Should the WTO Restrict the Use of Export Restrictions? – A Policy discussion

WTO/ESCAP/UP Regional Workshop in Agriculture and Agricultural Negotiations in Asia and the Pacific

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Purpose of the Session

- Participants are introduced to current rules and disciplines in the multilateral trading system regarding the use of export restrictions.
- Participants discuss on the appropriateness of introducing stronger restrictions on export restrictions in the system

Note: Source of information in this presentation came from Siddhartha Mitra And Tim Josling (2009),“Agricultural Export Restrictions: Welfare Implications and Trade Disciplines.“IPC Position Paper Agricultural and Rural Development Policy Series. January 2009

Recent use of export restrictions

- Rice. India. Export Ban and minimum export prices on non-basmati rice. Nov. 2007 onwards
- Rice. Vietnam. Export ban and minimum export prices on rice. March 2008
- Wheat. India. Export ban. 2007 and 2008
- Wheat. Argentina. Quantitative restrictions on wheat exports. 2006 onwards.
- Wheat. Kazakhstan. Ban April 2008
- Raw cashmere and leather products. Mongolia. Ban
- Processed Beef. Argentina. Quantitative restriction.2007 and 2008

Why countries use export restrictions

- Food security
- Low domestic purchasing power combined with high commodity prices
- Large gap between successive crops
- Political reasons
- Revenues
- Promote local processing of agricultural products
- Other reasons, e.g. Japan WTO rice stocks

Types of export restrictions

- Bans or embargoes
- Export taxes
- Export quotas
- State trading enterprises
- Minimum export prices

Current disciplines on export restrictions

- Quantitative restrictions on exports, including agricultural goods, are banned in the GATT, but there are exceptions (Art XI, par. 1)
- No prohibitions on export taxes
  - Article XI of the GATT (94) states in paragraph 1 that there shall be "no prohibitions or restrictions other than duties, taxes or other charges...on the exportation...of any product" destined for another WTO member.

Current disciplines on export restrictions (2)

- QRs on exports "temporarily applied to prevent or relieve critical shortages of foodstuffs or other products essential to the exporting contracting party" are allowed (par 2)
- No definitions exist as to what is "temporary," "critical" or what constitutes a "shortage."
- Additionally, as export taxes are not disciplined, one would imagine that a prohibitive export tax could substitute for a ban if needed.

预览已结束，完整报告链接和二维码如下：
https://www.yunbaogao.cn/report/index/report?reportId=5_7404

...icle XX GATT 1994

Exceptions allowed if “undertaken in pursuance of
...er any intergovernmental commodity agreement
...s to the accepted conditions of such agreements.”

...Exception allowed if restricted product is used for
...essing, and its local price “is held below the world price
...vernmental stabilization plan.”

...Exception allowed seen to be “essential to the
...istribution of products in general or local short supply.”