FELLOWSHIP PROGRAMME - PROBLEMS FOR INDEPENDENT STUDY

It has been the established practice for participants in the Fellowship Programme to undertake independent studies of specific subjects and to present written papers which embody the results of their research. This requirement is aimed at consolidating the knowledge and enhancing the insight which they have gained in the course of the talks and discussions on the provisions of the General Agreement and on the activities of the contracting parties. The written papers, after revision in the light of further discussion, will constitute a part of the permanent records of their studies in GATT.

Each fellow should select one or two of the following topics on which to write a paper. This paper should be written in concise and clear language and should be in the form of either a brief for a representative of his Government intervening in the debate on this topic, or an objective statement of the facts and valid arguments.

The name noted against each subject indicates the secretariat officer from whom advice or further explanations can be sought on that particular subject.

Problem 1 - Treaty establishing the European Economic Community - Tariff
(Mr. Liebich)

Study the provisions concerning the establishment of the external common tariff. How do these conform with the provisions of Article XXIV:5(a) - that the external tariff of a customs union shall not on the whole be higher than the general incidence of the duties applicable in the constituent territories prior to the formation of the union?

References: Treaty establishing the European Economic Community - BISD, 6S, 70-76 and 8S, 101-121.

Problem 2 - Treaty establishing the European Economic Community - Agricultural provisions (Mr. Taylor and Mr. van Tuinen)

The Commission of the EEC has submitted proposals for the introduction of variable levies on cereals and pork imported from EEC and non-EEC countries. Do these proposals contain the necessary assurance that the present pattern of trade with third countries will not be adversely affected and that such countries could reasonably compete for any expansion of the market in the Community?

References: EEC Commission's proposals on the Common Agricultural Policy, Part III (for page numbers, see index), TN.60/SR.7, pp. 11-12 and SR.17/12, pp. 183-184.

Spec(62)179
English only/anglais seulement.
Problem 3 - Customs unions and free trade areas (Article XXIV) (Mr. Liebich)

(a) Describe the differences between a customs union and a free trade area using the EEC and EFTA agreements as examples; or

(b) Examine the methods used for associating a developing country with a regional trade agreement on the basis of the association of Greece with the ECE; or

(c) Describe the difference in structure between a free trade area formed by industrialized countries (EFTA) and a free trade area formed by countries in the course of development (LAFTA).

Problem 4 - Customs policies and economic development (Mr. Liebich)

Certain less-developed countries find it extremely difficult to bind their tariffs because of the revenue element involved therein. Comment on these difficulties and suggest possible solutions such as the substitution of internal taxes for revenue duties.

Problem 5 - Consular fees and formalities (Mr. Liebich)

Bearing in mind the work already done by the CONTRACTING PARTIES at earlier sessions, what further suggestions could be made for facilitating the elimination of consular fees and formalities?

References: BISD, 5S, 91
L/1362,
SR.17/10, p.152,
L/1459,

Problem 6 - Anti-dumping duties (Mr. Liebich)

(a) Describe the legal and economic advantages and disadvantages of a system of anti-dumping and countervailing duties.

(b) Do you think that, for example, the system applied by the United States should be modified to protect legitimate trade interests; if so, what changes would you suggest?

Reference: GATT publication on Anti-Dumping and Countervailing Duties.

Problem 7 - Subsidies (Mr. Taylor and Mr. Jaffrey)

Describe the different forms of government aid to exports and illustrate both the provisions of the General Agreement and action taken by the CONTRACTING PARTIES with respect to such aid.
References: L/925, L/970, BISD, 9S, 188-194, L/1328 and Addenda, COM.II/112, L/1442 and Add.1

Problem 8 - Agricultural protection (Mr. Taylor and Mr. van Tuinen)

"Agricultural protectionism should be moderated in exporting as well as importing countries". Comment, with particular reference to one or more of the commodities entering importantly into international trade.

References: Background documents to be discussed with officer concerned.

Problem 9 - Tariff negotiations (Mr. Maggio)

"GATT tariff negotiations are no more than the sum of a number of bilateral negotiations". Comment.

Problem 10 - Tariff negotiations (Mr. Maggio)

Enumerate and concisely illustrate the factors which should be taken into account in trying to arrive at an evaluation of tariff concessions granted by you and of those offered to you by another contracting party.

Reference: BISD, 38, 219, para. 38.

Problem 11 - Tariff negotiations (Mr. Maggio)

Draft a report to your Government showing the negotiating procedures and devices (e.g. joint negotiations, non-tariff concessions, etc.) which it could use in order to receive profitable concessions in GATT negotiations.

Reference: BISD, 8S, 103.

Problem 12 - Tariff reduction and exports of less-developed countries (Mr. Shih)

At the ministerial meeting in November 1961, the conclusion was reached that new techniques should be substituted for the previous method of negotiating tariff concessions on a product-by-product basis. One of the considerations behind this view is that less-developed countries have found it difficult to participate effectively in tariff negotiations in recent years. Comment on the ministerial conclusion on this point; state the new techniques that have been alluded to or any other techniques which you feel should be adopted or considered by the CONTRACTING PARTIES, with particular reference to any special provisions which would enable effective participation by less-developed countries.

References: BISD, 10S, pp. 25 and 32, L/1768 and L/1754, Rev.1.
Problem 13 - Differential tariffs affecting exports of less-developed countries
(Mr. Shih)

Tariffs which disproportionately differentiate against processed goods, as compared with unprocessed primary commodities, have been considered by Committee III to be unfavourable to the expansion of exports of less-developed countries. Comment on: (a) the social and economic motives leading to the use of such differential tariffs in industrialized countries; (b) their impact on the exports of your own country; and (c) the prospects of their elimination. Suggest further action by Committee III or the CONTRACTING PARTIES in this connexion.

References: BISD, 10S, pp. 185, 25 and 32 and L/1768.

Problem 14 - Quantitative restrictions affecting the exports of less-developed countries (Mr. Shih)

Review the discussions in Committee III on the use of quantitative import restrictions which affect the exports of less-developed countries. Evaluate the progress achieved and its beneficial effects on the exports of less-developed countries. Comment on the position taken by the CONTRACTING PARTIES at the ministerial meeting in November 1961, the work since accomplished by Committee III in this field.

References: BISD, 10S, pp. 25 and 32, L/1768 and COM.III/72.

Problem 15 - Consultations on balance-of-payments restrictions (Mr. Shih and Mr. Leonhardt)

Under Articles XII:4(b) and XVIII:12(b), contracting parties applying restrictions for balance-of-payments reasons are required to consult with the CONTRACTING PARTIES annually or bi-annually. Write a note on the scope, nature and purposes of such consultations. In the light of the procedures and plans which have been adopted for these consultations, and assuming that your country is a consulting contracting party or a member of the Committee conducting the consultations, draw up a brief for your delegation.

References: BISD, 3S, 172 et seq.
" 7S, 90-98, especially Annex 1 on pp. 97 and 98,
" 8S, 73-76,
" 9S, 68-70,
" 10S, 114-116
L/1462, L/1463, L/1464, L/1465, L/1775, L/1776, L/1777, L/1787.

Problem 16 - Operation of Article XVIII:C (Mr. Shih and Mr. Leonhardt)

The revised text of Article XVIII came into force in October 1957, and certain applications made by Ceylon under its provisions were considered at the
twelfth to seventeenth sessions. Analyse the Working Party Reports on the Ceylon applications in the light of the provisions of the Article. Discuss the value of these provisions to under-developed countries, comment on the procedures adopted and make suggestions on any possible improvements.

References: BISD, 3S, 179-189; 6S, 112-131; 7S, 71-88; 8S, 90-97; and 9S, 95-100, 101 and 104; 10S, 106.

Problem 17 - Problem of "market disruption" (Mr. Shih)

Comment on the procedures adopted by the CONTRACTING PARTIES concerning problems of "market disruption". To what extent and what circumstances would it be acceptable that exports from a less-developed country should be subject to special restrictions imposed for the purpose of preventing or alleviating a situation of "market disruption"?


Problem 18 - Residual import restrictions (Mr. Shih)

Review the evaluation of procedures and arrangements for dealing with "residual restrictions". Comment on the various decisions taken by the CONTRACTING PARTIES concerning the maintenance of restrictions by certain contracting parties. Develop arguments for use in discussions on these restrictions in future GATT meetings.

References: BISD, 9S, p. 19, L/1768 and L/1774.