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通识读本

世界贸易组织概览

The World Trade Organization

A Very Short Introduction

Amrita Narlikar 著

陈泰锋 薛荣久 译

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The World Trade Organization	世界贸易组织概览

Preface

For an apparently small organization dealing with abstruse trade matters in Geneva, the World Trade Organization (WTO) arouses surprising levels of popular interest, emotions, and high drama. At the last high-level meeting of the WTO at Cancun in 2003, non-governmental organizations staged massive anti-WTO demonstrations, participating countries threatened to walk out of the conference, and a South Korean farmer committed suicide to show just what he thought of the WTO's rules on agriculture. Nor was Cancun unusual in any way; most ministerial-level meetings of the organization have come to be associated with impassioned protests and angry mobs.

There is no dearth of books and research papers that offer detailed economic and legal explanations and interpretations of the agreements of the WTO. There are also many papers written by civil society activists – some less judiciously researched than others – for the purposes of policy advocacy. But analyses that focus on the *politics* of the WTO are rare to find. This book seeks to fill this gap in the literature, and tries to get to the heart of the WTO as an international organization and the politics that underlie its origins, functioning, and evolution.

Two features of this book are worth highlighting. First, my central approach to the study of the WTO as an international institution is through the lens of negotiation process. By analysing the constant

interplay between existing structures and underlying processes, I present an account of not only the initial bargain that led to the creation of the WTO but also how the organization has evolved in terms of its membership, mandate, and everyday functioning. Contingency, path dependence, and negotiation process go a long way in determining how the WTO has got to the point it has, rather than rational design of the institution. Second, developing countries form an integral part of the story presented here. This attention to developing countries is not one that I had initially intended. But all my research findings continuously pointed in a direction that has been largely neglected: the link between power asymmetries and international institutions. I found that power differences between developed and developing countries played a crucial role in the making and shaping of the WTO, and that the institution itself affects power discrepancies in many different ways. As a result, power, marginalization, discontent, and development are recurring themes in this book.

I have also chosen to engage directly with the many public debates on the WTO. The organization presents a fascinating mix of contradictions. It is, by far, the smallest and youngest of the three international economic organizations (the other two being the International Monetary Fund and the World Bank). But it makes rules that often encroach into areas that have traditionally lain within the domestic jurisdictions of states, and with which all 147 members must comply. It is true that many of the WTO's activities lie in the obscure and esoteric realms of trade policy. But the deep and far-reaching impact of its rules on the everyday lives of peoples means that it is not an institution of interest to economists alone. On paper, the WTO has the most democratic procedures of the three economic organizations; in practice, the WTO has come under immense criticism for its almost 'English club atmosphere' and exclusionary meetings. The WTO is simultaneously accused, in broadsheets and elsewhere, of not doing enough and of doing too much: some argue that the WTO should cover issues of labour, gender, and development, while others view its already expansionist tendencies with alarm. Contradictory proposals for institutional reform abound. The WTO is adored by some, and vilified

by many. By presenting an account and explanation of the evolution, purpose, and political workings of the WTO, it is hoped that this book will help the reader to better navigate the murky waters of international trade politics.

前言

总部设于日内瓦的世界贸易组织（以下简称 WTO）作为一个处理深奥的贸易事宜的机构，看似规模不大，但其引起大众关注、激发民众情绪的程度令人惊讶，极富戏剧性。2003 年在坎昆召开的 WTO 最近一次高层会议上，非政府组织举行了声势浩大的反 WTO 示威游行，有参加国威胁要退出本次会议，一个韩国农民甚至以自杀的方式来表明自己对 WTO 农业规则的不满。坎昆一幕并非不同寻常；该组织绝大多数部长级会议都伴随着群情激昂的抗议和愤怒的暴乱。

尽管对 WTO 协议从经济与法律角度进行详尽解释和解读的书籍和研究论文并不鲜见，也有民间社会活动家为政策宣传目的而著述颇多（其中有些研究缺乏审慎的态度），但针对 WTO 进行政治学分析的研究很少。本书旨在填补这一文献空白，并试图讲述 WTO 作为国际性组织的核心特点，以及推动其产生、运作和演变的政治原因。

本书有两大特点值得强调。第一，我主要是通过透视谈判进程来对 WTO 这一国际机构进行研究的。通过分析现有结构与潜在发展进程之间的持续相互作用，我不仅描述了催生 WTO 创立的最初商讨过程，而且还阐述了该组织成员构成、管辖范围及日常运作的变迁历程。偶然性、路径依赖和谈判程序经历了长期探索才最终确立了 WTO 今天的面目，而不仅仅

是对该机构进行理性化的设计。第二，发展中国家构成本书内容不可或缺的一部分。关注发展中国家并非我的初衷，但我所有的研究结果都导向一个被严重忽视的方向：权力非对称性与国际机构之间的关系。我发现发达国家与发展中国家权力上的差距在 WTO 的形成和发展过程中起着至关重要的作用，并且该机构本身也在许多不同方面影响着实力的差异。因此，权力、边缘化、不满和发展是本书中反复提到的主题。

我还正面提到了对 WTO 的诸多公众争论。该组织表现为一个有趣的矛盾混合体。到目前为止，它仍是三大国际经济组织中规模最小和成立年限最短的（另外两个分别是国际货币基金组织和世界银行）。但它制定的规则却往往会侵入传统上属于国内管辖权限的领域，而且所有 147 个成员必须共同遵守。虽然 WTO 的许多事务确实是关于深奥而专业的贸易政策领域，但是，其规则对人们日常生活存在着的深远影响意味着它并不是一个只有经济学家才感兴趣的机构。理论上，WTO 在三大经济组织中拥有最为民主的程序；而在实际操作中，WTO 却因其近乎“英语俱乐部的氛围”和会议的排外性而饱受争议。严肃报纸和其他舆论对 WTO 既有对其“作为不足”的指责，同时也有对其“作为过度”的批评：有些人认为 WTO 应该涉足劳工、性别及发展等问题，而另一些人则对其扩张主义的倾向表示惊恐。对于其机构变革存在着诸多意见相左的提议。一些人对 WTO 推崇有加，也有许多人对其嗤之以鼻。通过叙述和阐明 WTO 的演变、目标和政治学运作机理，本书旨在帮助读者更好地驰骋于国际贸易政治学的迷雾世界。

Abbreviations

AD	Anti-Dumping
AMS	Aggregate Measure of Support
ATC	Agreement on Textiles and Clothing
CAP	Common Agricultural Policy (of Europe)
CVD	Countervailing Duty
DDA	Doha Development Agenda
DSB	Dispute Settlement Body
DSM	Dispute Settlement Mechanism
DSU	Dispute Settlement Understanding
ECOSOC	Economic and Social Council
GATS	General Agreement on Trade in Services
GATT	General Agreement on Tariffs and Trade
HOD	Heads of Delegations
ICITO	Interim Commission for the International Trade Organization
IMF	International Monetary Fund
IPRs	Intellectual Property Rights
ITO	International Trade Organization
LDC	Least Developed Country
LMG	Like-Minded Group
MFN	Most Favoured Nation
NAMA	Non-Agricultural Market Access

NGO	Non-Governmental Organization
NTB	Non-Tariff Barrier
PSP	Principal Supplier Principle
QRs	Quantitative Restrictions
S&D	Special and Differential (treatment)
SPS	Sanitary and Phytosanitary (measures)
TBT	Technical Barriers to Trade
TNC	Trade Negotiations Committee
TPRM	Trade Policy Review Mechanism
TRIMs	Trade-Related Investment Measures
TRIPs	Trade-Related Intellectual Property Rights
TRQ	Tariff Rate Quota
UN	United Nations
UNCTAD	United Nations Conference on Trade and Development
VERs	Voluntary Export Restraints
WIPO	World Intellectual Property Organization

略语表

AD	反倾销
AMS	综合支持量
ATC	纺织品与服装协议
CAP	欧洲共同农业政策
CVD	反补贴税
DDA	多哈发展议程
DSB	争端解决机构
DSM	争端解决机制
DSU	争端解决谅解
ECOSOC	经济和社会理事会
GATS	服务贸易总协定
GATT	关税与贸易总协定
HOD	代表团团长
ICITO	国际贸易组织临时委员会
IMF	国际货币基金组织

IPRs	知识产权
ITO	国际贸易组织
LDC	最不发达国家
LMG	志同道合集团
MFN	最惠国待遇
NAMA	非农产品市场准入
NGO	非政府组织
NTB	非关税壁垒
PSP	主要供给者原则
QRs	数量限制措施
S&D	特殊和差别待遇
SPS	卫生与植物卫生措施
TBT	技术性贸易壁垒
TNC	贸易谈判委员会
TPRM	贸易政策审议机制
TRIMs	与贸易有关的投资措施
TRIPs	与贸易有关的知识产权
TRQ	关税配额
UN	联合国
UNCTAD	联合国贸易和发展会议
VERs	自愿出口限制
WIPO	世界知识产权组织

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