WORLD TRADE ORGANIZATION

G/MA/W/119

18 March 2016

(16-1610)

Committee on Market Access

Original: English

QUESTIONS FROM THE EUROPEAN UNION TO THE RUSSIAN FEDERATION ON THE EXPORT BAN ON RAW HIDES AND SKINS

COMMUNICATION FROM THE EUROPEAN UNION

The following communication, dated 15 March 2016, is being circulated at the request of the Delegation of the European Union.

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By Government Decree N 826 of 19 August 2014, the Russian Federation has put in place an export ban on raw hides and skins that was meant to be of temporary nature (from 1 October 2014 to 1 April 2015).

Subsequently, the Russian Federation has prolonged this measure twice: (i) by Resolution No 378/2015, and (ii) by Government Decree Nr 1285 of 28 November 2015. According to this last decree, the measure will be applicable until May 2016.

It is the EU's understanding that the Russian Federation justifies this export restriction on the basis of Article XI:2(a) of the GATT. In this respect, the EU would like to ask the Russian Federation:

1. First, to confirm whether this understanding is correct; meaning that the Russian Federation seeks to justify this measure under Article XI:2(a) of the GATT.

2. Second, to assess whether this ban can be indeed justified under Article XI:2(a) of the GATT, the EU would like to ask the Russian Federation to submit the following information:

   (a) Could the Russian Federation clarify why do they consider that hides and skins are essential to the Russian Federation?

   (b) Could the Russian Federation explain whether there is critical shortage of hides and skins?

   (c) Should it be the case, could the Russian Federation submit relevant statistics showing this shortage?

   (d) For example, could the Russian Federation submit statistics on the volumes of raw hides and skins produced in 2014 and 2015 and the volumes of hides and skins used by the industry in the same years and, if available, an estimate of the 2016 volumes needed by the industry?

3. Third, the EU would like to know whether the Russian Federation is considering prolonging this measure after May 2016. Should it be the case, could the Russian Federation give an overview on the state of the play of the legislative process for its prolongation?

4. Finally, if the Russian Federation intends to prolong this measure after May 2016, could the Russian Federation present the reasons for this decision as well as an indication of the legal basis, under the WTO law, justifying the prolongation of this measure and any relevant statistics that may explain its position?

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