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Committee on Market Access

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**QUESTIONS FROM UKRAINE TO KAZAKHSTAN
ON PROHIBITION OF EXPORT OF TIMBER, REGENERATED PAPER, CARDBOARD, PAPER**

COMMUNICATION FROM UKRAINE

The following communication, dated 22 September 2017, is being circulated at the request of the delegation of Ukraine.

According to notification G/MA/QR/N/KAZ/1 of 16 May 2017, Kazakhstan has introduced the prohibition of export of timber, regenerated paper, cardboard, paper pursuant to the Law No. 175-III "On Specially Protected Natural Territories" of 7 July 2006 and Decision of the EEC Collegium No. 134 "On normative Legal Acts in the Area of Non-Tariff Regulation" of 16 August 2012.

It is Ukraine's understanding that Kazakhstan justifies this export prohibition on the basis of Articles XX(b) and XX(g) of the GATT.

At the same time, the measures applied should comply with certain conditions, as required by Articles XX(b) and XX(g) of the GATT.

In particular, in order to be justified under Article XX(g) of the GATT a measure must be applied in compliance with the even-handedness requirement (effective restrictions on domestic production or consumption).

In this regard, Ukraine would like to ask Kazakhstan:

1. Could Kazakhstan clarify whether the initial policy goal of introduction/implementation of the measure has been achieved?
2. If it is a case, could Kazakhstan provide relevant information showing the results achieved, such as statistics on preservation of exhaustible resources, domestic production, consumption and import of timber, paper and cardboard?

Regarding the licensing requirements for import of raw cane sugar (imposed by the Decision of EEC Collegium No.134 of 16 August 2012, specified in point 29 of the notification) Ukraine would like to ask Kazakhstan to clarify if the measure is still in force?
