

# FREQUENTLY ASKED QUESTIONS (FAQS)<sup>1</sup>

## I. ABOUT THE DECISION

### A. WHAT IS THE QUANTITATIVE RESTRICTION DECISION (QR DECISION)?

Is a decision adopted by the Council for Trade in Goods on 22 June 2012 that establishes the procedures that Members have to follow to notify all QRs they apply. The Decision also allows Members to notify QRs imposed by other Members.

### B. HOW OFTEN DO MEMBERS HAVE TO MAKE A NOTIFICATION UNDER THE QR DECISION?

The first notification of all QRs in force was due on 30 September 2012. Subsequent notifications are to be made in two yearly intervals thereafter. These notifications are called "complete" in the database. Notification of changes that take place between the complete notifications should be notified as soon as possible, but not later than six months from their entry into force. The QR notification procedures give Members the right to notify, at any time, corrections to their own notifications.

### C. WHAT TYPES OF MEASURES ARE NOTIFIED UNDER THE QR DECISION?

In principle all quantitative restrictions should be notified, including export and import restrictions, as well as seasonal ones. The term "quantitative restriction" is not defined in the procedures, which means that Members should look into the relevant legal provisions, including inter alia Article XI of the GATT 1994 (General Elimination of Quantitative Restrictions). Annex 2 of the QR notification procedures contains an indicative list of measures to be notified, which includes prohibitions, global quotas, non-automatic licensing, QRs made effective through state trading operations, mixing regulations, voluntary export restraints, etc. However, it is explicitly noted that they are without prejudice to Members' rights and obligations under the WTO Agreement, and that they are "not intended to define or harmonize the concept of quantitative restrictions under the WTO" (footnote 5 of the QR notification procedures).

### D. WHAT TYPES OF MEASURES ARE NOT NOTIFIED UNDER THE QR DECISION?

Footnote 1 of the QR Decision lists a number of measures that are not covered by the QR notification procedures (i.e. there is no need to include them in the QR notification). These are: measures covered by the Agreement on Sanitary and Phytosanitary Measures (see Article 1 and Annex A of the SPS Agreement); measures covered by the Agreement on Technical Barriers to Trade (see Article 1 and Annex 1 of the TBT agreement); automatic import licensing procedures (Article 1 of the Agreement on Import Licensing Procedures defines the term "import licensing" in general, while Article 2 defines what is understood by "automatic import licensing"); and tariff rate quotas (TRQs). These are sometimes referred to as "tariff quotas" in the legal texts, and consist on a lower tariff ("in-quota tariff") that applies to a specific volume (quota volume), as well as a higher tariff ("out-of-quota tariff") that applies to all additional imports.

### E. THE INFORMATION WAS ALREADY PROVIDED TO ANOTHER WTO BODY. DOES IT NEED TO BE NOTIFIED AGAIN UNDER THE QR NOTIFICATION?

Yes and no. Paragraph 3 of the QR notification procedures states that information on quantitative restrictions in force that has already being notified in accordance with other notification requirements shall be notified as provided for in Section 2 of Annex 1 of the QR notification procedures. This section allows Members to make a cross-reference to other notifications:

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<sup>1</sup> This document has been prepared under the Secretariat's own responsibility and without prejudice to the positions of Members and to their rights and obligations under the WTO.

Members should also include the elements that are not contained in the notification being cross-referenced. An alternative is to include all the necessary information in Section 1, irrespective of whether or not the information has already been provided in the context of another WTO notification requirement.

#### F. DO MEMBERS NEED TO USE A SPECIFIC FORMAT TO NOTIFY UNDER THE QR DECISION?

Yes. All notifications shall be made based on the agreed format, contained in Annex 1 of the QR Decision

#### G. WHERE CAN I FIND THE TEXT OF THE QR DECISION?

The QR Decision was circulated under the WTO document symbol G/L/59/Rev.1 and can be downloaded from [Documents On-Line](#).

#### H. WHERE CAN I FIND THE OFFICIAL DOCUMENT OF A PARTICULAR QR NOTIFICATION?

QR notifications are circulated under the G/MA/QR/N/ document symbol. They are accessible through [Documents On-Line](#). Note that through the QR website, direct links to official notifications will be found.

#### I. WILL THE NOTIFICATION OF A QR IMPLY A VIOLATION OF ARTICLE XI OF THE GATT 1994 BY NOTIFYING MEMBER?

Not necessarily. Practically all Members maintain quantitative restrictions in one form or the other (e.g. prohibitions or restrictions relating to nuclear material, narcotic drugs, weapons, etc.) and the WTO Agreements allow them under specific circumstances. Provisions which have been invoked by Members in the past to introduce quantitative restrictions include, inter alia: Articles XI:2(a), XII, XVIII, XIX, XX, XXI of the GATT 1994, as well as Annex 5 of the Agreement on Agriculture, the Understanding on Balance of Payments, and the Agreement on Safeguards. For additional information on the matter, please see [JOB/MA/6](#).

## II. ABOUT THE DATABASE

### A. CONTENT AND OPERATION

#### 1. What is the QR website and how does it work?

The QR website is a reporting application that gathers and analyses information regarding quantitative restrictions, as notified by WTO Members under the QR decision. The application allows the user to perform dynamic queries and create reports based on a selection of criteria, such as product description, HS codes, type of measures applied, country, keywords, among others.

For detailed information on the operation of the specific features of the QR website, you can go directly to the "User's Guide".

#### 2. What kind of information is available in the Quantitative Restriction website (QR website)?

The QR website compiles all information notified by WTO Members regarding the quantitative measures they apply. For each measure notified by a Member, the following elements are available, if notified: 1) a general description of the measure; 2) the type of restriction (based on the symbols in Annex 2. For instance, quotas, prohibitions, etc.); 3) the tariff line codes of the products covered by the restriction, including the HS version used (e.g. HS2002, HS2007, HS2012, etc.); 4) the detailed product descriptions that correspond to those tariff lines; 5) the WTO

justification which the Member considers justifies the measure; 6) the law, regulation or administrative decision establishing the restriction, including its date of entry into force and the date it ceases to be in force, if known; and 7) Member comments, administration of the restriction or modification of a previously notified restriction.

### **3. I cannot find the information I was looking for, where else can I find information on QRs?**

The QR website already incorporates the information notified by Members under other WTO Agreements if the cross-reference to relevant document was provided in Section 2 of the notification format. However, if this is not the case, notifications containing QRs may be found in notifications made pursuant to the Agreement on Agriculture, Understanding on Balance-of Payments provisions of the GATT 1994, Agreement on Safeguards, Agreement on Import Licensing Procedures, among others (see document JOB/MA/6). All notifications can be downloaded from [Documents On-Line](#).

SPS and TBT measures, as well as automatic import licensing, and tariff rate quotas are not covered by the QR Decision and this information will not be found in the QR website (see "Useful Links" to have access to other WTO's databases on non-tariff measures, including SPS and TBT databases).

"Trade policy by measure" section of the WTO Trade Policy Reviews (TPR) reports prepared by the WTO Secretariat will normally provide relevant information on QRs (see "Useful Links" to have access to the TPR reports).

## **B. TERMS OF USE**

### **1. Do I have to pay to use the QR website?**

No, the database is accessible to public in general, free of charge. However, registration is needed in order to use the application.

## **C. HELP**

### **1. Where can I get help, or send my comments/suggestions?**

For detailed information on the operation of the QR website, you can go directly to the "user's guide".

For further assistance/comments or suggestions, you can contact the WTO Secretariat, Market Access Division, by sending an e-mail to [QRNotification@wto.org](mailto:QRNotification@wto.org).

## **D. USEFUL LINKS**

### **1. WTO legal texts and official documents**

[http://www.wto.org/english/docs\\_e/legal\\_e/legal\\_e.htm](http://www.wto.org/english/docs_e/legal_e/legal_e.htm)  
[http://docsonline.wto.org/gen\\_home.asp?language=1&\\_ =1](http://docsonline.wto.org/gen_home.asp?language=1&_ =1)

### **2. Other WTO databases/resources that might be useful to find QRs notified by Members**

[http://www.wto.org/english/tratop\\_e/tpr\\_e/tpr\\_e.htm](http://www.wto.org/english/tratop_e/tpr_e/tpr_e.htm)  
<http://i-tip.wto.org>  
<http://spsims.wto.org/>

<http://tbtims.wto.org/>  
<http://rtais.wto.org/UI/PublicMaintainRTAHome.aspx>

### **3. Tariffs**

[http://www.wto.org/english/tratop\\_e/tariffs\\_e/tariffs\\_e.htm](http://www.wto.org/english/tratop_e/tariffs_e/tariffs_e.htm)

### **4. International Commitments**

<http://www.unep.org/>  
<http://www.opcw.org/>  
<http://www.unodc.org/unodc/index.html?ref=menutop>  
<http://www.un.org/Depts/dhl/resguide/gares1.htm>  
<http://www.un.org/Docs/sc/>  
<http://www.pic.int/home.php?type=t&id=5&sid=16>  
<http://chm.pops.int/Secretariat/tabid/57/language/en-US/Default.aspx>  
<http://www.cites.org/eng/disc/what.shtml>  
<http://www.basel.int/>  
<http://www.kimberleyprocess.com/>  
<http://bch.cbd.int/protocol/background/>