



商务英语学习精品系列

英汉双语 国际贸易实务

International Trade Practices in
English and Chinese

■ 主编 廖国强



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International Trade Practices in English and Chinese
英汉双语国际贸易实务

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内 容 简 介

本书采用英汉双语编写,包括国际贸易、国际贸易术语、国际货物、国际运输、国际支付、国际保险、进出口商品、进出口报关、商业合同、商业单证等内容,紧跟国际贸易的最新发展,覆盖面广,实用性强。适合于各大中专院校国际贸易、国际商务、电子商务、经济类、管理类专业的学生,广大从事外贸业务人员以及社会各界英语爱好者学习使用。

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前 言

随着经济全球化进程的不断加快,中国在国际政治、经济中的地位不断提高,与世界各国的交往日益频繁,而中外经贸领域的交流与活动进一步促进了我国国际贸易的新繁荣。不管你现在做什么或未来准备投身于何种交易,具有超前的思维、敏锐的观察力、灵活的应变力以及不断学习、总结、进取的精神才能使自己置于国际商贸的前列。国际贸易实务作为跨文化经贸交际的桥梁正起着越来越重要的不可替代的作用,为了适应新形势下全球经济社会的发展和广大读者对国际贸易实务专著书籍的需要,我们编写了此书。

本书针对社会各界英语爱好者和广大从事外贸业务人员及大专院校中国际贸易、国际商务、电子商务、经济类、管理类等专业学生熟悉国际贸易理论与实务的需要而编写。本书包括国际贸易及其术语、国际货物、国际运输、国际支付、国际保险、进出口商品、进出口报关、商业合同、商业单证等内容,紧跟国际贸易的最新发展,覆盖面广、实用性强。

全书共分两大板块,即英语部分和汉语部分。可以满足不同需求和不同英语水平学习者的需要,力求实效,弥补所谓全英文太难或全中文又不涉及英文的不足。每个板块又分若干章节,选材广泛,内容新颖、翔实,其有如下特色:

(1) 本书用英汉双语编写,对社会各界的使用者和大专院校的学生具有极强的便利性、针对性,能满足不同层次使用者的需要,拓宽了读者面。

(2) 本书的英汉语并非对等互译,而是根据英汉语的不同思维表达习惯分别编写,但所述内容上又相互照应,凸显双语特色,起到互补作用,所以内容既紧密联系,又能自成体系,对尽快提高学习者的英语水平和熟悉相关贸易实务知识具有积极意义。

(3) 本书融基本理论知识和案例分析为一体,理论联系实际,注重实用性、可操作性,以适应国际经贸领域业务的需要。

(4) 本书以综合性、应用性作为编写定位,尽可能吸收国际贸易发展的最新成果,反映本领域发展的前沿动态,具有新颖性。

(5) 突出实践性,学以致用,每章均配有自测题,让使用者随时检验自己对贸易综合知识和基本业务技能的掌握情况,适合对应用型人才培养的要求。

本书突出了理论性、系统性、应用性和实用性,易学易懂注重实践,能满足不同层次、不同水平的社会各行业涉外从业人员、英语爱好者的需要和大专院校国际贸易、国际管理、国际金融、电子商务、市场营销、经贸英语、涉外文秘等专业学生熟悉国际贸易综合知识的需要。使用者在选用本书时,也可根据实际情况,进行适度的取舍或补充。

由于编写时间有限,不妥之处在所难免,敬请广大读者和同仁批评指正。

编著者

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Chapter 1 International Trade

1.1 Brief Introduction of International Trade

International trade, also called foreign trade, or overseas trade, is exchange of capital, goods, and services whose activities involve the crossing of national borders. In most countries, it represents a significant share of gross domestic product (GDP). It includes not only international trade and foreign manufacturing but also encompasses the growing services industry in areas such as transportation, tourism, banking, advertising, construction, retailing, wholesaling, and mass communications. It includes all business transactions that involve two or more countries. Such business relationship may be private or governmental.

While international trade has been present throughout much of history, its economic, social, and political importance has been on the rise in recent centuries. Industrialization, advanced transportation, globalization, multinational corporations, and outsourcing are all having a major impact on the international trade system. Increasing international trade is crucial to the continuance of globalization. International trade is a major source of economic revenue for any nation that is considered a world power. Without international trade, nations would be limited to the goods and services produced within their own borders.

International trade is in principle not different from domestic trade as the motivation and the behavior of parties involved in a trade does not change fundamentally depending on whether trade is across a border or not. The main difference is that international trade is typically more costly than domestic trade. The reason is that a border typically imposes additional costs such as tariffs, time costs due to border delays and costs associated with country differences such as language, the legal system or a different culture. International trade uses a variety of currencies, the most important of which are held as foreign reserves by governments and central banks.

Another difference between domestic and international trade is that factors of production such as capital and labor are typically more mobile within a country than across countries. Thus international trade is mostly restricted to trade in goods and services, and only to a lesser extent to trade in capital, labor or other factors of production. Then trade in goods and

services can serve as a substitute for trade in factors of production. Instead of importing the factor of production a country can import goods that make intensive use of the factor of production and are thus embodying the respective factor. An example is the import of labor-intensive goods by the United States from China. Instead of importing Chinese labor the United States is importing goods from China that were produced with Chinese labor. International trade is also a branch of economics, which, together with international finance, forms the larger branch of international economics.

1.2 World Trade Organization

1.2.1 An Overview

The World Trade Organization (WTO) is the only global international organization which deals with the rules of trade between nations. It does not specify the actual rules that govern international trade in specific areas. At its heart are the WTO agreements, negotiated and signed by the bulk of the world's trading nations and ratified in their parliaments. The goal is to help producers of goods and services, exporters, and importers conduct their business as smoothly, predictably and freely as possible.

The WTO was created on January 1, 1995 and is the successor to the General Agreement on Tariffs and Trade (GATT), which was created in 1947, and continued to operate for almost five decades as an international organization. The WTO has a cooperative relationship with the United Nations, but it is not a UN specialized agency.

The World Trade Organization deals with the rules of trade between nations at a near-global level; it is responsible for negotiating and implementing new trade agreements, and is in charge of policing member countries' adherence to all the WTO agreements, signed by the majority of the world's trading nations and ratified in their parliaments. Most of the issues that the WTO focuses on derive from previous trade negotiations, especially from the Uruguay Round. The organization is currently working with its members on a new trade negotiation called the Doha Development Agenda (Doha Round), launched in 2001.

The WTO has 153 members, which represents more than 95% of total world trade. The WTO is governed by a Ministerial Conference, which meets every two years; a General Council, which implements the conference's policy decisions and is responsible for day-to-day administration; and a director-general, who is appointed by the Ministerial Conference. The WTO's headquarters is in Geneva, Switzerland.

1.2.2 History

1. ITO and GATT 1947

The WTO's predecessor, the General Agreement on Tariffs and Trade (GATT), was established after World War II in the wake of other new multilateral institutions dedicated to international economic cooperation — notably the Bretton Woods Institutions known as the World Bank and the International Monetary Fund. A comparable international institution for trade, named the International Trade Organization was successfully negotiated. The ITO was to be a United Nations specialized agency and would address not only trade barriers but other issues indirectly related to trade, including employment, investment, restrictive business practices, and commodity agreements. But the ITO treaty was not approved by the United States and a few other signatories and never went into effect.

In the absence of an international organization for trade, the GATT would over the years transform itself into an international organization.

2. GATT Rounds of Negotiations

The GATT was the only multilateral instrument governing international trade from 1948 until the WTO was established in 1995. Despite attempts in the mid 1950s and 1960s to create some form of institutional mechanism for international trade, the GATT continued to operate for almost half a century as a semi-institutionalized multilateral treaty regime on a provisional basis.

1.2.3 Missions, Functions and Principles

1. Missions

The WTO's stated goal is to improve the welfare of the people of its member countries, specifically by lowering trade barriers and providing a platform for negotiation of trade. Its main mission is “to ensure that trade flows as smoothly, predictably and freely as possible”. This main mission is further specified in certain core functions serving and safeguarding five fundamental principles, which are the foundation of the multilateral trading system. The WTO/GATT system is founded on non-discrimination, with its twin faces of Most-Favoured-Nation and National Treatment principles.

2. Functions

Among the various functions of the WTO, these are regarded by analysts as the most important:

- It oversees the implementation, administration and operation of the covered agree-

ments.

- It provides a forum for negotiations and for settling disputes.

Additionally, it is the WTO's duty to review the national trade policies, and to ensure the coherence and transparency of trade policies through surveillance in global economic policy-making. Another priority of the WTO is the assistance of developing, least-developed and low-income countries in transition to adjust to WTO rules and disciplines through technical cooperation and training. The WTO is also a center of economic research and analysis: regular assessments of the global trade picture in its annual publications and research reports on specific topics are produced by the organization. Finally, the WTO cooperates closely with the two other components of the Bretton Woods system, the IMF and the World Bank.

3. Principles of the Trading System

The WTO establishes a framework for trade policies; it does not define or specify outcomes. That is, it is concerned with setting the rules of the trade policy games. Five principles are of particular importance in understanding both the pre-1994 GATT and the WTO:

(1) Non-Discrimination. It has two major components: the most favoured nation (MFN) rule, and the national treatment policy. Both are embedded in the main WTO rules on goods, services, and intellectual property, but their precise scope and nature differ across these areas. The MFN rule requires that a WTO member must apply the same conditions on all trade with other WTO members, i. e. a WTO member has to grant the most favorable conditions under which it allows trade in a certain product type to all other WTO members. "Grant someone a special favour and you have to do the same for all other WTO members." National treatment means that imported and locally-produced goods should be treated equally (at least after the foreign goods have entered the market) and was introduced to tackle non-tariff barriers to trade (e. g. technical standards, security standards et al. discriminating against imported goods).

(2) Reciprocity. It reflects both a desire to limit the scope of free-riding that may arise because of the MFN rule, and a desire to obtain better access to foreign markets. A related point is that for a nation to negotiate, it is necessary that the gain from doing so be greater than the gain available from unilateral liberalization; reciprocal concessions intend to ensure that such gains will materialize.

(3) Binding and enforceable commitments. The tariff commitments made by WTO members in a multilateral trade negotiation and on accession are enumerated in a schedule of concessions. These schedules establish "ceiling bindings": a country can change its bindings, but only after negotiating with its trading partners, which could mean compensating them for loss of trade. If satisfaction is not obtained, the complaining country may invoke the WTO

dispute settlement procedures.

(4) Transparency. The WTO members are required to publish their trade regulations, to maintain institutions allowing for the review of administrative decisions affecting trade, to respond to requests for information by other members, and to notify changes in trade policies to the WTO. These internal transparency requirements are supplemented and facilitated by periodic country-specific reports (trade policy reviews) through the Trade Policy Review Mechanism (TPRM). The WTO system tries also to improve predictability and stability, discouraging the use of quotas and other measures used to set limits on quantities of imports.

(5) Safety valves. In specific circumstances, governments are able to restrict trade. There are three types of provisions in this direction: articles allowing for the use of trade measures to attain noneconomic objectives; articles aimed at ensuring “fair competition”; and provisions permitting intervention in trade for economic reasons.

1.2.4 Formal structure

According to WTO rules, all WTO members may participate in all councils, committees, etc. , except the Appellate Body, Dispute Settlement panels, and plurilateral committees. Decisions within the WTO are made by members, not staff, and they are made by consensus, not by formal vote.

1. Ministerial Conference

The topmost decision-making body of the WTO is the Ministerial Conference, which tends to meet every two years. There have been six conferences, with the last one being in December 2005. The conferences are attended by all members of the WTO. The Ministerial Conference can make decisions on all matters under any of the multilateral trade agreements. The first meeting of the Ministerial Conference was held in Singapore from 9 to 13 December 1996.

2. General Council

The daily work of the ministerial conference is handled by three groups: the General Council, the Dispute Settlement Body, and the Trade Policy Review Body. All three consist of the same membership — representatives of all WTO members — but each meets under different rules and chairpersons. The General Council has several other councils and committees that work underneath the Council.

The General Council, the WTO’s highest-level decision-making body in Geneva, meets regularly to run the WTO. The council has authority to act on behalf of the ministerial conference. The current chairman is Mario Matus of Chile.

The Dispute Settlement Body is charged with setting trade disputes between members. The current chairperson is John Gero of Canada.

The Trade Policy Review Body (TPRB) is tasked with trade policy reviews of Members under the Trade Policy Review Mechanism (TPRM). All members are reviewed periodically. The time in between reviews are subject to the member's total shares of world trade. The largest four, currently the European Communities, the United States, Japan and China, are reviewed every two years. The next 16 are reviewed every four years. All other members are reviewed every six years. In some cases, the least-developed nations are allowed longer periods between reviews. The current chairperson is István Major of Hungary.

The Councils for Trade work under the General Council. There are three councils — Council for Trade in Goods, Council for Trade-Related Aspects of Intellectual Property Rights, and Council for Trade in Services — each council works in different fields. Apart from these three councils, six other bodies report to the General Council reporting on issues such as trade and development, environmentalism, regional trading arrangements and administrative issues.

1) Council for Trade in Goods

The workings of the General Agreement on Tariffs and Trade (GATT) which covers international trade in goods, are the responsibility of the Council for Trade in Goods. It is made up of representatives from all WTO member countries. The current chairperson is Karen Tan of Singapore.

There are 11 committees under the jurisdiction of the Goods Council each with a specific task. All members of the WTO participate in the committees. The Textiles Monitoring Body is separate from the other committees but still under the jurisdiction of Goods Council. The body has its own chairman and only ten members. The body also has several groups relating to textiles.

2) Council for Trade-Related Aspects of Intellectual Property Rights

Information on intellectual property in the WTO, news and official records of the activities of the TRIPS Council, and details of the WTO's work with other international organizations in the field.

3) Council for Trade in Services

The Council for Trade in Services operates under the guidance of the General Council and is responsible for overseeing the functioning of the General Agreement on Trade in Services (GATS). It is open to all WTO members, and can create subsidiary bodies as required.

The Service Council has three subsidiary bodies: financial services, domestic regulations, GATS rules and specific commitments.