See, International Trade Administration, at <https://www.trade.gov/export-licenses>.

⁵ See, Gerlach Custom Glossary, at [What is an Export Licence? Customs Terms & Definitions | Gerlach \(gerlach-customs.com\)](http://www.gerlach-customs.com).

⁶ This requirement is additional to the minimum standard requirements set out in the KPCS core document.

⁷ Specific international arrangements exist only for exports - multilateral export control regimes, such as the Australia Group, the Wassenaar Arrangement, the Nuclear Suppliers Group and the Missile Technology Control Regime.

2.3 Main trade restrictive aspect of import and export licensing procedures

2.7. As mentioned above licensing procedures are also used by governments to restrict or prohibit imports in pursuance of policy objectives and to administer quantitative restrictions (that is, to manage quota allocations). GATT Article XI generally prohibits restrictions on the importation and exportation of any product by stating that:

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 or maintained by any contracting party on the importation of any product of the territory of any other contracting party or on the exportation or sale for export of any product destined for the territory of any other contracting party.

2.8. The GATT provides exceptions to this fundamental principle. Import and export restrictions can be introduced or maintained by WTO Members in keeping with their obligations under the WTO covered agreements, provided they fulfil the conditions set out in the relevant exceptions.⁸ Licensing procedures are generally put in place by Members to administer such restrictions. Licensing procedures permit and at the same time control imports and exports under the restrictive conditions and set out the steps importers and exporters need to undertake to import or export under such conditions. As such, they can add an important element of transparency to the trade restrictive measure, but they can also have the opposite effect if they are arbitrary and opaque and/or add to the trade restrictiveness of the measure. Licensing regimes can add additional complexity to importation or exportation of certain products. For instance, through multiple, conflicting and changing regulations containing the rules and list of products subject to licensing; excessively stringent or unreasonable application and documentation requirements; opaque application and importation procedures. The WTO Agreement on Import Licensing Procedures addresses the potential trade restrictive impact of licensing procedures and specifically sets out that "the rules for import licensing procedures shall be neutral in application and administered in a fair and equitable manner"⁹ and that they shall not have "trade restrictive or trade distortive effects ... additional to those caused by the imposition of the restriction".¹⁰

3 LICENSING PROCEDURES IN THE GATT AND IN THE WTO

3.1 GATT

3.1. Basic rules on import and export licensing procedures are contained in Articles VIII, X and XIII of the GATT 1994. Article VIII, entitled "Fees and Formalities connected with Importation and Exportation", states in paragraph 1(c) that Members "recognize the need for minimizing the incidence and complexity of import and export formalities and for decreasing and simplifying import and export documentation requirements". Article VIII:4 clarifies that "[t]he provisions of this Article shall extend to fees, charges, formalities and requirements imposed by governmental authorities in connection with importation and exportation, including those relating to: ... (c) licensing ... (f) documents, documentation and certification ...". Article VIII of the GATT 1994 sets out a very broad framework for both import and export licensing procedures. As considered by the unadopted GATT panel report on "EEC – Import Regime for Bananas" the rules set out in Article VIII:1(c) concern "import formalities and documentation requirements", that is to say the "procedures" and not the substantive trade regulation that such procedures are meant to enforce:

The Panel then examined whether the banana import licensing procedures were consistent with Article VIII:1(c), in which contracting parties recognize the need to minimize the incidence and complexity of import formalities and to simplify import documentation requirements. The Panel noted that Article VIII:1(c) refers to import formalities and documentation requirements, not to the trade regulations which such formalities or requirements enforce. It further noted that the complaining parties had

⁸ These exceptions permit the imposition of restrictions under limited conditions, and only if taken on policy grounds allowed under the GATT, such as preventing or relieving critical shortages of foodstuffs or other essential products (Article XI:2(a)), balance of payments difficulties (Articles XII and XVIII), general exceptions (Article XX), security exceptions (Article XXI).

⁹ WTO Agreement on Import Licensing Procedures, Article 1.

¹⁰ WTO Agreement on Import Licensing Procedures, Article 3.

criticized the complexity of the EEC's banana import regulations but that they had not submitted any evidence substantiating that the EEC's import formalities and import documentation requirements, by themselves, were more complex than necessary to enforce these regulations. The Panel therefore found that the complaining parties had not demonstrated that the EEC had acted inconsistently with Article VIII:1(c).¹¹

3.2. Whilst this GATT panel clarified that Article VIII concerns exclusively the procedural aspect of licensing, it is undisputed that both import and export licensing procedures are subject to the disciplines of Article VIII.

3.3. Article X:1 of the GATT 1994 requires that "[l]aws, regulations, judicial decisions and administrative rulings of general application ... pertaining to requirements, restrictions or prohibitions on imports and exports ... shall be published promptly in such a manner as to enable governments and traders to become acquainted with them." Moreover, Article X:3(a) states that WTO Members are to administer the measures listed in paragraph 1 "in a uniform, impartial and reasonable manner".

3.4. Article XIII of the GATT 1994 provides detailed rules for the non-discriminatory administration of quantitative restrictions. While the provisions of Article XIII are mainly focused on import restrictions, paragraph 5 states that "[t]he provisions of this Article shall apply to any tariff quota instituted or maintained by any contracting party, and, in so far as applicable, the principles of this Article shall also extend to export restrictions".

3.5. As we consider further below, successive developments and expansion of the disciplines of Articles VIII, X and XIII of the GATT 1994 in the GATT and in the WTO contexts has focused almost exclusively on import licensing procedures.

3.6. In the early 1970s, the Working Group on Licensing of the GATT Committee on Trade in Industrial Products, debated the extent to and manner in which licensing operated as an import restriction and possible solutions to the barrier effects of licensing. While the Working Group could not agree on a set of rules on licensing procedures, it agreed on a review of Members' licensing systems through a questionnaire eliciting replies by governments describing the working of licensing systems actually in use.¹² The questionnaire started as a one-off exercise to be completed within three months¹³ and was later converted into a standing transparency exercise and an annual notification obligation. On the basis of a report by the Committee on Trade in Industrial Products, at their Twenty-Eight Session in November 1972, GATT Contracting Parties decided that the data assembled through the questionnaire by the Working Group on Licensing should be kept up to date and that GATT Contracting Parties should notify annually, by 30 September, any changes to their licensing procedures.¹⁴

3.7. The GATT obligation to respond to the questionnaire on an annual basis was carried over by the WTO Import Licensing Agreement, which included this requirement in Article 7.3. The WTO Import Licensing Questionnaire¹⁵ is nearly identical to the 1971 GATT questionnaire¹⁶ and discussions are ongoing in the Committee on Import Licensing Procedures about reforming and updating the questionnaire.

3.2 Tokyo Round Code on Import Licensing Procedures

3.8. GATT Contracting Parties' efforts at developing disciplines on licensing procedures in the 1970s successfully resulted in the adoption of the Tokyo Round Agreement on Import Licensing Procedures ("Tokyo Round Import Licensing Code"). The Tokyo Round Import Licensing Code only applied to a limited number of GATT Contracting Parties and focused only on import licensing procedures, thus excluding export licensing procedures. It introduced some basic rules on import licensing

¹¹ Unadopted GATT panel report on "EEC – Import Regime for Bananas", DS38/R, 11 February 1994, para. 151.

¹² Committee on Trade in Industrial Products, Report of Working Group 4 on Non-Tariff Barriers, COM.IND/W/49, 21 December 1970, paras. 36-42.

¹³ GATT/AIR/849, 23 March 1971.

¹⁴ GATT/AIR/1035, 2 August 1973.

¹⁵ Document G/LIC/3 of 7 November 1995.

¹⁶ Document L/3515 of 23 March 1971.

procedures, including automatic and non-automatic import licensing, and instituted a Committee on Import Licensing Procedures. Nevertheless, its substantive disciplines and notification requirement were limited in scope.

3.3 WTO Agreement on Import Licensing Procedures

3.9. During the Uruguay Round, the Tokyo Round Import Licensing Code was renegotiated and converted into the WTO Agreement on Import Licensing Procedures and its disciplines became binding upon all WTO Members. The changes made to the Tokyo Round Import Licensing Code related to: (i) publication and notification requirements; (ii) application procedures; (iii) non-automatic import licensing; (iv) consultations and dispute settlement; and (v) review of the Agreement.¹⁷ As stated in the preamble, the main objective of the Agreement is to simplify and bring transparency to import licensing procedures. It also strives to ensure that these procedures are applied in a fair and equitable manner and do not have a restrictive or distortive effect on imports.

3.10. The Agreement on Import Licensing Procedures requires that the rules for import licensing procedures be neutral in application and administered in a fair and equitable manner, be published before their entry into force, and that any new licensing procedures and changes thereof be notified to the WTO. It sets out general rules regarding the submission of applications and documentation, as well as specific disciplines for automatic and non-automatic import licensing procedures, including on matters such as simplicity of applications and documentation, periods for processing and approving applications, eligibility to apply, period of license validity, license allocation in the case of quotas, minor errors in applications and relevant administrative bodies. The Agreement establishes a Committee on Import Licensing Procedures, which meets regularly and oversees the operation of the Agreement and the furtherance of its objectives.

3.4 Other WTO rules on licensing procedures: Article VI of the GATS

3.11. Article VI:4 of the GATS ("Domestic Regulation") mandates the Council for Trade in Services to develop disciplines to ensure that "measures relating to qualification requirements and procedures, technical standards and licensing requirements do not constitute unnecessary barriers to trade in services". In particular, Article VI:4 mandates the Council for Trade in Services to develop disciplines aiming to ensure that "licensing procedures" are "not in themselves a restriction on the supply of the service".

3.12. Negotiations on domestic regulation in services have been taking place in the Working Party on Domestic Regulation since 1999. Successive drafts of possible Article VI:4 disciplines have included specific provisions on services licensing procedures, bearing significant similarity to the trade in goods provisions of the Agreement on Import Licensing Procedures.¹⁸ The latest draft of Article VI:4 disciplines on domestic regulation was produced in the context of the Joint Initiative on Services Domestic Regulation in the form of a "reference paper" for Members to inscribe in Section II in their Schedules as additional commitments under Article XVIII of the GATS.¹⁹ The draft includes provisions on licensing procedures concerning submission of applications, applications timeframes,

¹⁷ With respect to publication requirements, the new Agreement added provisions related to publication of import licensing rules 21 days prior to their effective date and the opportunity to comment on these rules by other Members. Application procedures were updated with an indication of time periods for submission and a limitation on the number of administrative bodies to be approached. In the provisions on non-automatic import licensing emphasis was added to the scope, duration and administrative burden of the procedures implementing a measure. The new Import Licensing Agreement elaborated on the concrete rules on processing of non-automatic import licensing applications and emphasized the publication of information related to the allocation of quotas and the requirements other than the implementation of quantitative restrictions.

Additional and more specific notification requirements concerned: (i) the obligation to notify sources where the information on import licensing procedures is published (Art. 1.4(a)); (ii) the notification of import licensing procedures and any changes to these procedures (Article 5); and (iii) the obligation to complete the annual questionnaire (Article 7.3). With respect to Consultation and Dispute Settlement, the WTO Dispute Settlement Understanding applies to the new Import Licensing Agreement. Finally, Members also clarified the basis for a factual report to be prepared as part of the two-year review of the implementation and operation of the Agreement.

¹⁸ See Disciplines on Domestic Regulation Pursuant to GATS Article VI:4, Chairman's Progress Report, Working Party on Domestic Regulation, S/WPDR/W/45, 14 April 2011.

¹⁹ Draft Reference Paper on Services Domestic Regulation, Joint Initiative on Services Domestic Regulation, Note by the Chairperson, Revision, INF/SDR/W/1/Rev.2, 18 December 2020.

electronic applications and acceptance of copies, processing of applications and fees. While these disciplines concern licensing procedures for services and service suppliers, there are significant similarities among the services disciplines being developed and the analogous goods related disciplines of the Agreement on Import Licensing Procedures.

4 GATT AND WTO EFFORTS AT DEVELOPING RULES ON EXPORT LICENSING PROCEDURES

4.1. As noted above, the substantive provisions of Article XI of the GATT 1994 prohibit both import and export restrictions. In a parallel way, the procedural rules in Articles VIII, X and XII of the GATT 1994 apply also to both import and export licensing procedures. Article VIII refers explicitly to "the need for minimizing the incidence and complexity of *import and export* formalities and for decreasing and simplifying *import and export* documentation requirements" and it clarifies that it applies to " ... formalities and requirements imposed by governmental authorities in connection with importation and exportation, including those relating to ... licensing ...". Both Articles X and XIII state that they apply to import and export restrictions.

4.1 Early GATT years

4.2. Early GATT work on licensing procedures focused both on import and export licensing. In 1950, at the Torquay Session, GATT Contracting Parties adopted Standard Practices for the Administration of Import and Export Restrictions and Exchange Controls ("Torquay Standard Practices"), which set forth some basic principles on import and export licensing procedures. These included: (i) the non-application of new or intensified restrictions to goods *en route*; (ii) action "within a reasonable short period" upon applications for import and export licenses; (iii) validity of import and export licenses for a period sufficient to allow for the production and delivery of the goods; (iv) not withdrawing licenses or permits unless exceptional circumstances justify it; (v) sympathetic consideration to requests for renewal or revalidation; (vi) rules on quota allocation; and (vii) reasonable tolerance for variations in the quantity or value of individual shipments from that specified in the prior import or export authorization.²⁰ We observe that all these principles were further developed in the Tokyo Round Import Licensing Code and in the WTO Agreement on Import Licensing Procedures only in respect of *import* licensing procedures. Nevertheless, in the Torquay Standard Practices, they applied to both *import* and *export* licensing procedures.

4.2 Tokyo Round

4.3. During the Tokyo Round of multilateral trade negotiations, Japan and the United States proposed the development of "GATT rules on export restrictions" emphasizing the need for greater comparability between GATT rules for handling export restrictions and those for handling import restrictions. They suggested focusing on the question of fair administration of export restrictions, notification, consultation, temporariness and non-discrimination.²¹ Ultimately no disciplines on export restrictions were agreed in the context of the Tokyo Round and Tokyo Round Agreement on Import Licensing Procedures focused only on *import* licensing procedures. At the end of the Tokyo Round the Director-General of the GATT stated that "the priority tasks for the GATT Contracting Parties in the post-Tokyo Round period will be to reassess the GATT provisions relating to export restrictions and charges in the context of the international trade system as a whole".²²

4.3 Uruguay Round

4.4. During the negotiation of the Uruguay Round WTO Agreement on Import Licensing Procedures specific proposals for the adoption of disciplines on export licensing procedures were made by the European Communities and India. These proposals, however, did not result in the inclusion of any disciplines on export licensing procedures in the WTO Agreement on Import Licensing Procedures. As early as 1987, the European Communities proposed the inclusion of disciplines on export licensing procedures in the revised Import Licensing Agreement noting that "[t]he application of measures

²⁰ Report of Working Party "G" on Standard Practices for Import and Export Restrictions and Exchange Controls, Contracting Parties Fifth Session, GATT/CP.5/30/Rev.1, 4 December 1950.

²¹ Note by the Acting Chairman of Group, Multilateral Trade Negotiations, Group Framework, MTN/FR/W/20, 12 December 1978.

²² Enhancement of Disciplines for Quantitative Export Restrictions on Natural Resources Such as Minerals, Communication from Japan, Negotiating Group on Market Access, JOB(06)/14, 1 February 2006, para. 11.

that restrict exports provides grounds for considering the possibilities of extending the scope of the Code to cover administrative procedures used to administer such restrictions".²³ The issue of export licensing remained on the table throughout the Uruguay Round and gained momentum in 1990 when it was argued that the negotiated agreement should cover both import and export licensing procedures.²⁴ It was noted that the sole purpose of the negotiated Agreement on Import Licensing Procedures was to ensure that import licensing procedures did not have additional trade restrictive effects beyond measures they were designed to implement and that the same objective was equally applicable for export licensing procedures. In this context, it was recalled that while GATT Contracting Parties might have legitimate reasons for imposing export restrictions, it was necessary to ensure that the licensing procedures themselves were trade neutral. It was also noted that covering both import and export licensing restriction in the negotiated agreement would reflect the balance in Article XI of the GATT which addressed both import and export restrictions.²⁵

4.5. Drafts of the Agreement on Import Licensing Procedures at the end of 1990 contained also proposed changes in the text of the agreement "to make it applicable to licensing procedures in general (i.e. imports and exports)". Interestingly, the proposed changes consisted largely in deleting the word "import" before "licensing" in several provisions and adding the words "or export" after "import" in other provisions of the draft agreement.²⁶ At the end of October 1990, a broad agreement on the text of the WTO Agreement on Import Licensing Procedures existed among GATT Contracting Parties. The only outstanding issue was that India wanted the agreement to cover also export licensing or, as an alternative, that a GATT working party be established to consider rules on export licensing as part of the post-Uruguay Round work programme. Ultimately, India lifted its reservation and the agreement was adopted with no references to export licensing.²⁷

4.4 Doha Round

4.6. The issues of disciplines on export restrictions and export licensing resurfaced in the Negotiating Group on Market Access during the Doha Round of multilateral negotiations. Japan first submitted a concept paper making the case for developing enhanced procedural requirements and transparency of export restrictions, in particular in respect of minerals. It noted the imbalance between the detailed provisions on import restrictions in Articles X, XI, XIII of the GATT and the Agreement on Import Licensing Procedures and the broad discretion Members enjoyed in the implementation of export restrictions. International trade policy and rules tended to focus on market access and import restrictions and, as a consequence, provisions regarding export restrictions were less explicit and less precise than those for import restrictions.²⁸

4.7. Japan submitted a text-based proposal for an Agreement on Export Licensing Procedures in April 2006. It noted that while their initial concern was transparency with respect to export restrictions on mineral resources, their proposal had a horizontal scope considering that similar concerns existed in other sectors. The essence of Japan's proposed rules on export licensing consisted in: (i) procedures for publication of the rules and administration of export restrictions; (ii) notification procedures to a Committee; (iii) publication of relevant statistics, such as domestic production. In a very similar fashion to the proposal tabled during the Uruguay Round negotiations, Japan's Doha Round initial proposal for an Agreement on Export Licensing Procedures is a text entirely based on the Agreement on Import Licensing Procedures with some key modifications. The structure and all the provisions of the Agreement on Import Licensing Procedures are kept, and the word "import" is replaced with the word "export" throughout the text. Unlike the Uruguay Round proposal which would have resulted in one single agreement on import and export licensing, Japan's proposal creates a parallel and almost identical agreement on export licensing. In addition, Japan's

²³ Communication from the European Communities, Negotiating Group on MTN Agreements and Arrangements, MTN:GNG/N8/W17, 16 November 1987.

²⁴ Negotiating Group on MTN Agreements and Arrangements, Meeting of 20 July 1990, MTN.GNG/NG8/19, 23 July 1990.

²⁵ Negotiating Group on MTN Agreements and Arrangements, Meeting of 18 October 1990, MTN.GNG/NG8/21, 29 October 1990.

²⁶ Agreement on Import Licensing Procedures, Status of Work, Revision, MTN.GNG/NG8/W/83/Add.1/Rev.1, 20 September 1990; Agreement on Import Licensing Procedures, Status of Work, Second Revision, MTN.GNG/NG8/W/83/Add.1/Rev.2, 9 October 1990.

²⁷ See Reshaping the World Trading System, A History of the Uruguay Round, John Croome, World Trade Organization, 1995, at p. 214.

²⁸ Enhancement of Disciplines for Quantitative Export Restrictions on Natural Resources Such as Minerals, Communication from Japan, Negotiating Group on Market Access, JOB(06)/14, 1 February 2006.

proposal (i) inserted a new provision on "non-discriminatory administration of quantitative restriction" that was meant to mirror and strengthen the detailed rules of Article XIII:2 to XIII:5 for export licensing; and (ii) provided for the establishment of a Committee on Export Licensing, effectively composed of the same Chairperson, vice-Chairperson and representatives as the Committee on Import Licensing, established under the Agreement on Import Licensing Procedures.²⁹

4.8. Japan's Doha Round proposal was revised several times, as more Members joined in co-sponsoring the proposal. The latest revision from 2010 was a proposal on "Enhanced Transparency on Export Licensing" that was co-sponsored by Chile, Costa Rica, Japan, the Republic of Korea, Chinese Taipei, Ukraine and the United States. This proposal was scaled down as compared to the initial proposal for a full Agreement on Export Licensing Procedures replicating the existing Agreement on Import Licensing Procedures. It contained: (i) a definition of export licensing procedures, mirroring the definition of import licensing procedures in Article 1.1 of the Agreement on Import Licensing Procedures; (ii) detailed rules of notification of existing measures on export licensing, new measures and modifications thereof; (iii) provision of information on export licensing measures upon request; (iv) treatment of confidential information; and (v) a mechanism for review of the implementation and operation of these rules at least every two years.³⁰

5 WTO PROVISIONS APPLICABLE TO EXPORT RESTRICTIONS AND EXPORT LICENSING

5.1. As noted above, while Article XI of the GATT 1994 contains a broad general prohibition on import and export restrictions, WTO Members may introduce or maintain such restrictions if they fall under one of the several WTO exception provisions. These exception provisions range from the protection of human health and life, the protection of the environment, preventing or relieving critical shortages of foodstuffs or other essential products, balance of payment difficulties, safeguard measures and national security. There is thus a broad range of export restricting measures that Members can take, consistently with their WTO obligations. For instance, a quota on a given product can be imposed as a safeguard measure, consistently with Article XIX of the GATT 1994 and the Safeguard Agreement; a restriction on the exportation of firearms can be imposed consistently with the Article XX exception relating to human life and health; and a restriction on the exportation of nuclear materials can be imposed consistently with the national security exception of Article XXI of the GATT 1994. Similarly, a WTO Member could implement a restriction on the exportation of pharmaceutical products necessary to protect human life and health under Article XX of the GATT 1994 or to prevent or relieve critical shortages of essential products under Article XI:2(a) of the GATT 1994.³¹

5.2. Import and export restrictions, falling short of outright bans, will generally require some sort of licensing system to be implemented. To the extent importers and exporters are allowed to import and export under restrictive conditions, authorities would need to check that only entities allowed to import or export do so and under the conditions and in the quantities prescribed under the trade restrictive measure. Depending on how they are designed and applied, licensing systems may facilitate trade or add an additional burden to the trade restriction they implement. Trade will be facilitated, if licensing systems are transparent and provide for streamlined and predictable procedures. In contrast, licensing systems that lack in transparency and/or contain burdensome and arbitrary requirements will add to the trade restrictiveness of the measure that they are supposed to administer.

5.3. Articles VIII (Fees and Formalities connected with Importation and Exportation), X (Publication and Administration of Trade Regulations), XI (General Elimination of Quantitative Restrictions) and XIII (Non-discriminatory Administration of Quantitative Restrictions) of the GATT 1994 all contain rules that apply to both import and export licensing procedures. These, rules are not, however,

²⁹ Market Access for Non-Agricultural Products, Text-Based Proposal for Negotiations on Enhanced Transparency on Export Restrictions, Communication from Japan, Addendum, TN/MA/W/15/Add.4, 18 April 2006.

³⁰ Market Access for Non-Agricultural Products, Text-Based Proposal for Negotiations on Enhanced Transparency on Export Restrictions, Communication from Japan, Addendum, TN/MA/W/15/Add.4/Rev.7, 23 November 2010.

³¹ GATT 1994 contains four other articles related to exceptions to quantitative restrictions. These include: Article XII (covers the exceptions to Article XI for balance of payments reasons); Article XIII (in case exceptions are used and quantitative restrictions are applied, they must be applied in a non-discriminatory basis, which is similar to a Most-Favoured-Nation basis); and Article XIV (covers the exception to Article XIII in certain balance of payments cases).

sufficiently detailed to address all trade restrictive aspects of licencing procedures. The Agreement on Import Licensing Procedures contains detailed rules aimed at ensuring that import licensing regimes are transparent, neutral in application and not an additional restriction to the restrictive measure they administer. No similar rules exist for export licensing procedures, in spite of various negotiating attempts over the past 70 years under the GATT and the WTO.

5.4. Annex I provides an overview of export licensing regimes existing in some WTO Members. The list of export licensing regimes is clearly not exhaustive, and it is provided only as example.

6 EXPORT RESTRICTIONS AND EXPORT LICENSING MEASURES IMPLEMENTED BY MEMBERS IN THE CONTEXT OF COVID-19 CRISIS AND THE CONFLICT IN UKRAINE

6.1. The COVID-19 pandemic that began in early 2020 has led several WTO Members to adopt export restricting measures on goods such as personal protective products, medical equipment, medical supplies and medicines, including COVID-19 vaccines. These measures have in some cases been accompanied by implementing export licensing procedures.

6.2. In addition, as part of national and / or international response to the conflict in Ukraine, several WTO Members introduced export restrictions (e.g., quotas, prohibitions, export licensing procedures) on various agricultural products and fertilizers, as well as sanctions, largely in a form of export bans.

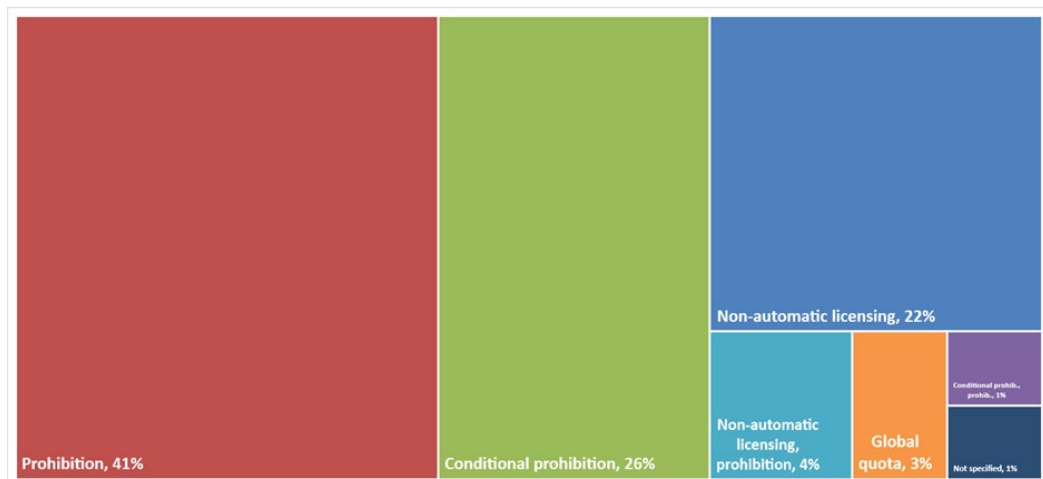
6.3. This wave of new export restricting measures has brought the spotlight on WTO rules disciplining export restrictions and export licensing.

6.1 Export restricting measures implemented during COVID-19

6.4. During the period from March 2020 to October 2022, WTO Members notified 68 measures that prohibit or restrict exports (including export prohibitions, prohibitions except under defined conditions, quotas, and export licensing procedures). These measures were imposed on various types of personal protective products, medical equipment, medical supplies and medicines. Most Members who introduced export restrictions used Article XI:2(a), that allows restrictions necessary to address supply shortages, and/or Article XX(b), that allows measures necessary to protect human, animal or plant life or health. As of 13 April 2023, three-fourths of these measures either expired or were terminated by Members (Annex II, Table 1 and Chart 1). One fourth of these measures notified to the WTO have taken the form of export licensing (22%).³²

³² In addition, out of the 68 measures, 28 measures took the form of prohibitions, 18 of prohibition except under defined conditions, and two of global quotas.

Chart 1 Export restrictions on COVID-19 related products, by Type of Measure (Percentage)



Source: WTO Secretariat.

6.5. According to the information from the Trade Monitoring Exercise, at least 29 measures that restrict or prohibit export have not been notified to the WTO. More than three-fourths of these measures have expired or have been terminated by Members (76%). While the majority of 29 measures took the form of export prohibitions or bans, almost one fourth of them took the form of export licensing (24%) (Annex II, Table 2)³³. When a Member introduces an export restriction or prohibition, this has to be notified to the WTO Committee on Market Access (as provided for in a Decision of the Council on Trade in Goods on notification Procedures for Quantitative Restrictions). In addition, Article 12 of the Agreement on Agriculture requires Members to notify the Committee on Agriculture of any prohibitions or restrictions on foodstuffs introduced pursuant to Article XI:2(a) of the GATT 1994. These notifications, including the information they contain, allow other Members and traders to become familiar with the scope and time frame of new measures.

6.2 The EU export authorisation scheme for COVID-19 vaccines

6.6. In January 2021, the European Commission implemented an export authorisation scheme for COVID-19 vaccines. The time-limited mechanism, which was initially meant to last until the end of March 2021, was renewed three times until its expiration on 31 December 2021³⁴. The European Commission listed among the objectives of the measure: (i) transparency of vaccine exports from the European Union; (ii) timely access to COVID-19 vaccines for EU citizens in line with contractual agreements; (iii) limiting the impact on trade partners and most vulnerable countries; and (iv) respecting international obligations and commitments, including under the WTO and the G20.³⁵ As of 1 January 2022, vaccine exporters no longer had to request an authorization. Transparency in vaccine exports was ensured through a new monitoring mechanism that was to provide timely and company-specific vaccine export data.³⁶

6.7. The mechanism covered export of COVID-19 vaccines from companies with whom the European Union had concluded "Advance Purchase Agreements".³⁷ Excluded from the mechanism

³³ This number may be higher given that there are 4 export measures that prohibit or restrict trade for which a type of a restriction has not been specified.

³⁴ European Commission, Export requirements for COVID-19 vaccines, viewed at: https://trade.ec.europa.eu/doclib/docs/2021/february/tradoc_159414.pdf and <https://trade.ec.europa.eu/doclib/press/index.cfm?id=2306>.

³⁵ Commission puts in place transparency and authorisation mechanism for exports of COVID-19 vaccines, <https://trade.ec.europa.eu/doclib/press/index.cfm?id=2239>.

³⁶ European Commission press release, viewed at: https://ec.europa.eu/commission/presscorner/detail/en/IP_21_6283.

³⁷ Astra Zeneca AB, Pfizer/BioNTech, Moderna Switzerland/Moderna Inc, Janssen Pharmaceutica NV, CureVac AG, Sanofi Pasteur/Glaxosmithkline Biologicals S.A, Novavax. In return for the right to buy a specified number of vaccine doses in a given timeframe, the European Commission financed part of the upfront costs faced by vaccines producers in the form of Advance Purchase Agreements (APA). Funding provided was

were exports to: (i) low- and middle-income countries in the COVAX AMC list and exports to other countries through the COVAX facility; (ii) Exports in the context of humanitarian emergency responses; (iii) Donations or resales to third countries when purchased by Member States under contracts by the European Union.

6.8. Under the process authorisation scheme, vaccine manufacturers introduced export requests to the competent authorities of the EU Member States where the vaccines were manufactured. Such requests include: (i) an application form; (ii) the exporting manufacturer's vaccine exports since 30 October 2020; (iii) the number of vaccine doses distributed in the European Union since 1 December 2020 and the estimated production forecast. The EU Member State that received the request notified the European Commission of such a request and then issued within two working days a draft decision, which the European Commission could approve or reject within one working day. The Member State then adopted the decision to authorise or refuse the export, in accordance with the European Commission's opinion. Each request for export authorisation of COVID-19 vaccine was assessed individually and the decision of whether to authorise the export took into consideration the following factors: (i) whether EU contracts with the exporting manufacturer were respected; (ii) that all required information had been provided; (iii) that the security of vaccine supply to the European Union was not jeopardized; (iv) that reciprocity was provided by the destination country, if it was also a supplier of vaccines or vaccine materials; (v) proportionality of the epidemiological situation and vaccination rate between the European Union and the destination country.³⁸

6.3 Other examples of export measures relating to COVID-19 vaccines

6.9. This section provides an overview of export authorization / licensing schemes implemented during the COVID-19 pandemic in the main vaccine producing countries: China, United Kingdom, United States, and the Russian Federation. This list of countries is not exhaustive, and the schemes are provided only as examples.³⁹

6.3.1 China

6.10. China committed to export COVID-19 vaccines to other countries, either donating these vaccines or in return for payment to local manufacturers. It appeared that Türkiye had received three million doses in January 2021 out of ten million doses that had to be delivered by December 2020.⁴⁰ In January 2021, a spokesperson for China addressed the matter saying that the government had initiated vaccination of key populations and that domestic demand was huge. It was also noted that the cooperation (e.g., exports to other countries) was linked to the levels of domestic demand and capacity.⁴¹

6.3.2 United Kingdom

6.11. In August 2020, the UK government signed an 18-month long contract with Indian pharmaceutical company Wockhardt, whose subsidiary, CP International, was based in Wrexham, Wales. CP International was supposed to undertake the critical "fill and finish" stage of vaccine production and provide these "services for the UK government and producers of vaccines being developed around the world in large quantities".⁴² This contract was extended in February 2021 to

considered as a down-payment on the vaccines that would actually be purchased by European Union Member States. <https://trade.ec.europa.eu/doclib/press/index.cfm?id=2239>.

³⁸ See, European Commission online information, at:

https://trade.ec.europa.eu/doclib/docs/2021/february/tradoc_159437.pdf.

³⁹ Other countries were also working on the development and production of COVID-19 vaccines. For example, Argentina finalized the testing of Sputnik-V and AstraZeneca. In Brazil, the Butantan Institute of Sao Paulo started the production of ButanVac, the first vaccine against COVID-19 fully developed locally. The Butantan Institute also started manufacturing of the Chinese CoronaVac vaccine from Sinovac. In addition, Oswaldo Cruz Foundation (Fiocruz) – which was related to the Brazilian Ministry of Health - started manufacturing of the AstraZeneca vaccine.

⁴⁰ Evenett, S., Hoekman, B., Rocha, N., and Ruta, M. (2021), The Covid-19 Vaccine Production Club: Will value chains temper nationalism? World Bank Group. Viewed at:

<http://documents1.worldbank.org/curated/en/244291614991534306/pdf/The-Covid-19-Vaccine-Production-Club-Will-Value-Chains-Temper-Nationalism.pdf>.

⁴¹ See, FMPRC online information, at: https://www.fmprc.gov.cn/web/fyrbt_673021/t1847512.shtml.

⁴² UK government, viewed at: <https://www.gov.uk/government/news/government-further-boosts-uk-vaccine-manufacturing-capacity>.

ensure the United Kingdom's uninterrupted fill and finish capacity and sufficient supplies to protect the British public.⁴³ These type of purchasing agreements negotiated between governments and pharmaceutical companies could have had trade effects to the extent that companies were allowed to export only after they had satisfied the advance purchase obligations.⁴⁴

6.3.3 United States

6.12. There was no formal export restriction on COVID-19 vaccines or vaccine related components (such as, syringes, vials and filters) in the United States. Companies manufacturing COVID-19 vaccines and related materials were free to export them.⁴⁵ However, the United States had invoked the Defence Production Act (DPA)⁴⁶ that essentially gave the President significant emergency authority to control domestic industries. More specifically, it allowed the President, largely through executive orders, to direct private companies to prioritize orders from the Federal Government. In addition, the President was also empowered to "allocate materials, services, and facilities" for national defence purposes, and took actions to restrict hoarding of needed supplies.⁴⁷ Federal agencies used the DPA to address early medical supply shortages of ventilators, N95 respirators, masks and testing supplies.⁴⁸ In January 2021, Executive Orders (13987 and 144001)⁴⁹ were issued to systematize the government recovery efforts and build a stable, secure, and resilient supply chain with increased domestic manufacturing in four sectors: (i) antigen and molecular-based testing; (ii) PPE and durable medical equipment; (iii) vaccine development and manufacturing; and (iv) therapeutics and key drugs.⁵⁰

6.3.4 Russian Federation

6.13. Russia had state-owned vaccine development chains; its vaccine production was carried out by four companies.⁵¹ According to the Russian Direct Investment Fund (RDIF)⁵², which was responsible for the marketing of the vaccine on the global market, the Sputnik-V vaccine was registered in 66 countries around the world. "Licensing" contracts for the local manufacturing of this vaccine were signed with 15 companies in 10 countries. No further details on the nature of these contracts were shared. Brazil, China, India, and Republic of Korea were identified as locations for regional manufactures of the vaccine to satisfy the external demand. Reportedly, the production in

⁴³ The Economic Times online information, viewed at:

<https://economictimes.indiatimes.com/industry/healthcare/biotech/pharmaceuticals/wockhardts-covid-19-vaccines-supply-deal-with-uk-govt-extended-for-6-months/articleshow/80786104.cms?from=mdr>.

⁴⁴ Evenett, S., Hoekman, B., Rocha, N., and Ruta, M. (2021), The Covid-19 Vaccine Production Club: Will value chains temper nationalism? World Bank Group. Viewed at: <http://documents1.worldbank.org/curated/en/244291614991534306/pdf/The-Covid-19-Vaccine-Production-Club-Will-Value-Chains-Temper-Nationalism.pdf>, p.7.

⁴⁵ Financial Times online information, viewed at: <https://www.ft.com/content/82fa8fb4-a867-4005-b6c2-a79969139119>.

⁴⁶ The DPA was passed in September 1950 and gave the President sweeping authority to control the domestic economy during World War II. The original DPA gave the president a broad set of powers, including the ability to set wages and prices, as well as ration consumer goods, though not all of these powers were renewed. The law was continually reauthorized by Congress, most recently in 2019. It was set to expire in 2025. Council on Foreign Relations online information, viewed at: <https://www.cfr.org/in-brief/what-defense-production-act>.

⁴⁷ A range of DPA powers were deployed in 2020; in particular, General Motors was ordered to produce ventilators and 3M to produce N95 respirator masks for the federal government.

⁴⁸ US government accountability office, viewed at: <https://www.gao.gov/products/gao-21-108>.

⁴⁹ Executive Order *A Sustainable Public Health Supply Chain*, 21 January 2021; Executive Order *Organizing and Mobilizing the United States Government To Provide a Unified and Effective Response To Combat COVID-19 and To Provide United States Leadership on Global Health and Security*, 20 January 2021. US Federal Registrar, viewed at: <https://www.federalregister.gov/documents/2021/01/26/2021-01865/a-sustainable-public-health-supply-chain> and <https://www.federalregister.gov/documents/2021/01/25/2021-01759/organizing-and-mobilizing-the-united-states-government-to-provide-a-unified-and-effective-response>.

⁵⁰ National Strategy for the COVID-19 Response and Pandemic Preparedness, January 2021, viewed at: <https://www.whitehouse.gov/wp-content/uploads/2021/01/National-Strategy-for-the-COVID-19-Response-and-Pandemic-Preparedness.pdf>.

⁵¹ These include: R-Pharm, Biocad, Generium, and Binnopharm. Izvestia online information, viewed at: <https://iz.ru/1142271/dmitrii-grinkevich/sputnik-zemle-eksport-vaktciny-v-etom-godu-mozhet-prevysit-1-mlrd>.

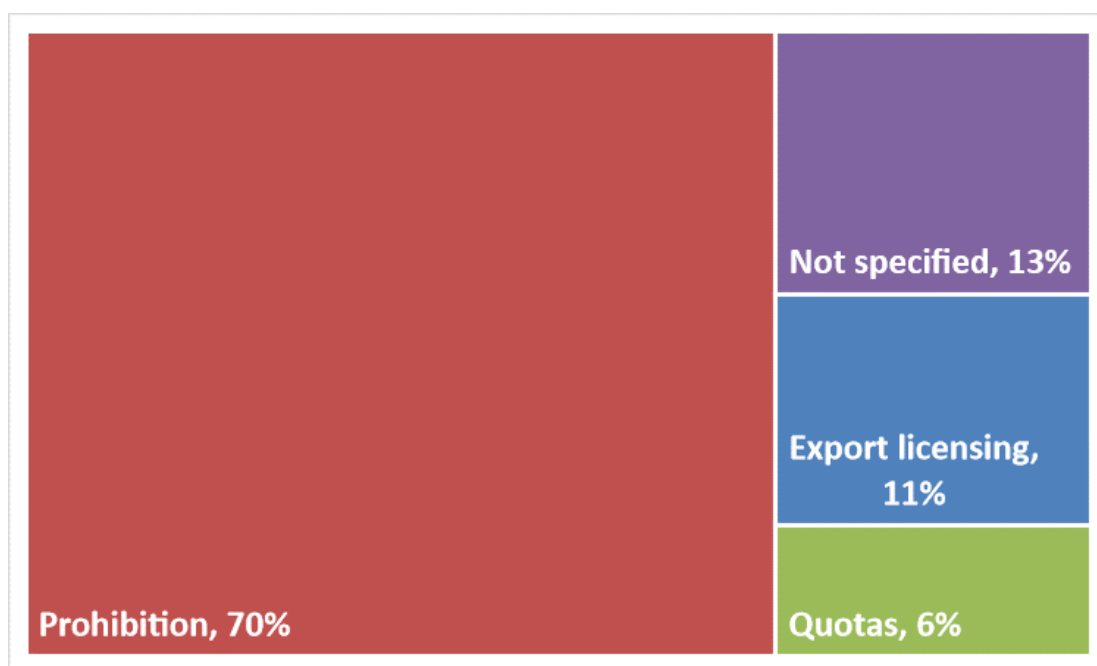
⁵² Russia's sovereign wealth fund with reserved capital of \$10 billion under management.

Russia was oriented to the domestic market until June 2021; at the same time the vaccine was delivered to 40 countries.⁵³

6.4 Export restricting measures implemented in the context of Ukraine crisis

6.14. During the period from February 2022 to May 2023, at least 27 WTO Members introduced 64 measures that prohibit or restrict exports (e.g., export prohibitions, quotas, and export licensing) in response to the conflict in Ukraine.⁵⁴ Twenty-seven (27) measures were notified either to the Committee on Market Access or to the Committee on Agriculture. Most of these measures were imposed on various agricultural products (e.g., wheat, barley, maize, flour, seeds), fertilizers, and other products subject to sanctions against Russia. More than one-third of these measures have been terminated. The majority of 64 measures took the form of export prohibitions or bans (70%), 11% of them took the form of export licensing procedures (Annex II, Table 3 and Chart 2).⁵⁵

Charts 2 Export restrictions in the context of Ukraine crisis, by Type of Measure (Percentage)



Source: WTO Secretariat.

6.15. The export restrictions introduced by some WTO Members were allowed under GATT Article XI:2(a) ("...to prevent or relieve or critical shortages of foodstuffs or other products..."), Article XXI – Security Exceptions and more particularly Article XXI (b) (iii) ("taken in time of war or other emergency in international relations"). In addition, some Members who introduced export restrictions under Article XI:2(a) did so in accordance with Article 12 of the Agreement on Agriculture.

7 ISSUES RELATED TO DEVELOPING RULES ON EXPORT LICENSING PROCEDURES

7.1. Countries apply export restrictions for a variety of policy reasons. While export restrictions are prohibited by Article XI of the GATT 1994, they can be justified under various WTO exceptions, such

⁵³ See, RDIF online information, at: https://rdif.ru/Eng_fullNews/6843/.

⁵⁴ According to notifications submitted to the WTO and Trade Monitoring Exercise. As per Trade Monitoring Report, "several Members expressed concerns about the listing of sanctions in the Report. The WTO Secretariat reiterated that trade-related sanctions would not be listed and that no attribution of these would be made in the Report." WTO document WT/TPR/OV/W/16, 13 July 2022. Viewed at: <https://docs.wto.org/dol2fe/Pages/SS/directdoc.aspx?filename=q:/WT/TPR/OVW16.pdf&Open=True>

⁵⁵ In addition, out of the 58 measures, 4 measures took the form of quotas and 7 were not specified.

as Article XX of the GATT 1994 on grounds including the protection of human life or health, public morality, the protection of the environment, under Article XI:2(a) to prevent or relieve critical shortages of foodstuffs or other essential products and under Article XXI of the GATT 1994 for reason of national security. An export licensing system may present the advantage of transparency if it sets out the rationale for the export restrictions and provides a transparent framework for obtaining authorizations / licenses to export under the trade restrictive conditions.

7.2. At the same time, an export licensing regime may represent an additional administrative burden for the exporter. While some administrative burden is an intrinsic element of any licensing procedure, it is important to ensure that export licensing is not so burdensome as to constitute an additional trade restriction to the trade restrictive measure it is meant to implement (as provided for by the Agreement on Import Licensing Procedures in respect of import licensing).

7.3. When countries introduce export restrictions, these can be implemented through a licensing system. As noted above, the very existence of a licensing system may alone constitute an element of transparency to the extent it makes exporters aware of the restrictions and of the conditions under which they can export. The existence of export restrictions in the absence of an export licensing system could be an indication that no exports are allowed or that the authorities of the exporting country retain discretion as to whether and under what conditions they allow exports.

7.4. The main role of WTO rules on licensing procedures (import and export) is to ensure that these are transparent and no more administratively burdensome than necessary to administer the measure. In this respect, one of the key goals of WTO disciplines on licensing procedures is to ensure that the procedures do not have trade-restrictive effects additional to those caused by the imposition of the trade restriction (import or export) they administer. This is stated clearly in Article 3.2 of the Agreement on Import Licensing Procedures and also in the negotiating mandate of Article VI:4 of the GATS, which states that domestic regulation disciplines for services should aim to ensure that "licensing procedures" are "not in themselves a restriction on the supply of the service".

7.5. The WTO has rules that apply to both import and export restrictions, notably in Articles VIII, X, XI and XIII of the GATT 1994, as well as exceptions for allowed policy reasons in Articles XI:2(a), XII, XVIII, XX and XXI of the GATT 1994. Moreover, the Agreement on Import Licensing Procedures contains detailed rules on import licensing procedures. In contrast, there are no specific and detailed rules on export licensing procedures. Should WTO Members choose to add rules on export licensing procedures to the WTO framework, such rules could require Members to implement export restrictions in a transparent and predictable manner and ensure that export licensing systems are themselves transparent and no more burdensome than necessary to administer the relevant export restrictions.

7.6. On the other hand, adding disciplines on export licensing to the WTO covered agreements would create new obligations for WTO Members, including new notification obligations. This may present a challenge for Members, particularly least developed and developing country Members. Therefore, any disciplines in this area would need to take account of the additional implementation burden they would impose on Members. Such burden should be minimized, for instance by ensuring that the new rules are as simple as possible, clear and easy to implement, and do not put an unreasonable strain on WTO Members with limited capacity. If clear and easy to implement rules in export licensing were to be developed, this could also represent an opportunity and an inspiration to clarify and streamline certain notification procedures in the Agreement on Import Licensing Procedures, which have suffered from poor compliance rates, due to their complex, outdated and overlapping nature.

7.7. Export restrictions and potentially trade restrictive export licensing systems are obstacles to WTO Members' objective of ensuring unhindered trade in the respective products. The WTO has clear and strong rules on export restrictions, which include the prohibition on export restrictions of Article XI, the rules on non-discriminatory administration of quantitative restrictions of Article XIII, as well as various exceptions contained *inter alia* in Articles XI:2(a), XII, XVIII, XX and XXI of the GATT 1994. Unlike the case of import licensing, however, there are no specific rules on export licensing procedures, analogous to those of the Agreement on Import Licensing Procedures. Disciplining export licensing procedures at the WTO will not address the trade restricting effects of the underlying export restrictions (which remain subject to the above-mentioned GATT 1994 provisions), however, it could help ensure that such restrictions are administered in a transparent

manner and that the licensing procedures that are set up for their administration are not themselves trade restrictive, beyond the export measure they are supposed to administer.

8 CONCLUSIONS

8.1. National and GATT/WTO negotiated definitions of import and export licensing procedures reveal that while they concern separate stages in international trade, obtaining an import or an export license entails very similar administrative processes. Import and an export licensing are administrative procedures entailing the submission of applications or other documentations to the relevant administrative bodies as prior conditions for importation or exportation. The policy objective underlying import and export licensing procedures are similar and include among others the protection of human and animal life and health, the protection of the environment, national security, nuclear non-proliferation as well as compliance with obligations under international treaties and arrangements.

8.2. Also similar are the type of trade restrictions that stem from import and export licensing procedures. Both in respect of import and export licensing procedures, typical trade restrictions concern *inter alia* lack of transparency, lack of even-handedness, unnecessarily complex application and documentation requirements, unreasonably long delays to obtain a license, rejection of applications for minor errors, multiple administrative bodies responsible for licensing and discretionary licensing. Both import and export licensing regimes as well as trade restrictions stemming from them often result in increased trade costs for companies, in particular MSMEs. Companies may incur higher trade costs from *inter alia* limited access to information or lack of it, a high fixed cost of technology and services needed to meet certain technical requirements to obtain a license, and burdensome administrative procedures.

8.3. The above-mentioned similarities explain why over many decades GATT and WTO negotiators have approached the issue of disciplines on import and export licensing from the same perspective. The two major negotiating efforts at developing disciplines on export licensing, in the Uruguay Round and in the Doha Round, have proposed disciplines on export licensing mirroring those on import licensing of the Agreement on Import Licensing Procedures. Furthermore, we have noted how even the draft disciplines on services licensing procedures, negotiated in the GATS Working Party on Domestic Regulation, present striking similarity with the disciplines of the goods Agreement on Import Licensing Procedures.

8.4. Bearing in mind the two unsuccessful attempts at negotiating disciplines on export licensing in the Uruguay Round and in the Doha Round, it is worth addressing the question of what would be the advantages and disadvantages for WTO Members of developing disciplines on export licensing procedures, particularly in the context of COVID-19 and the conflict in Ukraine, where emerging export restrictions have the potential of hindering not only international trade but also WTO Members' public health and food security objectives.

8.5. Disciplines on export licensing procedures would not necessarily address the trade restrictive element of the underlying export restrictions. Current GATT rules, namely Article XI and related exceptions, Articles XI:2(a), XX and XXI, address the substantive aspect of export restrictions. Nevertheless, it is evident how disciplines on export licensing procedures are mostly absent in the WTO, with Articles VIII, X and XIII of the GATT 1994 providing only very general precepts as far as export licensing is concerned. If WTO Members choose to develop disciplines on export licensing procedures, such disciplines could be aimed at ensuring that the licensing process is transparent and no more burdensome than necessary. When export licensing exists to administer a trade restriction, such disciplines could ensure that export licensing procedures do not create trade-restrictive effects additional to those caused by the imposition of the export restriction. At the same time, it is important that any new disciplines in this area impose the least possible burden on Members with limited implementation capacity, particularly least developed and developing Members.

ANNEX I

EXAMPLES OF EXPORT LICENSING REGIMES

8.6. This Annex provides an overview of export licensing regimes in selected developing and developed WTO Members. As already noted above, this list of export licensing regimes is not exhaustive, and they are described only as examples. The description of the regimes highlights the goods subjects to export controls, the objectives of the export controls and the relevant legislative and institutional framework.

Botswana

8.7. Export licenses are required for food security, sanitary and phytosanitary, and statistical reasons, and under international conventions to which Botswana is a signatory. Exports from Botswana that require licenses include, *inter alia*, livestock and animal products, wild animals, mineral samples and rough diamonds. Depending on the product licenses are issued by the Veterinary Service, the Department of Wildlife and National Parks, and the Ministry of Minerals, Energy, and Water Resources.⁵⁶

Chile

8.8. Exports of certain products require an export license the reasons of public health protection, quality control, collection of trade statistics, and compliance with international agreements. Goods subject to export control include: agricultural products and fish, commercial goods that may have military applications (dual-use), chemicals, endangered wildlife, defence services and articles, weapons and ammunitions, nuclear materials, equipment and technology, fuels, medicines and medical devices. The export licensing institutional framework comprises, *inter alia*, the Department of Defence (Ministerio de Defensa Nacional de Chile), the National Institute of Public Health (Instituto Nacional de Salud Pública), the Agriculture and Livestock Service (Servicio Agrícola y Ganadero, SAG) and the National Fisheries Service (Servicio Nacional de Pesca, SERNAP).⁵⁷

China

8.9. Export licensing is applied for the purposes of safeguarding national security and public interest and performing the obligations under relevant international agreements. As of 2018, China's list of products subject to export control included 44 categories:⁵⁸ live cattle, swine and chicken (for markets other than Hong Kong and Macao SARs); fresh chilled beef, pork and chicken; frozen beef, pork, and chicken; bauxite; rare earth; paraffin; tungsten; carborundum; platinum (for processing trade); some metals and metal products; molybdenum and molybdenum products; natural sand; oil products (oil, grease, lube base oil); citric acid; penicillin industrial salt; vitamin C; sulfuric acid; disodium sulphate; motorcycles (including all-terrain vehicles) and their engines and frames; motor vehicles (including completely knockdown kits) and their chassis; antimony, indium, tin, and products thereof; and substances depleting the ozone layer, and alumina, coke, tungsten products, silicon carbide, manganese, and fluorite.⁵⁹ Ministry of Commerce (MOFCOM), in collaboration with other departments, formulates and issues a catalogue of goods subject to export licensing.

European Union

8.10. EU exports requiring authorization include: (i) vaccines related to COVID-19; (ii) dual-use goods, software and technology that can be used for both civilian and military applications; and (iii) waste shipment. With respect to dual-use authorization, the European Union maintains four different regimes: EU general export authorizations (permitting exports to certain destinations under certain

⁵⁶ WTO document WT/TPR/S/222/BWA.

⁵⁷ See, Santandertrade online information, at: <https://santandertrade.com/en/portal/international-shipments/chile/exporting-products>.

⁵⁸ Announcement No. 88 (2017) of the Ministry of Commerce and the General Administration of Customs, Announcement of the Catalogue of Goods Subject to Export License Administration in 2018, viewed at: <http://www.mofcom.gov.cn/article/b/c/201712/20171202690523.shtml>.

⁵⁹ WTO document WT/TPR/S/375.

conditions); national general export authorizations (may be issued by EU Member States, provided they are consistent with the EU General Export Authorization); global licenses (issued by competent authorities and may cover multiple items to multiple countries of destinations or end users); and individual licenses (granted by national authorities to one exporter and cover exports of one or more dual-use items to one end-user or consignee).⁶⁰ Export controls in the European Union aim (i) to ensure timely access to COVID-19 vaccines and tackle current lack of transparency of vaccine exports; (ii) contribute to international peace and security, and prevent the proliferation of Weapons of Mass Destruction (WMD), and (iii) to ensure that wastes are managed in an environmentally sustainable way and do not affect human health.⁶¹

Japan

8.11. Japan maintains export controls/licensing for security, conservation, and humanitarian reasons.⁶² Products subject to export licensing and/or export control include: military items (arms), dual-use items and catch-all control items.⁶³ Dual-use items include: nuclear items, chemical and biological weapons, missiles, advanced materials, material processing, electronics, computers, communication/information security, sensors and lasers, navigation/avionics, marine, aerospace/propulsion, and sensitive items. The Trade and Economic Cooperation Bureau in the Ministry of Economy, Trade and Industry (METI) is responsible for export control policy and legislation.⁶⁴

Republic of Korea

8.12. Korea maintains an export control regime for the purpose of preserving international peace and security in accordance with international export control arrangements. Korea's export control list includes dual-use equipment, military equipment, and satellites. Dual-use items listed are as follows: special materials and related equipment; materials processing; electronics; computers; telecommunications and information security; sensors and lasers; navigation and avionics; marine; aerospace and propulsion; and nuclear materials, facilities and equipment. In addition, products subject to export licensing include sand, gravel-related items and rice.⁶⁵ Depending on the product, export licenses may be obtained from: (i) the Ministry of Trade, Industry and Energy (MOTIE), responsible for the exports of strategic items under the Foreign Trade Act; (ii) the Defence Acquisition Program Administration, responsible for controlling exports of certain defence materials and major defence industry materials designated as strategic items under the Defence Acquisition Program Act; (iii) the Nuclear Safety and Security Commission, responsible for controlling exports of certain atomic-related materials designated as strategic items under the Nuclear Safety Act; and (iv) the Korean Customs Service (KCS) in charge of export clearance procedures under the Customs Act.⁶⁶

Mexico

8.13. Mexico regulates exports to keep record of foreign trade transactions; to protect public health, public morals, public security and public order; to safeguard the environment and to preserve national resources, flora, and fauna; to guarantee supplies of essential consumer goods and raw

⁶⁰ European Commission online information, viewed at: <https://ec.europa.eu/trade/import-and-export-rules/export-from-eu/dual-use-controls/>.

⁶¹ The legal basis for the EU export control system includes, *inter alia*,: (1) Commission Implementing Regulation (EU) 2021/111 of 29 January 2021, further extended by the Commission Implementing Regulation (EU) 2021/521 of 24 March 2021; (2) Regulation (EC) No 428/2009 of 05 May 2009; and (3) Regulation (EC) 1418/2007 of 29 November 2007. European Commission online information, viewed at: <https://ec.europa.eu/trade/import-and-export-rules/export-from-eu/>.

⁶² The legislative framework includes the Foreign Exchange and Foreign Trade Act (1998, last amendment in 2017), Export Trade Control Order (1949, last amendment in 2019), and Foreign Exchange Order (1980, last amendment in 2019).

⁶³ Catch-all control was first introduced in 1996 as so-called Complementary Control. It included 87 specific items subject to control and was an extension of the list control - Attachment List No. 1 to the Export Trade Control Order (1949). It was expanded several times, it now includes weapons of mass destruction (WMD) and military items.

⁶⁴ Center for Information on Security Trade Control (CISTEC), (2015) Overview of Japan's Export Controls. Viewed at: <https://www.cistec.or.jp/english/export/Overview4th.pdf>.

⁶⁵ WTO document WT/TPR/S/346/Rev.1.

⁶⁶ See, Lexicology online information, at: <https://www.lexology.com/library/detail.aspx?g=bb1872f9-44c3-4484-a25c-e53abfa7a8e>.

materials; to protect assets of historical, artistic or archaeological importance; and to comply with international agreements and arrangements. Product categories subject to export licensing include: live animals; vegetable products; fats and oils; prepared foodstuffs; mineral products; chemical products; hides and skins, leather; wood; footwear; articles made of stone; natural pearls; base metals; machinery and mechanical appliances; instruments; miscellaneous manufactured articles; and works of art. The institutional framework comprises various agencies (depending on the product category to be exported): the Federal Protection Commission (Comisión Federal para la Protección, COFEPRIS), the Environment and Natural Resources Secretariat (Secretaría de Medio Ambiente y Recursos Naturales, SEMARNAT), and the Energy Secretariat (Secretaría de Energía, SENER).⁶⁷

Switzerland

8.14. Export control policy in Switzerland aims to (i) prevent the proliferation of weapons of mass destruction and the destabilizing accumulation of conventional weapons; (ii) safeguard Switzerland's constitutional, foreign and security policy interests while strengthening the reputation of Swiss companies and research institutions as responsible partners; and (iii) comply with internationally binding disarmament and non-proliferation treaties.⁶⁸ Goods under export control systems include: dual-use goods that can be used for both civilian and military purposes (merchandise, technologies and software); nuclear, biological and chemical weapons.⁶⁹ The State Secretariat for Economic Affairs (SECO) is the agency responsible for approving and issuing export authorizations.⁷⁰

United Kingdom

8.15. Exports from the United Kingdom are controlled for various reasons, including: (i) concerns about internal repression, regional instability, or other human rights violations; (ii) concerns about the development of weapons of mass destruction; (iii) foreign policy and international treaty commitments including as a result of the imposition of EU or United Nations trade sanctions or arms embargoes; and (4) national and collective security of the United Kingdom and its allies. As of 2021, UK exporters have to apply for an export license if they export the following category of products: (i) animals and animal products; (ii) plants and plant products; (iii) drugs and medicines, (iv) medical devices; (v) chemicals; (vi) ozone-depleting substances and F-gases; (vii) radioactive substances; (viii) diamonds; (ix) art works, antiques and culturally significant goods; (x) waste; (xi) goods that could be used for torture or capital punishment; (xii) firearms, ammunition and related equipment; (xiii) military goods, services and technology; and (xiv) items that can have both civil and military uses.⁷¹

United States

8.16. Goods subject to export control in the United States include equipment (test, inspection and production), components, materials, software and technology under the following product categories: (i) nuclear and miscellaneous; (ii) special materials and related equipment, chemicals, microorganisms, and toxins; (iii) materials processing; (iv) electronics; (v) computers; (vi) telecommunications; (vii) information security; (viii) sensors and lasers; (ix) navigation and avionics; (x) marine; and (xi) aerospace and propulsion.⁷² The export control system is maintained

⁶⁷ WTO document WT/TPR/S/352, 15 February 2017.

⁶⁸ These treaties and regimes include: Treaty on the Non-Proliferation of Nuclear Weapons, Biological Weapons Convention, Chemical Weapons Convention, Nuclear Suppliers Group, Australia Group, Missile Technology Control Regime, and Wassenaar Arrangement.

⁶⁹ See, SECO online information, at:

https://www.seco.admin.ch/seco/en/home/Aussenwirtschaftspolitik_Wirtschaftliche_Zusammenarbeit/Wirtschaftsbeziehungen/exportkontrollen-und-sanktionen/exportkontrollpolitik.html.

⁷⁰ In Switzerland, the legal basis for controls on exports of arms and dual-use goods are the Federal Act on the Control of Dual-Use Goods, Specific Military Goods and Strategic Goods (Goods Control Act) of 13 December 1996 (RS 946.202), the Ordinance on the Export, Import and Transit of Dual Use Goods, Specific Military Goods and Strategic Goods (Goods Control Ordinance) of 3 June 2016 (RS 946.202.1), the Ordinance on the Control of Chemicals for Civil and Military Use of 21 August 2013 (RS 946.202.21), and the Ordinance on exports and brokering of items destined for internet and mobile communication Surveillance of 25 November 2020 (RS946.202.3).

⁷¹ See, DIT online information, at: <https://www.gov.uk/guidance/beginners-guide-to-export-controls#history> and <https://www.gov.uk/export-goods>.

⁷² Bureau of Industry and Security, USDC online information, viewed at: <https://www.bis.doc.gov/index.php/regulations/commerce-control-list-ccl>. A detailed list is available under: <https://bis.doc.gov/index.php/documents/regulations-docs/13-commerce-control-list-index/file>.

for reasons of national security, foreign policy considerations, the non-proliferation of nuclear materials, and compliance with international agreements and non-binding arrangements. The institutional framework includes the Departments of State, Commerce, Homeland Security, Treasury, Defence, and Energy.⁷³

Zimbabwe

8.17. Zimbabwe's export licensing system aims to avoid shortness of supply and to ensure that sufficient quantities of products are produced domestically. In addition, some products require an export license due to their strategic importance. The list of products subject to export licensing varies depending on the economic environment in Zimbabwe. It generally includes: timber and timber products; vegetable oils, vegetable fats, vegetable acid oil; margarine; cooking oil; cement; raw sugar; machinery; fertilisers; and pharmaceutical products. An export license may be obtained from the Ministry of Industry and Commerce (MIC); however, a permission from other agencies may be requested depending on the product.⁷⁴

⁷³ WTO document WT/TPR/S/382.

⁷⁴ These agencies include: Ministry of Lands, Agriculture and Rural Resettlement; Ministry of Industry and Commerce; Ministry of Energy and Power Development; Minerals Marketing Corporation of Zimbabwe; Ministry of Environment, Tourism and Hospitality; Forestry Commission of Zimbabwe; Parks and Wildlife Authority; Reserve Bank of Zimbabwe; Agricultural Marketing Authority; and Environmental Management Agency. ZimTrade (2019), New Exporters' Guide online information, viewed at: https://www.tradezimbabwe.com/wp-content/uploads/2019/09/ZimTrade_New_Exporters_Guide_2019-c.pdf.

ANNEX II

TABLE 1. COVID 19 RELATED EXPORT RESTRICTION MEASURES IMPLEMENTED BY MEMBERS AND NOTIFIED TO THE WTO

WTO Member	Measure type	First introduced on (date)	Covered products	Notification of extension/ modification	Current status ²
Albania	Prohibition except under defined conditions	08.03.2020	<ul style="list-style-type: none"> - Face and eye protection - Medical devices and equipment - Pharmaceuticals - Toilet paper - Other medical supplies 	-	Termination notified: G/MA/QR/N/ALB/1/Add.2: QR 1
Argentina	Non-automatic licensing	28.03.2020	<ul style="list-style-type: none"> - Face and eye protection - Gloves - Protective garments - Sanitizers/ Disinfectants - Other medical supplies 	-	Termination notified: G/MA/QR/N/ARG/3: QR 19
	Non-automatic licensing	20.03.2020	<ul style="list-style-type: none"> - Medical devices and equipment 	-	Expired according to: G/MA/QR/N/ARG/2: QR 19
Australia	Prohibition except under defined conditions	18.03.2020	<ul style="list-style-type: none"> - Face and eye protection - Gloves - Protective garments - Sanitizers/ Disinfectants 	Extension notified: G/MA/QR/N/AUS/4/Add.1 G/MA/QR/N/AUS/4/Add.2	Termination notified: G/MA/QR/N/AUS/4/Add.3: QR 1

Bahrain, Kingdom of	Prohibition except under defined conditions	08.01.2022	- COVID-19 Test kits	-	Termination notified: G/MA/QR/N/AUS/5/Add.5: QR 1
	Prohibition, Non-automatic licensing	25.02.2020	- Face and eye protection	-	Termination notified: G/MA/QR/N/BHR/1/Rev.1/Add.2
Bangladesh	Prohibition	12.03.2020	- Face and eye protection - Sanitizers/ Disinfectants	-	Termination notified: G/MA/QR/N/BGD/1: QR 1-2
Brazil	Prohibition except under defined conditions	24.04.2020	- Face and eye protection - Gloves - Medical devices and equipment - Protective garments - Other medical supplies	Modification notified: G/MA/QR/N/BRA/2/Add/2	In force according to: G/MA/QR/N/BRA/2/Add.2: QR 1
	Non-automatic licensing	18.03.2020	- COVID-19 Test kits - Sanitizers/ Disinfectants - Other medical supplies	Modification notified: G/MA/QR/N/BRA/2/Add/2	In force according to: G/MA/QR/N/BRA/2/Add.2: QR 2
	Non-automatic licensing	20.03.2020	- Pharmaceuticals	Modification notified: G/MA/QR/N/BRA/2/Add/2	In force according to: G/MA/QR/N/BRA/2/Add.2: QR 3
Colombia	Prohibition except under defined conditions	23.03.2020	- Face and eye protection - Gloves - Pharmaceuticals - Sanitizers/ Disinfectants - Soap - Other medical supplies	-	Expired according to: G/MA/QR/N/COL/1: QR 1

	Prohibition except under defined conditions	23.03.2020	<ul style="list-style-type: none"> - Gloves - Medical devices and equipment - Protective garments 	-	Expired according to: G/MA/QR/N/COL/1: QR 2
Costa Rica	Non-automatic licensing	10.04.2020	<ul style="list-style-type: none"> - Face and eye protection - Gloves - Protective garments - Sanitizers/ Disinfectants 	Modification notified: G/MA/QR/N/CRI/3/Add.2	Termination notified: G/MA/QR/N/CRI/5
Ecuador	Prohibition	11.03.2020	<ul style="list-style-type: none"> - Face and eye protection - Gloves³ - Pharmaceuticals³ - Protective garments³ - Sanitizers/ Disinfectants³ - Soap³ - Other medical supplies³ 	-	Termination notified: G/MA/QR/N/ECU/1/Add.1: QR 1
Egypt	Prohibition	28.03.2020	<ul style="list-style-type: none"> - Foodstuffs 	Modification and extension notified: G/MA/QR/N/EGY/1/Rev.1/Add.1 G/MA/QR/N/EGY/1/Rev.1/Add.2	Expired according to: G/MA/QR/N/EGY/1/Rev.1/Add.2: QR 1
	Prohibition	17.03.2020	<ul style="list-style-type: none"> - Sanitizers/ Disinfectants 	Extension notified: G/MA/QR/N/EGY/1/Rev.1/Add.1	Termination notified: G/MA/QR/N/EGY/1/Rev.1/Add.2

	Prohibition	17.03.2020	<ul style="list-style-type: none"> - Face and eye protection - Gloves - Protective garments - Other medical supplies 	Extension notified: G/MA/QR/N/EGY/1/Rev.1/Add.1	Termination notified: G/MA/QR/N/EGY/1/Rev.1/Add.2
El Salvador	Prohibition	26.03.2020	<ul style="list-style-type: none"> - Foodstuffs 	-	Termination notified: G/MA/QR/N/SLV/1: QR 1
European Union	Non-automatic licensing	15.03.2020	<ul style="list-style-type: none"> - Face and eye protection - Gloves - Protective garments 	Modification and extension notified: G/MA/QR/N/EU/4/Add.2	Termination notified: G/MA/QR/N/EU/4/Add.3
	Non-automatic licensing	31.01.2021	<ul style="list-style-type: none"> - Vaccines 	Modification and extension notified: G/MA/QR/N/EU/5/Add.2 G/MA/QR/N/EU/5/Add.3 G/MA/QR/N/EU/5/Add.4 G/MA/QR/N/EU/5/Add.6 G/MA/QR/N/EU/5/Add.7	Expired according to: G/MA/QR/N/EU/5/Add.7: QR 1
European Union: Cyprus ⁴	Prohibition except under defined conditions	Unspecified	Pharmaceuticals	-	Termination notified: G/MA/QR/N/EU/5/Add.5
European Union: Estonia ⁴	Prohibition except under defined conditions	Unspecified	Pharmaceuticals	-	In force according to: G/MA/QR/N/EU/4/Add.3: QR 2
European Union: France ⁴	Prohibition except under defined conditions	11.03.2020	Pharmaceuticals	-	Termination notified: G/MA/QR/N/EU/5/Add.5

European Union: Greece ⁴	Prohibition except under defined conditions	13.04.2020	- Pharmaceuticals - Vaccines	-	In force according to: G/MA/QR/N/EU/4/Add.3: QR4
European Union: Hungary ⁴	Prohibition except under defined conditions	11.12.2020	- Pharmaceuticals	-	In force according to: G/MA/QR/N/EU/5/Add.5: QR3
European Union: Romania ⁴	Prohibition except under defined conditions	23.04.2020	- Medical devices and equipment - Pharmaceuticals	-	In force according to: G/MA/QR/N/EU/5/Add.5: QR4
European Union: Slovak Republic ⁴	Prohibition except under defined conditions	16.03.2020	- COVID-19 Test kits -Pharmaceuticals - Other medical supplies	-	Termination notified: G/MA/QR/N/EU/5/Add.5
The Gambia	Prohibition	31.03.2020	- Foodstuffs - Sanitizers/ Disinfectants	-	Termination notified: G/MA/QR/N/GMB/1 : QR1
Georgia	Prohibition except under defined conditions	03.04.2020	- COVID-19 Test kits - Face and eye protection - Gloves - Medical devices and equipment - Protective garments - Sanitizers/ Disinfectants	Modification and extension notified: G/MA/QR/N/GEO/2/Add.2	In force according to: G/MA/QR/N/GEO/2/Add.2: QR 1

Hong Kong, China	Prohibition except under defined conditions	Several dates in Q2 2020	- Face and eye protection	-	Expired according to: G/MA/QR/N/HKG/5: QR28
India	Prohibition	01.06.2020	- Sanitizers/ Disinfectants;		Termination notified: G/MA/QR/N/IND/3: QR34
	Prohibition	22.06.2020	- Gloves		Termination notified: G/MA/QR/N/IND/3: QR37
	Prohibition except under defined conditions	10.06.2020	- COVID-19 Test kits;	-	In force according to: G/MA/QR/N/IND/3: QR38
	Prohibition	18.08.2020	- Protective garments;	-	In force according to: G/MA/QR/N/IND/3: QR54
	Prohibition	16.05.2020	- Face and eye protection	-	In force according to: G/MA/QR/N/IND/3: QR59
	Prohibition	24.03.2020	- Medical devices and equipment;	-	Termination notified: G/MA/QR/N/IND/3: QR60
	Prohibition except under defined conditions	22.06.2020	- Face and eye protection	-	Termination notified: G/MA/QR/N/IND/3: QR61
Israel	Non-automatic licensing	04.05.2020	- COVID-19 Test kits - Face and eye protection - Medical devices and equipment - Protective garments - Sanitizers/ Disinfectants - Other medical supplies	Modification and extension notified: G/MA/QR/N/ISR/1/Add.1 Modification and extension notified: G/MA/QR/N/ISR/1/Add.2	Expired according to: G/MA/QR/N/ISR/1/Add.2: QR 1
Kazakhstan	Prohibition	24.03.2020	- Face and eye protection - Protective garments - Sanitizers/ Disinfectants	Modification notified: G/MA/QR/N/KAZ/3/Rev.2	Expired according to: G/MA/QR/N/KAZ/3/Rev.2: QR9

Korea, Rep. of	Prohibition	11.05.2020	- Miscellaneous	Article XX(i) of the GATT	Expired according to: G/MA/QR/N/KAZ/3/Rev.2: QR11
	Prohibition	02.04.2020	- Foodstuffs	-	Termination notified: G/MA/QR/N/KAZ/3/Rev.2/Add.1: QR1
	Global quota	02.04.2020	- Foodstuffs	-	Termination notified: G/MA/QR/N/KAZ/3/Rev.2/Add.1: QR2
	Prohibition except under defined conditions, Prohibition	06.03.2020	- Face and eye protection	Modification and extension notified: G/MA/QR/N/KOR/2/Add.2 G/MA/QR/N/KOR/2/Add.3 G/MA/QR/N/KOR/2/Add.4 G/MA/QR/N/KOR/2/Add.5	Termination notified: G/MA/QR/N/KOR/3/Add.1
Kyrgyz Republic	Prohibition	22.03.2020	- Foodstuffs - Sanitizers/ Disinfectants	-	Expired according to: G/MA/QR/N/KGZ/1/Add.1: QR 1
	Prohibition	12.04.2021	- COVID-19 Test kits - Face and eye protection - Gloves - Medical devices and equipment - Other medical supplies - Pharmaceuticals	-	Expired according to: G/MA/QR/N/KGZ/1/Add.7: QR 1
	Prohibition	08.07.2021	- Foodstuffs	-	Expired according to: G/MA/QR/N/KGZ/1/Add.9: QR 1
	Prohibition	09.02.2022	- COVID-19 Test kits - Face and eye protection - Gloves - Medical devices and equipment - Other medical supplies Pharmaceuticals	-	Expired according to: G/MA/QR/N/KGZ/1/Add/14: QR 1
Malaysia	Prohibition	20.03.2020	- Face and eye protection	-	In force according to: G/MA/QR/N/MYS/1/Add.1: QR1
Moldova, Rep. of	Prohibition	11.03.2020	- - Face and eye protection - - Gloves	- -	- Termination notified: - G/MA/QR/N/MDA/1/Add.2: QR 1 -

			- Sanitizers/ Disinfectants		
Myanmar	Prohibition	01.03.2022	- Medical devices and equipment - Other medical supplies - Pharmaceuticals		Termination notified: G/MA/QR/N/MDA/2/Add/3: QR 1
	Not specified	01.05.2020	- Foodstuffs	Extension notified: G/AG/N/MYN/21/Add.1	Expired according to: G/AG/N/MYN/21/Add.1
North Macedonia	Prohibition	20.03.2020	- Foodstuffs	-	Expired according to: G/MA/QR/N/MKD/1: QR 1
Norway	Non-automatic licensing	15.03.2020	- Face and eye protection - Gloves - Protective garments	-	Termination notified: G/MA/QR/N/NOR/1/Add.1: QR 1
Paraguay	Non-automatic licensing	17.03.2020	- Face and eye protection - Sanitizers/ Disinfectants	Modification notified: G/MA/QR/N/PRY/1/Add.1	Expired according to: G/MA/QR/N/PRY/1/Add.1: QR 1
Peru	Non-automatic licensing	09.03.2020	- Face and eye protection - Gloves - Medical devices and equipment - Protective garments - Other medical supplies	-	In force according to: G/MA/QR/N/PER/2: QR 1
Russian Federation	Prohibition	24.03.2020	- Personal protective equipment and disinfectants	-	Termination notified: G/MA/QR/N/RUS/5: QR 1

Saudi Arabia, Kingdom of	Prohibition	31.03.2020	- Foodstuffs	-	Termination notified: G/MA/QR/N/RUS/5: QR 2
	Prohibition	04.02.2020	- Face and eye protection - Gloves - Medical devices and equipment - Pharmaceuticals - Protective garments - Sanitizers/ Disinfectants - Vaccines	-	In force according to: G/MA/QR/N/SAU/1: QR 1
Switzerland	Non-automatic licensing	16.03.2020	- Face and eye protection - Gloves - Medical devices and equipment - Pharmaceuticals - Protective garments	-	Termination notified: G/MA/QR/N/CHE/3: QR 19
Thailand	Prohibition	26.03.2020	- Foodstuffs	Modification notified: G/MA/QR/N/THA/2/Add.3	Expired according to: G/MA/QR/N/THA/2/Add.3: QR 1
	Prohibition	05.02.2020	- Face and eye protection	Extension notified: G/MA/QR/N/THA/2/Add/4	In force according to: G/MA/QR/N/THA/2/Add/4: QR 1
Türkiye	Non-automatic licensing	04.03.2020	- Face and eye protection - Gloves - Protective garments	-	In force according to: G/MA/QR/N/TUR/2/Add.1: QR 1
	Non-automatic licensing	18.03.2020	- Protective garments	-	In force according to: G/MA/QR/N/TUR/2/Add.1: QR 2

Ukraine	Non-automatic licensing, Prohibition	14.03.2020	- Face and eye protection - Gloves - Protective garments	Extension notified: G/MA/QR/N/UKR/4/Add.5 G/MA/QR/N/UKR/4/Add.6	Expired according to: G/MA/QR/N/UKR/4/Add.6: QR 1
	Non-automatic licensing, Prohibition	25.03.2020	- Sanitizers/ Disinfectants	-	Termination notified: G/MA/QR/N/UKR/4/Add.2
United Kingdom ⁵	Prohibition except under defined conditions,	Unspecified	- Pharmaceuticals	-	In force according to: G/MA/QR/N/GBR/2/Add.1: QR 1
United States	Non-automatic licensing	07.04.2020	- Face and eye protection - Gloves - Protective garments - Other medical supplies	Modification and extension notified: G/MA/QR/N/USA/4/Add.2 G/MA/QR/N/USA/5/Add.1	Termination notified: G/MA/QR/N/USA/5/Add.2: QR 1
Viet Nam	Global quota	10.04.2020	- Foodstuffs	-	Termination notified: G/MA/QR/N/VNM/1: QR 1

¹ – Updated as of 13 April 2023 from the WTO document G/MA/W/168/Rev.4. A measure is counted individually whenever it can be clearly distinguished from another measured (e.g., if there are two clearly separate national legal instruments). Any extensions, modification or termination of the original measure has not been accounted as original measure.

² - "In force according to" indicates that either no termination date has been given, or it has not been reached yet.

"Expired according to" indicates that the measure is terminated according to the end date that was provided in the notification or based on information available in the Trade Monitoring Exercise.

"Termination notified" indicates that a notification notified the termination of the measure.

³ - According to Ecuador's notification, this product category was prohibited for exports until 25 June 2020 only.

⁴ – Measure taken by this Member of the European Union only.

⁵ - The United Kingdom withdrew from the European Union as of 1 February 2020. During the transition period, which ended on 31 December 2020, Union law, with a few limited exceptions, continued to be applicable to and in the United Kingdom.

TABLE 2 COVID-19 RELATED MEASURES AS REPORTED BY THE WTO TRADE MONITORING EXERCISE¹

No.	WTO Member	Type of export restriction	Measure	Source	Date and status	In force/ Expired
1	Argentina	Export licensing	Temporary implementation of export licensing requirement on certain pharmaceutical products (NCM 3004.90.69; 3004.90.95), due to the COVID-19 pandemic	Permanent Delegation of Argentina to the WTO (26 April 2021) and Decreto - Nomenclatura Común del Mercosur Nos. 243/2021 (18 April 2021) and 810/2021 (25 November 2021). Viewed at: https://www.boletinoficial.gob.ar/detalleAviso/primera/243125/20210419 ; https://www.boletinoficial.gob.ar/detalleAviso/primera/253454/20211126	Effective 19 April 2021, and in force throughout the COVID-19 emergency period. On 25 November 2021, licensing requirement suspended until 31 December 2021	Expired
2	Argentina	Export licensing	Temporary implementation of export licensing requirement on oxygen and containers for compressed or liquified gas, of iron or steel (NCM 2804.40.00; 7311.00.00), due to the COVID-19 pandemic	Decreto - Nomenclatura Común del Mercosur Nos. 286/2021 (29 April 2021) and 810/2021 (25 November 2021). Viewed at: https://www.boletinoficial.gob.ar/detalleAviso/primera/243780/20210430 ; https://www.boletinoficial.gob.ar/detalleAviso/primera/253454/20211126	Effective 29 April 2021, and in force throughout the COVID-19 emergency period. On 25 November 2021, licensing requirement suspended until 31 December 2021	Expired
3	Brazil	Export licensing	Export license requirement for certain products used to prevent and fight COVID-19 (e.g. oxygen and vaccines for human medicines) (NCM 2804.40.00; 3002.20.19; 3002.20.29)	Permanent Delegation of Brazil to the WTO (26 April 2021) and Notícia Siscomex Exportação No. 09/2021 (5 February 2021)	Effective 6 February 2021	In force
4	Cambodia	Prohibition	Temporary export ban on COVID-19 test kits (HS 3002.15.00; 3822.00.10; 3822.00.20; 3822.00.30; 3822.00.90; 9027.80.10; 9027.80.20; 9027.80.30; 3808.94.90; 3808.94.20; 3808.94.90), due to the COVID-19 pandemic	Permanent Delegation of Cambodia to the WTO (2 June 2021)	Effective 30 March 2020. Terminated in June 2020	Expired

5	Cambodia	Prohibition	Temporary export ban on rice, paddy rice and fish, due to the COVID-19 pandemic (originally implemented on 5 April 2020)	Permanent Delegation of Cambodia to the WTO (23 October 2020)	Terminated on 20 May 2020	Expired
6	Côte d'Ivoire	Prohibition	Temporary export ban on disinfectant alcohol-based gel, due to the COVID-19 pandemic (originally implemented on 25 March 2020)	Permanent Delegation of Côte d'Ivoire to the WTO (27 October 2020)	Terminated on 24 June 2020	Expired
7	Egypt	Prohibition	Temporary export ban on oxygen (HS 2804.40), due to the COVID-19 pandemic. Export only authorized with prior approval from the Ministry of Health and Population and the Ministry of Trade and Industry	Permanent Delegation of Egypt to the WTO (16 September 2021)	Effective 15 July 2021, for 1 year	Expired
8	Honduras	Prohibition	Temporary export ban on certain dried leguminous vegetables (frijol rojo en grano) (HS 0713.33.40), due to the COVID-19 pandemic (to guarantee local food supplies) (originally implemented on 30 March 2020)	Permanent Delegation of Honduras to the WTO (19 November 2020) and Acuerdo Ministerial No. 028-2020 (30 March 2020)	Terminated on 26 August 2020	Expired
9	India	Not specified	Amendments introduced to the export policy of Hydroxychloroquine (HS 2933.39.90; 2933.49.00; 2933.99.00; 3004.90.59; 3004.90.99), resulting in an export restriction (subject to some exceptions), due to the COVID-19 pandemic (originally effective 25 March 2020). On 4 April 2020, exceptions eliminated resulting in an export prohibition of hydroxychloroquine	Permanent Delegation of India to the WTO (1 May 2020) and Ministry of Commerce and Industry - Department of Commerce, Directorate General of Foreign Trade, Notification Nos. 54/2015-2020 (25 March 2020), 01/2015-2020 (4 April 2020) and 13/2015-2020 (18 June 2020)	Effective 25 March 2020. On 18 June 2020, export policy changed from "prohibited" to "free"	Expired
10	India	Not specified	Amendments introduced to the export policy of syringes with or without needles. The export policy is revised from "Free" to "Restricted" on 4 October 2021. The syringes which will be "Restricted" are the following: - 0.5 ml/ 1ml AD syringes; - 0.5 ml/1 ml/2 ml/3 ml disposable syringes; - 1ml/2 ml/3 ml RUP syringes	Permanent Delegation of India to the WTO (25 April 2022) and Notifications No. 34/2015-20 and No. 38/2015-20, Ministry of Commerce and Industry - Department of Commerce, Directorate General of Foreign Trade (4 October 2021)	Effective 14 October 2021	In force
11	Indonesia	Prohibition	Temporary export ban on antiseptic, raw materials to fabricate masks, personal protective equipment (PPE), ethyl alcohol and masks (HS Chapters 22; 30; 38; 56; 62; 63), due to the COVID-19 pandemic	Permanent Delegation of Indonesia to the WTO (1 April 2020) and Ministry of Trade Regulation Nos. 23 and 31. Viewed at: http://jdih.kemendag.go.id/peraturan/detail/1983/2 .	Effective 18 March 2020 to 30 June 2020	Expired

12	Kazakhstan	Prohibition	Temporary export ban on certain products (e.g. buckwheat; white sugar; potatoes (except for seeds of heading HS 0701.10.00); sunflower seeds, whether or not broken; refined sunflower-seed oil (10 litre packages or less); refined sunflower-seed oil (more than 10 litter packages); and cereal groats) (HS 1008.10.00; 1701.99; 0701; 1206; 1512.11.91; 1103.19.90), due to the COVID-19 pandemic (originally effective 2 April 2020 to 1 September 2020)	Permanent Delegation of Kazakhstan to the WTO (4 June 2020), Ministry of Agriculture Order No. 111 (2 April 2020), amended by Order No. 123	Effective as of 2 April 2020	Terminated in May 2020
13	Kazakhstan	Prohibition	Temporary QRs (export quota) on certain products, e.g. wheat or meslin flour; soft wheat and meslin; seed potatoes; unrefined sunflower-seed oil (10 litter packages or less); and unrefined sunflower-seed oil (more than 10 litter packages) (HS 1101.00; 1001.99.00; 0701.100.00; 1512.11.91; 1512.11.91), due to the COVID-19 pandemic (originally effective 2 April 2020 to 1 September 2020)	Permanent Delegation of Kazakhstan to the WTO (4 June 2020), Ministry of Agriculture Order	Effective as of 2 April 2020	Terminated in May 2020
14	Kazakhstan	Prohibition	Temporary export ban on certain types of timber (HS 4401; 4403; 4404; 4406; 4407), due to the COVID-19 pandemic	Permanent Delegation of Kazakhstan to the WTO (6 May 2020), Ministry of Industry and Infrastructural Development Order No. 238 (27 April 2020)	Effective 15 May 2020 to 15 November 2020	Expired
15	Myanmar	No specified	Due to the COVID-19 pandemic, the Government of the Republic of the Union of Myanmar through Ministry of Commerce Bulletin Nos. 3/2020 (7 April 2020) and 5/2020 (24 April 2020) adopted a temporary measure on the restrictions of export of rice, with the aim of preventing critical shortage of rice which is an essential foodstuff in the national diet	Permanent Delegation of Myanmar to the WTO (1 June 2021). Viewed at: https://myanmartradeportal.gov.mm/uploads/documents/2020/4/Rice%20Exporting%20during%20COVID-19.pdf . WTO documents G/AG/N/MYN/21, 15 June 2020; and G/AG/N/MYN/21/Add.1, 15 June 2020, 10 July 2020	Effective as of 1 July 2020.	Expired on 30 September 2020
16	Morocco	Prohibition	Temporary export ban on face masks, protective masks, and antiseptic preparations (HS 6307.90.50; 3808.94, 3401.11; 3402.20.00; 3926.90.92; 4818.90; 4823.90; 6307.90.40; 6307.90.90; 9020.00.00), due to the COVID-19 pandemic	Permanent Delegation of Morocco to the WTO (8 April 2020), and Arrêté du Ministre de l'Industrie, du Commerce et de l'Economie Verte et Numérique Nos. 859-20 (2 March 2020) and 926-20 (10 March 2020)	Effective March 2020	In force
17	Oman	Prohibition	Temporary export ban on face masks, due to the COVID-19 pandemic	Permanent Delegation of Oman to the WTO (26 May 2021)	Effective 29 February 2020	In force

18	Pakistan	Prohibition	Temporary export ban on certain personal protective equipment (e.g. face masks, gloves, sanitizers, goggles, "tyvek suits"), due to the COVID-19 pandemic (originally implemented on 24 March 2020)	Permanent Delegation of Pakistan to the WTO (1 June 2021) and Ministry of Commerce - Order SRO 239(I)/2020 (24 March 2020) and Export Order (EPO) SRO 899(1)/2020 (25 September 2020). Viewed at: http://www.commerce.gov.pk/wp-content/uploads/2020/03/S.R.O-239I2020.pdf	Lifted on 9 June 2020	Expired
19	Pakistan	Prohibition	Temporary export ban on anti-malarial drugs, due to the COVID-19 pandemic (originally implemented on 9 April 2020)	Permanent Delegation of Pakistan to the WTO (26 October 2020) and Ministry of Commerce - Orders SRO 297(I)/2020 (9 April 2020) and 889(I)/2020 (24 September 2020). Viewed at: http://www.commerce.gov.pk/wp-content/uploads/2020/04/SRO-297-Anti-Malarial-fldrugs.pdf and www.commerce.gov.pk/wp-content/uploads/2020/09/SRO-899.pdf	Lifted on 24 September 2020	Expired
20	Paraguay	Export licensing	Temporary implementation of export licensing requirements (licencia previa de exportación) on undenatured ethyl alcohol (effective 21 May 2020) (NCM 2207.10.10; 2207.10.90) and on oxygen (effective 5 April 2021 to 5 April 2022) (NCM 2804.40.00), due to the COVID-19 pandemic	Permanent Delegation of Paraguay to the WTO (28 April 2021)	Effective: see individual dates in measure	Expired
21	South Africa	Export licensing	"COVID-19 export control regulation" on certain personal protective equipment (e.g. face masks, disinfectant) (HS 3808.94; 6307.90; 9020.00; 2933.39; 2933.49; 2933.99; 3002.12; 3002.20; 3004), due to the COVID-19 pandemic. Goods shall not be exported except by virtue of an export permit	Permanent Delegation of South Africa to the WTO (6 April 2020) and Department of Trade and Industry, Notice No. R.424 - Government Gazette No. 43177 (27 March 2020)	Effective 27 March 2020	In force
22	Sri Lanka	Prohibition	Temporary export ban on face masks - N95 type, and disposable surgical face masks (implemented on 20 March 2020), due to the COVID-19 pandemic	Permanent Delegation of Sri Lanka to the WTO (25 April 2020) and Medical	Terminated on 11 April 2020	Expired

				Devices (availability within Sri Lanka) Regulations 2/2020, Gazette - Extraordinary 2167/17 (20 March 2020) and 2170/9 (11 April 2020). Viewed at: https://nmra.gov.lk/images/PDF/gazet/2167-17_EPUBLISH.pdf and https://nmra.gov.lk/images/PDF/gazet/nmraGazete/2170-09_E.pdf		
23	Sri Lanka	Prohibition	No exporters shall export (oxygen and ozone therapy, oxygen therapy, aerosol therapy, artificial respiration or other therapeutic respiration apparatus) without the recommendation of the National Medicines Regulatory Authority (HS 2804.40.00; 9019.20.00)	Permanent Delegation of Sri Lanka to the WTO (13 October 2021)	Effective 11 June 2021	In force
24	Chinese Taipei	Prohibition	Temporary export ban on masks with filtering efficiency of 94% or more, of textile materials and other masks, of textile materials (HS 6307.90.50), due to the COVID-19 pandemic (originally effective 24 January 2020 to 30 June 2020)	Permanent Delegation of Chinese Taipei to the WTO (17 June 2020)	Terminated on 1 June 2020	Expired
25	Türkiye	Export licensing	Implementation of temporary prior export authorization/registration on gas, dust and radioactive dust filter masks, protective clothing, liquid-proof aprons (protective gowns used against chemicals), protective glasses, medical and surgical masks, medical sterile/non-sterile gloves (effective 4 March 2020); ethyl alcohol, eau de cologne, disinfectant, hydrogen peroxide and non-woven fabrics (effective 18 March 2020); on ventilators, extracorporeal membrane oxygenation, oxygen concentrator, ventilator apparatus, anaesthesia and ventilator circuits, cannula, intubation apparatus and intensive care monitors (effective 26 March 2020); and on fresh lemons (effective 7 April 2020) (HS 2207; 2208.90.91; 2208.90.99; 3303.00.90; 3402.90.10; 3808.94.10; 3808.94.20; 3808.94.90; 2905.12.00; 2847; 5603; 8481; 9019.20.00; 9018.90.84; 9026; 9027.10; 9018; 9018.90.60; 9018.39; 9019; 9019.20; 9018.19.10; 0805.50), due to the COVID-19 pandemic	Permanent Delegation of Türkiye to the WTO (24 April 2020)	Effective: see individual dates in measure	Terminated on 7 August 2020 (fresh lemons)

26	United Kingdom	Not specified	The United Kingdom applied EU export restrictions on Personal Protective Equipment in response to shortages (or potential shortages) in these goods during the COVID-19 pandemic. Under these restrictions, anyone wishing to export the goods in scope to a destination not exempted under the regulations needed to apply for a license. In the UK, license applications were reviewed by the Department for Health and Social Care. Full information on this process was provided through gov.uk.	United Kingdom Mission to Geneva (27 April 2021). Viewed at: https://trade.ec.europa.eu/doclib/press/index.cfm?id=2122 ; https://trade.ec.europa.eu/doclib/press/index.cfm?id=2147 ; and https://www.gov.uk/government/publications/personal-protective-equipment-ppe-export-control-process/personal-protective-equipment-ppe-export-control-process	Effective 15 March 2020 to 26 May 2020. A full list of goods in scope from 24 April 2020 is available within the amending legislation at: https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32020R0568&from=EN-Measure ended	Expired
27	Viet Nam	Export licensing	Temporary export licensing requirements on face masks (HS 6307.90.40; 6307.90.90), due to the COVID-19 pandemic	Permanent Delegation of Viet Nam to the WTO (6 May 2020). Resolution No. 20/NQ-CP (28 February 2020), Decision No. 868/QD-BYT (11 March 2020), Resolution No.60/NQ-CP (29 April 2020)	Effective 11 March 2020. Terminated on 29 April 2020	Expired
28	Viet Nam	Prohibition	Temporary export ban on certain drugs (37 items in HS 3004) used in the COVID-19 treatment	Permanent Delegation of Viet Nam to the WTO (17 June 2020) and Drug Administration Notice Nos. 4162/QLD-KD and 5595/QLD-KD. Viewed at: https://dav.gov.vn/cong-van-so-4162qld-kd-ve-viec-tam-dung-xuat-khau-thuoc-phong-chong-covid-19-n2826.html	Effective 15 April 2020. Terminated on 5 May 2020	Expired

29	Zimbabwe	Prohibition	Temporary export ban on medical supplies used in the treatment of COVID-19. The legislation permits export of excess Covid-19 medical supplies with proof of the Minister`s authority	Permanent Delegation of Zimbabwe to the WTO (14 May 2021) and Statutory Instrument 93 of 2020 - Public Health (COVID-19 Prevention, Containment and Treatment) (National Lockdown) (Amendment) Order, 2020 (No. 3). Viewed at: https://www.veritaszim.net/sites/veritas_d/files/SI%202020-093%20Public%20Health%20%28COVID-19%20Prevention%2C%20Containment%20and%20Treatment%29%20%28National%20Lockdown%29%20%28Amendment%29%20Order%2C%202020%20%28No.%203%29.pdf	Effective 30 March 2020	In force
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¹ - Source: COVID-19 Measures affecting trade in goods according to WTO Secretariat Trade Monitoring Section (https://www.wto.org/english/tratop_e/covid19_e/trade_related_goods_measure_e.htm) as of 22 October 2022 and WTO document G/MA/W/168/Rev.4, 13 April 2023.

TABLE 3 EXPORT RELATED MEASURES AS NOTIFIED BY THE WTO MEMBERS AND AS REPORTED BY THE WTO TRADE MONITORING EXERCISE

No.	WTO Member	Type of export restriction	Measure	Source	Date and status	In force/ Expired
1	Argentina*	Prohibition	Temporary suspension of Sworn Declaration of Foreign Sales for soybean oil and flour	Permanent Delegation of Argentina to the WTO (13 October 2022) and Ministerio de Agricultura, Ganadería y Pesca, Official Communication, 20 March 2022. Viewed at: https://www.magyp.gob.ar/sitio/areas/ss_mercados_a_gropecuarios/djve/_archivos/100014_Circulares%20DJVE/000005_Comunicado%20Oficial%2020%20de%20Marzo%202022.pdf	Effective as of 13 March 2022	Expired
2	Australia	Prohibition	Export ban on alumina, aluminum ores, including bauxite	Permanent delegation of Australia to the WTO, 23 May 2022; and Australia Government, 20 March 2022, can be viewed at: https://www.dfat.gov.au/news/news/russia-australia-prohibits-export-aluminium-ores-alumina-and-related-products-russia ; WTO document G/MA/QR/N/AUS/5/Add.4, 6 July 2022.	Effective as of 20 March 2022	In force
3	Australia	Prohibition	Export ban, autonomous Sanctions (Export Sanctioned Goods—Russia) Amendment (No. 1) Designation 2022 (the Amendment Designation) is to expand, under subregulation 4(3) of the Regulations.	Permanent delegation of Australia to the WTO, 23 May 2022; and Australian government, 5 April 2022, can be viewed at: https://www.dfat.gov.au/news/news/russia-australia-prohibits-export-luxury-goods-russia ;	Effective as of 7 April 2022	In force

4	Bangladesh	Prohibition	Export ban on aromatic rice	WTO document G/MA/QR/N/AUS/5/Add.4, 6 July 2022. The Daily Star, 2 July 2022. Viewed at: https://www.thedailystar.net/business/news/bangladesh-bans-aromatic-rice-export-3061856	Effective as of 01 July 2022	In force
5	Bolivia, Plurinational State of	Export licensing	Temporary implementation of a domestic supply certificate and fair price (Certificado de Abastecimiento Interno y Precio Justo) requirement on exports of maize, sorghum, and sugar, to avoid local shortage, resulting in a temporary export QRs	Decreto Supremo No. 4680, 9 March 2022. Viewed at: http://www.gacetaoficialdebolivia.gob.bo/edicions/view/1484NEC	Effective as of 9 March 2022	In force
6	Burkina Faso	Prohibition	Export ban on maize, millet, sorghum flours	FAO, 29 March 2022. Viewed at: https://www.fao.org/giews/food-prices/foodpolicies/detail/en/c/1492066/	Effective as of 23 February 2022	In force
7	Canada	Prohibition	Export ban on luxury products and products that could be used by Russia in the production of weapons.	Government of Canada. Regulations Amending the Special Economic Measures (Russia) Regulations (SOR/2022-102). 18/05/2022. Viewed at: https://www.international.gc.ca/world-monde/international-relations-relations-internationales/sanctions/russia-regulations-reglement-russie18.aspx?lang=eng ;	Effective as of 20 May 2022	In force
8	China*	Quotas	Introduction for the second half of the year of a quota for the export of phosphate	WTO document G/MA/QR/N/CAN/5, 5 October 2022. Reuters, 15 July 2022. Viewed at: https://www.reuters.com/article/china-fertilizers-quotas-idUSKBN2OQ0KY on 1 August 2022.	Effective as of 01 July 2022	Expired

9	China*	Prohibition	Introduction on 3 August 2022 of an export ban of natural sand to Chinese Taipei	Financial Times, 3 August 2022. Viewed at: https://www.ft.com/content/ff15198f-cdc2-48fa-bed5-4a59bebbf01a on 5 August 2022	Effective as of 3 August 2022	In force
10	Egypt*	Prohibition	Export ban of wheat, flour, corn, lentils, pasta, fava beans and all kinds of vegetable oil initially imposed on 12 March 2022 for three months	Reuters, 12 March 2022. Viewed at: https://www.reuters.com/article/egypt-commodities-exports-idUSC6N2S302J and Reuters, 8 June 2022. Viewed at: https://www.reuters.com/article/egypt-commodities-exports-idUKC6N2W601R , and Nasdaq, 14 September 2022. Viewed at: https://www.nasdaq.com/articles/egypt-lifts-export-ban-on-food-staples-document	Effective as of 12 March 2022	Expired
11	European Union	Prohibition	Export ban of dual-use goods and technology, if those items are for military use or for military end-users.	Council Regulation (EU) 2022/328 of 25 February 2022 amending Regulation (EU) No 833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine. Viewed at: https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32022R0328 ; WTO document G/MA/QR/N/EU/6, 7 October 2022.	Effective as of 25 February 2022	In force
12	European Union	Prohibition	Export ban of luxury products to the Russian Federation.	Council Regulation (EU) 2022/428 of 15 March 2022 amending Regulation (EU) No 833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine. Viewed at: https://eur-	Effective as of 16 March 2022	In force

				lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32022R0428 ; WTO document G/MA/QR/N/EU/6, 7 October 2022.		
13	European Union	Prohibition	Announcement of export bans on quantum computers, semiconductors, and sensitive machinery.	Baker McKenzie, 6 April 2022. Viewed at: https://sanctionsnews.bakermckenzie.com/eu-outlines-proposals-for-new-sanctions-against-russia/ ; WTO document G/MA/QR/N/EU/6, 7 October 2022.	Effective as of 1 April 2022	In force
14	European Union	Prohibition	Export ban on jet fuel, euro-dominated banknotes.	Council Regulation (EU) 2022/576 of 8 April 2022 amending Regulation (EU) No 833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine. Viewed at: https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32022R0576 ; WTO document G/MA/QR/N/EU/6, 7 October 2022.	Effective as of 8 April 2022	In force
15	European Union	Export licensing	Export controls of dual use and advanced technologies destined to the Russian Federation.	Lexology, 22 July 2022. Viewed at: https://www.lexology.com/library/detail.aspx?q=5c8a69e7-d431-4ae6-b3eb-d98cefb66f46 ; WTO document G/MA/QR/N/EU/6, 7 October 2022	Effective as of 22 July 2022	In force
16	European Union (Hungary)	Export licensing	From 6 March 2022 exports of wheat, rye, barley, oat, corn, soy beans and sunflower seeds are subject to a request submitted to the competent Hungarian authorities who can decide whether to excise the right of first refusal at market price.	WTO document G/AG/N/EU/77, 13 April 2022	Effective as of 6 March 2022	Terminated on 15 May 2022

17	Georgia	Not specified	Export restriction on wheat and barley from 4 July 2022 until 1 July 2023;	Permanent Delegation of Georgia to the WTO (5 October 2022) and WTO document G/AG/N/GEO/27 (30 June 2022)	Effective as of 4 July 2022	Expired
18	Ghana	Not specified	Export restrictions on maize and soybeans	Graphic Online, 11 April 2022. Viewed at: https://www.graphic.com.gh/news/general-news/govt-restricts-maize-soya-beans-exports-policy-to-ensure-food-security.html	Effective as of 01 April 2022	In force
19	India	Prohibition	Export ban on wheat.	Government of India, Ministry of Commerce and Industry, 13 May 2022. Viewed at: https://content.dgft.gov.in/Website/dgftprod/9032ac12-29a8-4a67-8e3b-bd0dc07c39a5/Noti%2006%20Eng.pdf	Effective as of 13 May 2022	In force
20	India	Prohibition	Prohibition of export of sugar, unless it is allowed under specific permission from Directorate of Sugar, Department of Food and Public Distribution	Government of India, Ministry of Commerce and Industry, Amendment to the Notification No.10/2015-20, 24 May 2022. Viewed at: https://content.dgft.gov.in/Website/dgftprod/8e53ea00-cdc3-4809-8493-428b3650d521/Notification%20No.10%20(English).pdf	Effective as of 1 June 2022	In force
21	India*	Export licensing	Export restrictions on wheat flour and its derivatives	The Indian Express, 7 July 2022. Viewed at: https://indianexpress.com/article/india/india-puts-curbs-on-wheat-flour-exports-8015499/	Effective as of 1 July 2022	In force
22	India	Prohibition	Export ban on wheat and meslin flour	Ministry of Commerce and Industry (Directorate General of Foreign Trade) - Notification No. 30/2015-2020, 27 August 2022. Viewed at: https://content.dgft.gov.in/Website/dgftprod/95e0605	Effective as of 27 August 2022	Expired

				4-b7db-4ab4-ad34-cddf96d3f3ec/Noti%2030%20Eng.pdf		
23	India	Prohibition	Introduction of export ban on wheat	Government of India, Ministry of Commerce and Industry, 13 May 2022. Viewed at: https://content.dgft.gov.in/Website/dgftprod/9032ac12-29a8-4a67-8e3bbd0dc07c39a5/Noti%2006%20Eng.pdf	Effective as of 13 May 2022	In force
24	Indonesia*	Not specified	Increase of the domestic market obligation on exporters of crude palm oil, refined, bleached and deodorized palm olein, and other mixtures from 20% to 30% of their export volume	Minister of Trade Decree No. 170/2022 (9 March 2022)	Effective as of 10 March 2022	In force
25	Indonesia*	Prohibition	Introduction of temporary export ban on palm oil	Ministry of Trade of the Republic of Indonesia, Regulation 22/2022, 27 April 2022. Viewed at: http://jdih.kemendag.go.id/peraturan/detail/2407/2%C2%A0and%20Nikkei%20Asia , 19 May 2022, viewed at: https://asia.nikkei.com/Economy/Indonesia-to-lift-palm-oil-export-ban-on-May-23	Effective as of 28 April 2022	Expired
26	Kazakhstan	Not specified	Temporary quantitative restriction on exports of wheat and meslin, wheat or meslin flour.	WTO document G/AG/N/KAZ/19, 27 April 2022	Effective as of 19 April 2022	Terminated on 15 June 2022
27	Kazakhstan	Prohibition	Temporary export ban of white sugar	Order of the Minister of Agriculture of the Republic of Kazakhstan No. 140, 4 May 2022. Viewed at: https://online.zakon.kz/Document/?doc_id=39777555&pos=1;-10#pos=1;-10	Effective as of 15 May 2022	In force
28	Kazakhstan	Quotas	Export quotas for sunflower oil	Kapital.kz, 18 June 2022. Viewed at: https://kapital.kz/economic/106529/vvedeny-ogranicheniya-na-eksport-podsolnechnogo-masla.html	Effective as of 01 June 2022	In force

29	Kazakhstan	Prohibition	Temporary export ban on coal, briquettes, pellets and similar types of solid fuel received from coal: coal stone, powdered or not powdered, but not agglomerated (for the period of 6 months)	The Government of Kazakhstan, Decree No. 514, 14 September 2022. Viewed at: https://cis-legislation.com/document.fwx?rgn=143627	Effective as of 14 September 2022	In force
30	Kuwait, the State of	Prohibition	Export ban of frozen chicken, vegetable oils and meats	Kuwait times, 18 May 2022. Viewed at: https://www.kuwaittimes.com/curbs-on-meats-oils-leaving-kuwait-wheat-supply-stable/	Effective as of 18 May 2022	In force
31	Kyrgyz Republic	Prohibition	Temporary export prohibition of mineral fertilizers (excluding EAEU members);	Decree of Government of the Kyrgyz Republic #83 from 18 February 2022, and WTO document G/MA/QR/N/KGZ/1/Add.15, 2 March 2022, and Permanent Delegation of the Kyrgyz Republic to the WTO, 13 October 2022	Effective as of 26 February 2022	Expired
32	Kyrgyz Republic	Prohibition	A temporary ban on the export of certain types of agricultural products from the Kyrgyz Republic outside the customs territory of the Eurasian Economic Union except transit and humanitarian aid by the Kyrgyz Republic.	WTO document G/MA/QR/N/KGZ/1/Add.16, from 22 March 2022	Effective as of 19 March 2022	Expired
33	Malaysia	Prohibition	Introduction of export prohibitions on poultry, to be terminated on the 30 November 2022 (on 07 July 2022 a Partial lift on 15 June 2022 of the export ban on live chicken. Export on commercial broiler chicken remains banned)	WTO documents G/AG/N/MYS/52 (27 June 2022) and G/AG/N/MYS/52/Add.1 (21 July 2021)	Effective as of 1 June 2022	In force
34	Moldova, Republic of	Prohibition	Temporary export prohibition on certain products such as wheat, sugar, corn (with the exception of maize seed for sowing), due to declared state of emergency.	WTO document G/MA/QR/N/MDA/2/Add.2, 2 March 2022	Effective as of 1 March 2022	Expired
35	North Macedonia	Prohibition	Export ban of wheat, barley, maize, flour, sunflower seeds.	Permanent delegation of North Macedonia to the WTO (5 October 2022); Official Gazette of North Macedonia Nos. 67/2022 and 93/2022.	Effective as of 18 March 2022	Expired

36	Pakistan	Prohibition	Export ban on cane or beet sugar, chemically pure sucrose, in solid form, and other cane sugar	SRO 544(I)/2022, from 22 April 2022, viewed at: https://www.commerce.gov.pk/wp-content/uploads/2022/04/EPO-2022-SRO-544-2022-dt.22.4.22.pdf , and Permanent Delegation of Pakistan to the WTO, 26 October 2022	Effective as of 1 May 2022	In force
37	Russian Federation	Export licensing	Introduction on 9 March 2022 of an export licensing requirement for exports of several products such as technological, telecommunication and medical equipment, vehicles, agricultural machinery, electric equipment, as well as railway cars and locomotives, containers, turbines, metal and stone cutting machines, video displays, projectors, consoles and switchboards, destined to EAEU, Abkhazia, and South Ossetia	Permanent delegation of the Russian Federation to the WTO, 20 May 2022; and Resolution of the Government of the Russian Federation dated 09.03.2022 No. 312, can be viewed at: http://publication.pravo.gov.ru/Document/View/0001202203100025	Effective as of 9 March 2022	Expired
38	Russian Federation	Prohibition	Introduction on 9 March 2022 of temporary export ban on over 200 products such as household appliances, medical equipment, engineering products, agriculture products, electrical equipment. Exports to EAEU, Abkhazia, and South Ossetia are exempt (effective from 9 March to 31 December 2022)	Permanent delegation of the Russian Federation to the WTO, 20 May 2022; and Resolution of the Government of the Russian Federation dated 09.03.2022 No. 311 can be viewed at: http://publication.pravo.gov.ru/Document/View/0001202203100034	Effective as of 9 March 2022	Expired
39	Russian Federation	Prohibition	Temporary export ban on white and raw sugar outside the Russian Federation from 15 March until 31 August 2022 (excluding the EAEU)	Permanent delegation of the Russian Federation to the WTO, 20 May 2022; and the Regulation of the Government of the Russian Federation No. 361 from 14 March 2022, can be viewed at: http://static.government.ru/media/files/bVkpqbEiqYPcf e4g8cvMZOsBx1gmLeQJ.pdf	Effective as of 15 March 2022	Expired

40	Russian Federation	Prohibition	Introduction on 15 March 2022 of temporary export ban on wheat, meslin, rye, barley, and corn till 30 June 2022	Permanent delegation of the Russian Federation to the WTO, 20 May 2022; Regulation of the Government of the Russian Federation No. 362 of March 14, 2022, can be viewed at: http://static.government.ru/media/files/mFNyZAgGZoCX4NPnqgbhA9na3WsirKpb.pdf	Effective as of 15 March 2022	Expired
41	Russian Federation	Prohibition	Temporary export ban on sunflower seeds and rapeseeds (1 April till 31 August)	Permanent delegation of the Russian Federation to the WTO, 20 May 2022; and The Government of the Russian Federation, 31 March 2022, can be viewed at: http://static.government.ru/media/files/949V09wgaMZSXoalzNqkfYYrvuxk03Ah.pdf	Effective as of 1 April 2022	Expired
42	Russian Federation	Quotas	Extension of export quotas for fertilizers	Permanent delegation of the Russian Federation to the WTO, 20 May 2022; and Regulation of the Government of the Russian Federation No. 670 from 15 April 2022, can be viewed at: http://static.government.ru/media/files/HFkANK2NRZgorHjWMHvINKlfM9gufnTe.pdf	Effective as of 15 April 2022	Expired
43	Russian Federation	Quotas	Temporary export quota for sunflower oil form 15 April 2022 to 31 August 2022	Permanent delegation of the Russian Federation to the WTO, 20 May 2022; and The Government of the Russian Federation, 31 March 2022, can be viewed at: http://static.government.ru/media/files/75gvjzn9yXzI807JiOo6CAoCVAsWWm5E.pdf	Effective as of 15 April 2022	Expired

44	Tunisia	Prohibition	Export ban on fruits and vegetables	Libya Herald, 14 April 2022. Viewed at: https://www.libyaherald.com/2022/04/tunisia-imposes-fruit-and-vegetables-export-ban-to-all-countries-including-its-largest-importer-libya/#:~:text=Tunisia%20banned%20the%20export%20of,includin%20its%20largest%20importer%20Libya	Effective as of 01 April 2022	
45	Türkiye	Prohibition	Export ban of olive oil, beans and red lentils	Dünya news., 27 February 2022. Viewed at: https://www.dunya.com/ekonomi/ukrayna-savasi-nedeniyle-uc-urune-ihracatkisitlamasi-haberi-650190	Effective as of 27 February, 2022	Expired
46	Türkiye*	Prohibition	Export ban on soybean oil, sunflower seeds, cottonseed oils, rapeseed, mustard oil, corn oil and margarine	Ahval news, 6 April 2022. Viewed at: https://ahvalnews.com/turkeyeconomy/turkey-bans-exports-sunflower-oil-after-denying-reports-shortages	Effective as of 1 March, 2022	Expired
47	Ukraine	Export licensing	Introduction of non-automatic licensing requirement for the export of maize (corn) and sunflower oil.	Permanent Delegation of Ukraine to the WTO, 19 May 2022; and WTO document G/MA/QR/N/UKR/5/Add.2, 25 March 2022	Effective as of 5 March 2022	Terminated on 25 March 2022
48	Ukraine	Export licensing	Introduction of licensing requirement for the export of wheat and a mixture of wheat and rye (meslin), corn, meat of domestic chickens, eggs of domestic chickens.	WTO document G/MA/QR/N/UKR/5/Add.2, 25 March 2022; WTO document G/MA/QR/N/UKR/5/Add.4, 28 April 2022; and Permanent Delegation of Ukraine to the WTO 19 May 2022	Effective as of 6 March 2022	Expired
49	Ukraine	Not specified	Introduction of export restriction on certain agricultural products.	WTO Document G/MA/QR/N/UKR/5/Add.2; Permanent Delegation of Ukraine to the WTO, 19 May 2022	Effective as of 6 March 2022	Expired

50	Ukraine	Prohibition	Introduction of export ban on fertilizers (3102 of zero tonnes was replaced by the position "Mineral or chemical fertilizers in quota amount of 210,000 tonnes" as of 25 March 2022. The measure will be valid until 1 July 2022. ⁷⁵	WTO document G/MA/QR/N/UKR/5/Add.3, 5 April 2022; WTO document G/MA/QR/N/UKR/5/Add.4, 28 April 2022; and Permanent Delegation of Ukraine to the WTO, 19 May 2022.	Effective as of 12 March 2022	Expired
51	Ukraine*	Prohibition	Export ban on natural gas	Ukrinform, 4 March 2022. Viewed at: https://www.ukrinform.net/rubriceconomy/3419471-ukraine-stops-exporting-natural-gas-at-midnight.html	Effective as of 1 March 2022	In force
52	Ukraine	Prohibition	Prohibition on the exportation of fuel oils, coal, anthracite, natural gas	WTO document G/MA/QR/N/UKR/6, 30 September 2022, and Resolution of the Cabinet of Ministers of Ukraine of 10 June 2022 No. 666 "On Amending Annex I of the Resolution of the Cabinet of Ministers of Ukraine of No. 1424 of 29 December 2021", and Permanent Delegation of Ukraine to the WTO, 17 October 2022	Effective as of 14 June 2022	In force
53	Ukraine	Not specified	Restriction on the exportation of certain agricultural and other products (buckwheat and salt)	Resolution of the Cabinet of Ministers of Ukraine of 26 July 2022 No. 832 "On Amending Annexes 1 and 5 of the Resolution of the Cabinet of Ministers of Ukraine of No. 1424 of 29 December 2021", and WTO document G/MA/QR/N/UKR/6, 30 September 2022	Effective as of 28 July 2022	Expired

⁷⁵ As of 18 May, 2022, Ukraine lifted export restrictions of millet and sugar. These goods are now subject to automatic licensing. Effective as of 10 May 2022. WTO document G/ G/MA/QR/N/UKR/5/Add.5.

54	United Kingdom	Prohibition	Export ban on dual use technologies.	The Russia (Sanctions) (EU Exit) (Amendment) (No. 3) Regulations 2022. Viewed at: https://www.legislation.gov.uk/uksi/2022/195/content/made ; WTO document G/MA/QR/N/GBR/1/Add.3.	Effective as of March 2022	In force
55	United Kingdom	Prohibition	Export ban on aviation and space-related goods and technology.	UK government press release, 9 March 2022. Viewed at: https://www.gov.uk/government/news/uk-strengthens-ban-on-russia-aircraft-and-introduces-new-trade-sanctions ; WTO document G/MA/QR/N/GBR/2.	Effective as of March 2022	In force
56	United Kingdom	Prohibition	Export ban on luxury products.	UK Government Press release, 11 March 2022. Viewed at: https://www.gov.uk/government/news/uk-announces-new-economic-sanctions-against-russia ; WTO document G/MA/QR/N/GBR/2.	Effective as of March 2022	In force
57	United Kingdom	Prohibition	Export ban on oil refining equipment.	UK Government Press Release, 6 April 2022. Viewed at: https://www.gov.uk/government/news/	Effective as of April 2022	In force
58	United Kingdom	Prohibition	Export ban of quantum technologies and advanced materials.	UK Government website. Viewed at: https://www.gov.uk/government/news/uk-hits-key-russian-oligarchs-with-sanctions-worth-up-to-10bn ; WTO document G/MA/QR/N/GBR/2.	Effective as of 14 April 2022	In force
59	United Kingdom	Prohibition	Export ban of quantum technologies and advanced materials.	UK Government website. Viewed at: https://www.gov.uk/government/news/uk-hits-key-	Effective as of 14 April 2022	In force

60	United Kingdom	Prohibition	Export ban covering £250 million worth of goods such as chemicals, plastics, rubber, and machinery	russian-oligarchs-with-sanctions-worth-up-to-10bn ; WTO document G/MA/QR/N/GBR/2. Euroenews, 8 May 2022. Viewed at: https://www.euronews.com/2022/05/08/ukraine-crisis-britain-sanctions ; WTO document G/MA/QR/N/GBR/2.	Effective as of 8 May 2022	In force
61	United States of America	Prohibition	Export prohibition of luxury goods, and any other items to any person located in the Russian Federation.	WTO document, G/MA/QR/N/USA/5/Add.3, 17 March 2022	Effective as of 11 March 2022	In force
62	United States of America	Not specified	Restricting export of the high-end US technologies to the Russian Federation, targeting its defence, aerospace and maritime sectors.	US Department of Commerce, Press Release, 24 February 2022. Viewed at: https://www.commerce.gov/news/press-releases/2022/02/commerce-implements-sweeping-restrictions-exports-russia-response ; WTO documents G/MA/QR/N/USA/5/Add.3 and G/MA/QR/N/USA/6.	Effective as of 11 March 2022	In force
63	United States of America	Not specified	Export controls on products destined for the Russian oil refining industry and other entities supporting Russian military operations.	US department of commerce, press release from 4 March 2022. Viewed at: https://www.commerce.gov/news/press-releases/2022/03/commerce-takes-further-actions-target-russian-strategic-industries-and ; WTO documents G/MA/QR/N/USA/5/Add.3 and G/MA/QR/N/USA/6.	Effective as of 11 March 2022	In force
64	United States of America	Prohibition	Export ban on luxury products and dollar dominated banknotes.	US Department of Commerce press release, 11 March 2022. Viewed at: https://www.commerce.gov/news/press-	Effective as of 11 March 2022	In force

				releases/2022/03/commerce-restricts-export-luxury-goods-russia-and-belarus-and-russian; WTO documents G/MA/QR/N/USA/5/Add.3 and G/MA/QR/N/USA/6.		
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* - As per Trade Monitoring Section, the information was recorded but not confirmed.

Source: WTO Notifications, WTO Trade Monitoring Exercise. As per Trade Monitoring Report, "several Members expressed concerns about the listing of sanctions in the Report. The WTO Secretariat reiterated that trade-related sanctions would not be listed and that no attribution of these would be made in the Report." WTO document WT/TPR/OV/W/16, 13 July 2022. Viewed at: WTO documents WT/TPR/OV/W/16, WT/TPR/OV/W/17, and [Trade Monitoring Database](#).