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Article 文章

National Treatment principle - Analysis of GATT Article III

国民待遇原则-对关税和贸易总协定第三条的分析

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Among the pillars of the modern trading system that developed due to the genesis of GATT/WTO, principle of National Treatment is arguably one of the most significant. It is often regarded as a cornerstone of the GATT/WTO regime and is present in many of the agreements under the WTO, including the General Agreement on Trade in Services (GATS), the Agreement on Trade-related Aspects of Intellectual Property Rights (TRIPs) and the Agreement on Trade-related Investment Measures (TRIMs). National treatment is one of the components of the principle of non-discrimination in the multilateral trading regime; the other is the Most Favoured Nation Treatment (MFN). Importance of principle of national treatment under not just the WTO but also under a number of other international treaty regimes is reflected in its presence in most Bilateral Investment Treaties (BITs) in existence today, thus effectively transforming the way in which nations trade with one another.¹

This article seeks to outline the scope of the provisions of Article III of GATT 1994, and highlight noteworthy points of interpretation under Articles III:1 and III:2 in order to acquire a fundamental understanding of the concept of national treatment under the above provisions and its interpretation by various WTO panels and the Appellate Body.

The principle of national treatment, in simple terms, prohibits discrimination between imported

goods and domestically produced goods with regard to internal taxation or regulation. The history of Article III can be traced to Article 18 of the failed Havana Charter² which sought to create the International Trade Organisation (ITO), and provisions of which were reworked into GATT 1947. Article III, in its present form, has been incorporated into GATT 1994 by way of reference.

In the seminal dispute of *Japan – Taxes on Alcoholic Beverages*, the Appellate Body stated that the purpose of Article III was to avoid protectionism in the application of internal tax and regulatory measures and further extended this postulation to mean that members were obligated to **provide equal competitive conditions for imported products in relation to domestic products.**³ Thus, the focus of Article III is that laws and regulations are not enacted in favour of domestic goods so that imported goods are left with a lesser competitive advantage in the marketplace.

For a more detailed understanding, the relevant extracts of Article III are provided below:

“Article III - National Treatment on Internal Taxation and Regulation

1. The contracting parties recognize that internal taxes and other internal charges, and laws, regulations and requirements affecting the internal sale, offering for sale, purchase, transportation, distribution or use of products, and internal quantitative regulations requiring the mixture, processing or use of products in specified amounts or proportions, should not be applied to imported or domestic products so as to

¹ National Treatment, UNCTAD Series on issues in International Investment Agreements, UNCTAD/ITE/IIT/11 (Vol. IV) (United Nations, 1999).

² Havana Charter for an International Trade Organization, Final Act and Related Documents, United Nations Conference on Trade and Employment, United Nations Document E/Conf. 2/78 (Nov. 21, 1947- Mar. 24, 1948).

³ Appellate Body Report, *Japan - Taxes on Alcoholic Beverages*, WT/DS8/AB/R, WT/DS10/AB/R, WT/DS11/AB/R, page 16 (1 November 1996) [*“Japan - Alcoholic Beverages”*].

afford protection to domestic production.

2. The products of the territory of any contracting party imported into the territory of any other contracting party shall not be subject, directly or indirectly, to internal taxes or other internal charges of any kind in excess of those applied, directly or indirectly, to like domestic products. Moreover, no contracting party shall otherwise apply internal taxes or other internal charges to imported or domestic products in a manner contrary to the principles set forth in paragraph 1.”

Analysis of Article III:1

Article III:1 emphasizes that internal taxes and other charges, in addition to other laws, regulations or requirements which may affect the internal sale, offering for sale, purchase, transportation, distribution or use of products should not be applied so as to afford protection to domestic production. Article III:1 contains general principles, as opposed to specific obligations contained in other provisions of Article III. However, the general principles enshrined in Article III:1 act as a guiding principle for, and inform the interpretation of the other obligations contained in Article III, apart from the text of the provisions themselves.⁴

Article III:1 often influences the manner in which other provisions such as Articles III:2 and III:4 are interpreted. For instance, the question of which kind of charges fall within the scope of Article III is determined by the usage of the words “internal” and “imported”, which suggests that Article III covers charges that are imposed on goods that have already been imported” and the obligation to pay such charges is triggered by an internal factor which

takes place inside the relevant customs territory.⁵

Furthermore, the phrase “so as to afford protection to domestic production” is also interpreted to mean that intent is not the key factor for a finding of violation or non-violation, thereby rejecting the so-called “aim-and-effect” test. Indeed, it is immaterial if protection to the domestic industry was not the intended objective of the measure because the relevant consideration is the application of the measure.⁶ Therefore, the test of a measure’s consistency with Article III will necessarily entail a comprehensive analysis and scrutiny of the design, architecture and entire structure and application of the measure in question.⁷

Analysis of Article III:2, first sentence

With regard to the application of Article III:2, jurisprudence shows that the scope of the first and the second sentence of Article III:2 differ substantially from one another. A combined reading of the text as well as relevant interpretations reveal that a two-tiered test exists in order to ascertain whether a measure is in violation of Article III:2, first sentence:⁸

- Whether the imported products of one contracting party and the domestic products of another are “like products”;
- Whether the imported products are taxed “in excess” of the like domestic product.

The criteria relating to “likeness” will involve a case-by-case determination of the product’s properties, nature and quality; the product’s end-

⁴ *Id.*, page(s) 17-18.

⁵ Appellate Body Report, *China - Measures Affecting Imports of Automobile Parts*, WT/DS339/AB/R, WT/DS340/AB/R / WT/DS342/AB/R, para 161 (12 January 2009).

⁶ *Japan - Alcoholic Beverages*, *supra* note 3, page(s) 27-28.

⁷ *Id.*, page 29.

⁸ *Id.*, page(s) 18-19; Appellate Body Report, *Canada - Certain Measures Concerning Periodicals*, WT/DS31/AB/R, page(s) 22-23 [“*Canada - Periodicals*”].

uses in a given market; consumers' tastes and habits and a uniform tariff classification.⁹ In addition, the test with regard to the phrase "in excess of" is applied strictly to the tax or charge faced by the imported products and the domestic products, and the tax/charge in question is not required to be scrutinized under a "trade effects" test or a *de minimis* standard. Even a small amount of tax on imported products which is "in excess" of the tax on the like domestic product will attract a violation of the first sentence of Article III:2.¹⁰

Analysis of Article III:2, second sentence

However, the scope of the second sentence of Article III:2 is significantly altered by Ad Article III:2 which is extracted as follows:

"Paragraph 2

A tax conforming to the requirements of the first sentence of paragraph 2 would be considered to be inconsistent with the provisions of the second sentence only in cases where involved between, on the one hand, the taxed product and, on the other hand, a directly competitive or substitutable product which was not similarly taxed."

The following points of interpretation thus arise from Article III:2, second sentence. First, the phrase "in a manner contrary to the principles set forth in paragraph 1" indicates that it **specifically invokes the application of Article III:1**, as opposed to the **implicit invocation of Article III:1 in the first sentence of Article III:2**.

Furthermore, for a measure to be in violation of the second sentence of Article III:2, the following elements must be fulfilled:¹¹

- The imported products and the domestic products are "*directly competitive or substitutable*

products" which are in competition with each other;

- The directly competitive or substitutable imported and domestic products are "*not similarly taxed*";
- The dissimilar taxation of the directly competitive or substitutable imported domestic products is "*applied...so as to afford protection to domestic production*", a criterion which is present in Article III:1.

As can be inferred from the above requirements, the category of goods that can be evaluated under the second sentence of Article III:2 is broadened to "directly competitive or substitutable products" from "like products" in the first sentence of Article III:2.

Conclusion

The analysis in the foregoing paragraphs reveal that Article III:2 is structured such that if the imported and domestic products are not "like", then no violation of the first sentence of Article III:2 is triggered. However, in light of the second sentence of Article III:2, the products in question may not be "like" products, but may still fall within the scope of "directly competitive or substitutable goods" as per Ad Article III:2.¹² Thus, Article(s) III:1 and III:2 necessitate a multi-layered examination of a measure which may involve varied questions of fact and law. In conclusion, the principle of national treatment under Article(s) III:1 and III:2 will be interpreted according to the facts and circumstances of each case and the panel/Appellate Body is expected to apply the relevant principles on a case-by-case basis.

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⁹ Report of the Working Party on Border Tax Adjustments, BISD 18S/97, para. 18 in *Japan - Alcoholic Beverages*, *supra* note 3, page 20 & *Canada- Periodicals*, *supra* note 8, page(s) 20-21.

¹⁰ *Japan- Alcoholic Beverages*, *supra* note 3, page 23.

¹¹ *Japan- Alcoholic Beverages*, *supra* note 3, page 24.

¹² *Japan- Alcoholic Beverages*, *supra* note 3, page 25.

Trade Remedy News 贸易救济新闻

Trade remedy actions against China

对中国采取的贸易救济行动

Product 产品	Country 国家	Measures 措施	Notification No. and date 通知文号及日期
Aluminium extrusions 铝型材板	Australia 澳大利亚	Extension of time for decision on accelerated review 延期发布新出口商复审	Anti-dumping Notice No. 2013/83, dated 30-10-2013 2013年10月30日， 反倾销通知第2013/83
Aluminum extrusions 铝型材板	Canada 加拿大	ADD and countervailing duty - Affirmative expiry review 反倾销和反补贴肯定性期终复审	Expiry Review No: RR-2013-003, dated 18-10-2013 2013年10月18日， 期终复审第RR-2013-003
Bicycle cranksets 整体曲轴连杆	Brazil 巴西	Imposition of ADD 征收反倾销税	Dated 1-10-2013 2013年10月1日
Cable ties 尼龙扎带	India 印度	ADD sunset review investigation initiated 发起反倾销日落复审调查	15/20/2013-DGAD, dated 17-10-2013 2013年10月17日， 15/20/2013-DGAD
Carbon steel fasteners 碳钢紧固件	Canada 加拿大	Re-investigation into amount of subsidy, initiated 发起补贴额的重新调查	CV/103, dated 21-10-2013 2013年10月21日， CV/103
Citrus fruits, prepared or preserved 柑橘罐头	EU 欧盟	Initiation of ADD expiry review 发起反倾销期终复审	2013/C 310/09, dated 25-10-2013 2013年10月25日， 2013/C 310/09
Cold-rolled stainless plat 不锈钢冷轧板	Brazil 巴西	Imposition of ADD 征收反倾销税	Dated 4-10-2013 2013年10月4日
Copy paper 复印纸	Australia 澳大利亚	Initiation of ADD investigation 发起反倾销调查	Anti- dumping Notice No. 2013/79, dated 10-10-2013 2013年10月10日， 反倾销通知第2013/79
Ductile iron pipes 球墨铸铁管	India 印度	ADD re-imposed after sunset review 日落复审后继续征收反倾销税	23/2013-Cus. (ADD), dated 10-10-2013 2013年10月10日， 23/2013-Cus. (ADD)

Product 产品	Country 国家	Measures 措施	Notification No. and date 通知文号及日期
Electronic Calculator 电子计算器	India 印度	Initiation of ADD investigation 发起反倾销调查	Ministry of Commerce dated 18-10-2013 2013年10月18日，印度商工部
Electric Iron 电熨斗	Argentina 阿根廷	Initiation of ADD investigation 发起反倾销调查	Foreign-trade authority News dated 25-10-2013 2013年10月25日，外贸国务秘书处新闻
Electrical appliances 电器产品	Turkey 土耳其	Final determination of safeguard measures in sunset review – Re-imposed for two years 保障措施日落复审终裁 – 继续征收2 年的保障措施税	Dated 14-10-2013 2013年10月14日
Ferrovandium 铁钒合金	USA 美国	Initiation of ADD sunset review 发起反倾销日落复审	DoC No. A-570-873. ITC No. 731-TA-986 78 FR 65614, dated 1-11-2013 2013年11月1日，商务部第 A-570-873，国际贸易委员会第 731-TA-986 78 FR 65614
Freshwater crawfish tailmeat 淡水小龙虾尾肉	USA 美国	Initiation of ADD sunset review 发起反倾销日落复审	DoC No. A-570-848. ITC No. 731-TA-752 78 FR 65614, dated 1-11-2013 2013年11月1日，商务部第 A-570-848，国际贸易委员会第 731-TA-752 78 FR 65614
Frozen warmwater shrimp 冷冻暖水虾	USA 美国	ADD administrative review partially rescinded 取消部分企业反倾销行政复审	78 FR 65277, dated 31-10-2013 2013年10月31日，78 FR 65277
Glass cotton and rock cotton 玻璃棉和岩棉	Israel 以色列	Safeguard measure terminated 取消保障措施	Dated 22-10-2013 2013年10月22日
Glass frame 眼镜架	Brazil 巴西	Imposition of ADD 征收反倾销税	Dated 1-10-2013 2013年10月1日
Grain-oriented electrical steel 取向电工钢	USA 美国	Initiation of countervailing duty and anti-dumping duty investigation 发起反倾销和反补贴调查	78 FR 65265 and 78 FR 65283, both dated 31-10-2013 2013年10月31日， 78 FR 65265和78 FR 65283，

Product 产品	Country 国家	Measures 措施	Notification No. and date 通知文号及日期
Granular PET (Polyethylene terephthalate) 聚对苯二甲酸乙二酯	Argentina 阿根廷	ADD imposed 征收反倾销税	Foreign-trade authority News dated 25-10-2013 2013年10月25日， 外贸国务秘书处新闻
Harvester 收割机	Eurasian Economic Commission 欧亚经济委员会	Imposition of safeguard measure – quota notified 实施保障措施-配额制	Dated 22-10-2013 2013年10月22日
High Density Polyethylene and Linear Low Density Polyethylene 高密度聚乙烯和线性低密度聚乙烯	Taiwan 台湾	Safeguard duty investigation initiated 发起保障措施调查	MOEAITC-ID-10204605710, dated 18-10-2013 2013年10月18日， MOEAITC-ID-10204605710
Hot-rolled carbon steel flat products 热轧碳钢产品	USA 美国	ADD administrative review - No shipment determination 反倾销行政复审-没有出口交易	78 FR 64473, dated 29-10-2013 2013年10月29日， 78 FR 64473
Hot-rolled steel tube 热轧钢管	Peru 秘鲁	Initiation of ADD investigation 发起反倾销调查	Resolution 283-2013/ CFD-IN-DECOPI, dated 23-10-2013 2013年10月23日， 国家竞争和知识产权保护局委员会决议
Iron or steel fasteners 钢铁制紧固件	EU 欧盟	ADD partial interim review terminated 取消反规避期中复审调查	Council implementing Regulation (EU) No. 1026/2013, dated 22-10-2013 2013年10月22日， 欧盟委员会执行公告第1026/2013
Kitchen appliance shelving and racks 厨房用金属架	USA 美国	Preliminary determination of counter-vailable subsidies in respect of one entity and recession of administrative review in respect of another 初步裁定一家企业的补贴税率并且取消另一家企业的行政复审	78 FR 63166, dated 23-10-2013 2013年10月23日， 78 FR 63166
Laminated woven sacks 复合编织袋	USA 美国	ADD sunset review – ADD to continue 反倾销日落复审-继续征收反倾销税	78 FR 64472, dated 29-10-2013 2013年10月29日， 78 FR 64472
Leather shoes 皮鞋	EU 欧盟	Re-examination of MET status 重新审查市场经济地位	Dated 11-10-2013 2013年10月11日

Product 产品	Country 国家	Measures 措施	Notification No. and date 通知文号及日期
Lined paper products 格记录纸	USA 美国	ADD administrative review partially rescinded 取消部分企业的反倾销行政复审	78 FR 65274, dated 31-10-2013 2013年10月31日, 78 FR 65274
Malleable iron pipe fittings 不可锻铸铁附件	USA 美国	Initiation of accelerated sunset reviews 发起快速日落复审	Dated 21-10-2013 2013年10月21日
Methyl acetoacetate 乙酰乙酸甲酯	India 印度	Imposition of safeguard duty not recommended 不建议征收保障措施税	GSRD 22011/8/2013, dated 8-10-2013 2013年10月8日, GSRD 22011/8/2013
Monosodium glutamate 谷氨酸钠	USA 美国	Initiation of antidumping duty and countervailing duty Investigations 发起反倾销和反补贴调查	78 FR 65278 and 78 FR 65269, both dated 31-10-2013 2013年10月31日, 78 FR 65278和 78 FR 65269
New Pneumatic Off-the-Road Tires 新充气非公路用轮胎	USA 美国	Initiation of changed circumstances review 发起情势变更复审	78 FR 64913, dated 30-10-2013 2013年10月30日, 78 FR 64913
Non-self priming centrifugal pump 非自吸式离心泵	Argentina 阿根廷	Initiation of ADD investigation 发起反倾销调查	Dated 21-10-2013 2013年10月21日
OPP 定向聚丙烯薄膜	Korea 韩国	ADD for five years recommended 建议征收5年的反倾销税	KTC news dated on 29-10-2013 2013年10月29日, 韩国贸易委员会
Paracetamol 扑热息痛	India 印度	ADD re-imposed after sunset review 日落复审后继续征收反倾销税	26/2013-Cus. (ADD), dated 28-10-2013 2013年10月28日, 26/2013-Cus. (ADD)
Phosphoric Acid (Technical, food and industrial grade) 磷酸(技术、食品和工业级)	India 印度	ADD - Time limit for completion of investigation extended till 9-11-2013 反倾销-完成调查时限延长至2013年11月9日	15/1010/2012-DGAD, dated 1-10-2013 2013年10月1日, 15/1010/2012-DGAD
Plastic blood collection tube 塑料真空采血管	Brazil 巴西	Initiation of ADD investigation 发起反倾销调查	Brazil's Foreign Trade Commission Decree No. 64, dated 1-11-2013 2013年11月1日, 巴西对外贸易委员会令第64号

Product 产品	Country 国家	Measures 措施	Notification No. and date 通知文号及日期
Purified terephthalic acid 精对苯二甲酸	India 印度	ADD investigation initiated 发起反倾销调查	14/7/2013-DGAD, dated 8-10-2013 2013年10月8日, 14/7/2013-DGAD
Red phosphorous 红磷	India 印度	Time limit for completion of ADD investigation extended till 27-12-2013 完成反倾销调查时限被延长至2013年 12月27日	14/12/2012-DGAD, dated 23-10-2013 2013年10月23日, 14/12/2012-DGAD
SAPP-40 酸式焦磷酸钠	Brazil 巴西	ADD investigation terminated 终止反倾销调查	Dated 22-10-2013 2013年10月22日
Seamless carbon steel pipes 无缝碳钢管	Brazil 巴西	ADD imposed 征收反倾销税	Brazil's Foreign Trade Commission Decree No. 94, dated 1-11-2013 2013年11月1日, 巴西对外贸易委 员会令第94号
Silicon metal 金属硅	Canada 加拿大	Affirmative final determination of dumping and subsidization 肯定性终裁倾销和补贴	Dumping case number: AD/1400 and Subsidy case number: CV/136, dated 21-10-2013 2013年10月21日, 倾销案 件号: AD/1400和补贴案件 号: CV/136
Sodium nitrite 亚硝酸钠	India 印度	ADD - Mid-term review investiga- tion initiated 发起反倾销期中复审	15/2/2013-DGAD, dated 18-10-2013 2013年10月18日, 15/2/2013-DGAD
Sodium nitrite 亚硝酸钠	USA 美国	Initiation of accelerated ADD and countervailing reviews 发起快速复审	Dated 21-10-2013 2013年10月21日
Steel nail 钢钉	USA 美国	Initiation of accelerated sunset reviews 发起快速日落复审	Dated 21-10-2013 2013年10月21日
Sulphanilic acid 对氨基苯磺酸	EU 欧盟	Initiation of ADD expiry review 发起反倾销期终复审	2013/C 300/05, dated 16-10-2013 2013年10月16日, 2013/C 300/05
Trichloroisocyanuric acid 三氯异氰尿酸	USA 美国	Affirmative preliminary industry injury de- termination of dumping and subsidisation 双反中肯定性初裁产业损害	Dated 29-10-2013 2013年10月29日, 美国国际贸 易委员会发布公告

Product 产品	Country 国家	Measures 措施	Notification No. and date 通知文号及日期
Uncovered innerspring Units 非封闭内置弹簧部件	USA 美国	Initiation of ADD sunset review 发起反倾销日落复审调查	DoC No. A-570-928. ITC No. 731-TA-1140 78 FR 65614, dated 1-11-2013
Unitized wall modules 铝制单元式幕墙	Canada 加拿大	Affirmative final determination of dumping and subsidisation 肯定性终裁倾销和补贴	Dumping case number: AD/1399 and Subsidy case number: CV/135, dated 25-10-2013 2013年10月25日, 倾销案件号: AD/1399和补贴案件号: CV/135
Vitrified and Porcelain Tiles 瓷砖	India 印度	Final ADD imposed pursuant to the final findings of the New Shipper Review concerning goods produced by M/s. Foshan Qingbiao Ceramics Co Ltd and exported through M/s. Sheenway Corporation, Hong Kong. 根据新出口商复审的最终裁决对佛山强标陶瓷有限公司出口的瓷砖征收最终反倾销税	25/2013-Cus. (ADD), dated 22-10-2013 2013年10月22日, 25/2013-Cus. (ADD)
Wooden Bedroom Furniture 木制卧室家具	USA 美国	ADD administrative review partially rescinded 取消部分企业的反倾销行政复审	Dated 2-10-2013 2013年10月2日
Zinc coated (galvanised) steel and Aluminium zinc coated steel 镀锌板和镀铝锌板	Australia 澳大利亚	Initiation of accelerated reviews 发起快速复审	Anti-dumping Notice No. 2013/81, dated 23-10-2013 2013年10月23日, 反倾销通知第2013/81

Trade remedy actions by China

中国采取的贸易救济行动

Product 产品	Country 国家	Measures 措施	Notification No. and date 通知文号及日期
Solar-Grade Polysilicon 太阳能级多晶硅	EU 欧盟	Time limit for completion of ADD investigation extended till 1-5-2014 完成反倾销调查时限被延长至2014年5月1日	MOFCOM Announcement No. 81 of 2013, dated 31-10-2013 2013年10月31日, 商务部公告2013年第81号
Solar-Grade Polysilicon 太阳能级多晶硅	EU 欧盟	Time limit for completion of countervailing investigation extended till 1-5-2014 完成反补贴调查时限被延长至2014年5月1日	MOFCOM Announcement No. 82 of 2013, dated 31-10-2013 2013年10月31日, 商务部公告2013年第82号

WTO News 世贸组织新闻

中国寻求与欧盟就之前的争端解决机构报告的执行进行磋商

2013年10月30日，中国寻求与欧盟就欧盟在执行有关欧盟-对某些来自中国的紧固件的最终反倾销措施案 (DS397) 的争端解决机构上诉机构的报告方面进行磋商。根据争端解决规则与程序的谅解第21.5条的规定，中国认为欧盟采取的措施并没有达到其根据反倾销协议和1994年关税贸易总协定中规定的义务，因为欧盟没有完全和正确地执行争端解决机构的建议和规则。

在此之前即2011年7月28日，争端解决机构的上诉机构报告认为欧盟第1225/2009号理事会条例第9(5)条本身违反了反倾销协议第6.10和18.4条以及世贸组织成立协议第16.4条的内容，并且根据欧盟第91/2009号理事会条例对来自中国的某些紧固件征收最终反倾销税的做法违反了反倾销协议的某些要求。

日本就乌克兰对汽车采取保障措施寻求争端解决

2013年10月30日，日本通知世贸组织秘书处，请求与乌克兰就后者对某些乘用车征收保障措施税进行磋商。日本认为乌克兰的做法违反了保障措施协议以及1994年关税和贸易总协定，并且没有按照保障措施协议的要求给予前者充分的机会进行磋商。同时日本认为目前适用的保障措施超越了保障乌克兰国内产业免受或不久严重损害的必要限度。

2013年7月11日，日本在货物贸易委员会的会

议上质疑乌克兰的措施实施的基础，并且欧盟、俄罗斯、澳大利亚、韩国和土耳其也表示对此关注，乌克兰对乘用车按照其尺寸征收了6.46%到12.95%不等的保障措施税。此案是最近第二件针对汽车产量进行限制的案件，第一件是俄罗斯对进口的车辆征收回收费的案件，对此日本和欧盟提出质疑。俄罗斯拒绝了欧盟要求成立专家组的请求，并且争端解决机构在2013年10月22号推迟成立专家组。

乌克兰同时对进口的车辆征收回收费，尽管2013年10月18日，乌克兰在货物贸易委员会的会议上提出草案的修改是为了保证该措施符合世贸组织规则，并且在不久的将来会由其议会通过该草案。

棉产品寻求更好的对待

非洲四国棉花生产国集团提出一项方案，旨在对最不发达国家面临棉花出口时减少补贴和贸易壁垒。该方案由“棉花四国”-贝宁、布基纳法索、乍得和马里提出，要求在2013年12月3日至6日的世贸组织巴厘岛部长级会议上对此做出决定。根据提议，来自最不发达国家的棉花应当在2015年1月1日之前以免税和免配合的方式进入发达国家市场，并且对于发达国家给予的棉花出口补贴应当立即消除。该方案同时号召对棉花的国内支持加强谈判以充分减少相关国家的国内支持。这是布基纳法索于2013年10月25日第一次向贸易谈判委员会提出方案，然后乍得于2013年10月30日进行有关棉花发展协助的磋商。印度与G20发展中国家集团在农业谈判中支持该方案。

FTA News 自由贸易协定新闻

欧盟和加拿大签署自由贸易协定

欧盟和加拿大在长达4年多的谈判后，终于签署了全面的经济和贸易协定。这是欧盟与世界主要经济体G8集团成员的第一个主要协议，也是加拿大最大的自由贸易协定。该协定旨在改善跨大西洋的货物、服务、投资和劳动力交易，同时也承担起欧盟与美国自由贸易协定的模板。服务行业被认为是交易中最大的赢家，因为在两国之间

所有的货物贸易的税率几乎是非常小的。该协议的最终版本将需要在上个月签署了原则性协议后的两年多时间内完成。加拿大政府发表的简讯说明双方在过渡期间将减少98%的关税，如一些敏感的产品如轮船、汽车和某些农产品和公认有地理标志的羊乳酪、戈尔根朱勒干酪等。最终的协定也将包括可持续发展、劳动力和环境的章节。

本协议将接受欧盟所有国家的批准后才能最终生效。有报道罗马尼亚可能阻碍该协定直到加拿大对罗马尼亚公民开放签证制度。

印度和俄罗斯关税联盟研究全面经济合作协定的可能性

印度已经表示出对于俄罗斯、白俄罗斯和哈萨克斯坦关税联盟签订全面经济合作协定的兴趣。该全面经济合作协定将超越货物贸易并且包括服务、投资和政府采购。据报道，俄罗斯和白

俄罗斯已经同意建立联合研究小组以研究各种可能性，而哈萨克斯坦有一些阻碍。印度和俄罗斯已经花了4年的时间讨论全面的经济伙伴协议或者自由贸易协定。俄罗斯、白俄罗斯和哈萨克斯坦关税联盟于2010年成立以增强其与所有以前的苏维埃社会主义共和国联盟的合作。印度之前向俄罗斯出口了农产品、药品、颜料、成衣、鞋子、手工具和软件，而俄罗斯向印度出口了矿物燃料、化学品、宝石、钢铁和重工机械。

News Nuggets 新闻精华

L&S入选向中国政府提供建议的律师库

Lakshmikumaran & Sridharan (L&S) 律师事务所被中国商务部列入辅助其 (1) 世贸争端解决和次区域贸易协定或区域性贸易协定以及 (2) 贸易壁垒的律师事务所库。L&S 律师事务所是中国商务部列明的唯一亚洲律师事务所。

货币互惠信贷协议走向前沿

货币互惠信贷协定似乎非常流行。中国最经与欧盟、印度尼西亚和新加坡签订了这类货币

互惠协定并且在此之前已经与20多个国家签订了此类协定。印度扩大其与日本的协议以包括500亿美元的外汇，该金额是之前双方同意的金额的三倍。印度的商工部于今年8月组成一个团队以制定其与主要贸易伙伴之间的货币互惠信贷协定。如果外汇储备不足，货币互惠交易在这种非常时刻发挥作用以扭转贸易国之间货币支付平衡并且减少了当地进口商、出口商跨境交易的成本。随着中国推动其货币的国际化，人民币被视为控制美元需求的一个选择。

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