

รายการอ้างอิง

ภาษาไทย

การผนวกข้อตกลง BLAIR HOUSE เข้าสู่กรรมสารสุดท้าย. ประชาชาติธุรกิจ (26-29 ธันวาคม 2536): 6.

การอุดหนุนสินค้าเกษตร: ไผ่สงครามที่รื้อวันปะทุของชาติอุตสาหกรรม. ธุรกิจก้าวหน้า 1 (กุมภาพันธ์ 2532): 22-24.

เกริกไกร จิระแพทย์. GATT กับการปรับตัวของไทย. กรุงเทพฯ: กรมเศรษฐกิจการพาณิชย์, 2537.

เกษตรศาสตร์, มหาวิทยาลัย. คณะเศรษฐศาสตร์และบริหารธุรกิจ. ศูนย์วิจัยเศรษฐศาสตร์ประยุกต์. รายงานการวิจัยเรื่อง การศึกษาวิจัยนโยบายและมาตรการช่วยเหลืออุดหนุนภาคเกษตรกรรมของไทย. กรุงเทพฯ: ศูนย์วิจัยเศรษฐศาสตร์ประยุกต์ คณะเศรษฐศาสตร์และบริหารธุรกิจ มหาวิทยาลัยเกษตรศาสตร์, 2532.

GATT รอบอุรุกวัยกับนโยบายอุดหนุนการเกษตร. สรุปข่าวธุรกิจ 19 (16-30 กันยายน 2531): 27-37.

แกตต์อุรุกวัย รอบแห่งความล้มเหลว. สยามโพสต์ (25 ตุลาคม 2536): 18.

ความตกลงที่สำคัญในแกตต์. วารสารเศรษฐกิจการพาณิชย์ 25 (มกราคม - กุมภาพันธ์ 2537): 8-18.

ความตกลงที่สำคัญในแกตต์. วารสารเศรษฐกิจการพาณิชย์ 25 (มีนาคม - เมษายน 2537): 27-38.

7 ปีที่ล่วงเลยของข้อตกลงแกตต์. กรุงเทพธุรกิจ (13 ธันวาคม 2536): 15.

ชัยรัตน์ ศิริวัฒน์. ปัญหาความขัดแย้งทางการค้าระหว่างไทยและสหรัฐอเมริกา (ปี 2528-2533). สารนิพนธ์ปริญญาโทบริหารธุรกิจ มหาวิทยาลัยธรรมศาสตร์, 2533.

ชัชวาลพร จงวัฒนา. GATT: สาธารณและผลกระทบ. เศรษฐกิจปริทัศน์ 16 (มีนาคม 2537): 1-23.

ปรีชา วงศ์อรุณ. ยุทธศาสตร์ทางเศรษฐกิจในความสัมพันธ์ไทย-ประชาคมยุโรป (พ.ศ. 2530-2535). วิทยานิพนธ์ปริญญาโทบริหารธุรกิจ มหาวิทยาลัยธรรมศาสตร์, 2537.

นิบลีย์ เจียมยกุลกิจ. ทิศทางและเป้าหมายในการสร้างขีดความสามารถเพื่อการแข่งขันกับต่างประเทศ (ภาคเกษตรกรรม). ข่าวเศรษฐกิจการเกษตร 40 (พฤษภาคม 2537): 3-7.

นิเทอร์ โมตรี อิงภากรณ์. เมื่อประเทศขนาดเล็กและกลางต้องการสร้างอำนาจต่อรอง: กรณีกลุ่มแครนส์และการเจรจาการค้า. รัฐศาสตร์สาร 17 (มกราคม - เมษายน 2534): 28-67.

_____. สัมภาษณ์, 10 กุมภาพันธ์ 2538.

_____. สามมิติของการเจรจาต่อรองการค้า. กรุงเทพฯ: สำนักพิมพ์ไวิลาย, 2538.

เพียรพรรณ กำเนิดศิริ. อวสานการเจรจา GATT รอบอุรุกวัย?. สรุปข่าวธุรกิจ 21 (1-15 ตุลาคม 2533): 35-44.

ไพศาล มະระนฤชวรรณ. เอกสารวิเคราะห์กรมการค้าต่างประเทศเรื่องภาพรวมของเกษตรรอบอุรุกวัยและผลกระทบต่อประเทศไทย. กรุงเทพฯ: กรมการค้าต่างประเทศ กระทรวงพาณิชย์, 2537.

เขาวรี นฤวิทย์. CAP Reform...สิ่งที่ทุกคนไม่ควรมองข้าม. สถานการณ์เศรษฐกิจ 13 (มิถุนายน 2536): 1.

วิรัชชัย. เอกสารเกี่ยวกับ Blair House. 3 กันยายน 2536. (อัดสำเนา).

เศรษฐกิจการเกษตร, สำนักงาน. การศึกษาผลกระทบจากการเจรจาการค้ารอบอุรุกวัยต่อเศรษฐกิจการเกษตร. กรุงเทพฯ: สำนักงานเศรษฐกิจการเกษตร, 2537.

เศรษฐกิจการพาณิชย์, กรม. การเจรจาการค้าหลายฝ่ายรอบอุรุกวัยและผลประโยชน์ของประเทศไทย. กรุงเทพฯ: กรมเศรษฐกิจการพาณิชย์, 2530.

_____. กีดกันการเจรจาต่อรองการค้า. กรุงเทพฯ: กรมเศรษฐกิจการพาณิชย์, 2537.

_____. กีดกันการเจรจาต่อรองการค้า ฉบับแก้ไขปรับปรุงใหม่ ครั้งที่ 1. กรุงเทพฯ: กรมเศรษฐกิจการพาณิชย์, 2537.

_____. ผลการประชุมระดับรัฐมนตรีของคณะกรรมาธิการว่าด้วยการเจรจาการค้าเพื่อทบทวนผลกลางรอบของการเจรจาต่อรองการค้า วันที่ 5-9 ธันวาคม 2531. กรุงเทพฯ: กรมเศรษฐกิจการพาณิชย์, 2531.

_____. รายงานผลการสัมมนาเรื่องการค้าเสรีและการค้าสินค้าเกษตรระหว่างประเทศ: ประเทศไทยในรอบอุรุกวัย. กรุงเทพฯ: กรมเศรษฐกิจการพาณิชย์, 2531.

- _____. สรุปสาระสำคัญการประชุมเชิงปฏิบัติการเรื่อง การเจรจาการค้าหลายฝ่ายรอบอุรุกวัย และผลประโยชน์ของประเทศไทย. กรุงเทพฯ: กรมเศรษฐกิจการพาณิชย์, 2530.
- สุโขทัยธรรมมาธิราช, มหาวิทยาลัย. สาขาวิชานิติศาสตร์. เอกสารการสอนชุดวิชา สถาบันระหว่างประเทศ. กรุงเทพมหานคร: สำนักพิมพ์มหาวิทยาลัยสุโขทัยธรรมมาธิราช, 2528.
- สุทธิพันธ์ จิราธิวัฒน์. การเจรจาการค้าสินค้าเกษตรในรอบอุรุกวัย: ภาพรวมและนัยสำหรับประเทศไทย. ใน บทความเสนอในการสัมมนาทางวิชาการประจำปี 2535 เรื่อง การค้าระหว่างประเทศในทศวรรษ 1990, หน้า 6/1-6/62. กรุงเทพฯ: คณะเศรษฐศาสตร์ มหาวิทยาลัยธรรมศาสตร์, 2535.
- สมจินต์ ลันถวัรักษ์. รองอธิบดีกรมเศรษฐกิจการพาณิชย์ กองการค้าหนุภาคี. สัมภาษณ์, 13 มกราคม 2538.
- สมชาย ภคภาสน์วิวัฒน์. สหภาพยุโรปกับแกตต์. ผู้จัดการรายวัน (16 ธันวาคม 2536): 4.
- ลุมิตรา อัญญ. นโยบายเกษตร EC: ผลกระทบต่อเกษตรกรกรมไทย. เศรษฐกิจปริทัศน์ 15 (มิถุนายน 2536): 1-22.
- หอการค้าแห่งประเทศไทย, สภา. เอกสารประกอบการประชุมสัมมนา การเจรจาการค้าหลายฝ่ายรอบอุรุกวัยและผลกระทบต่อเศรษฐกิจ. กรุงเทพฯ: สภาหอการค้าแห่งประเทศไทย, 2537.
- อารีรัตน์ เจริญมงคล. ผลกระทบของการจำกัดการส่งออกมันสำปะหลังของไทยไปยังประชาคมยุโรป. วิทยานิพนธ์ปริญญาโท จุฬาลงกรณ์มหาวิทยาลัย, 2527.
- Hathaway, Dale. ผลกระทบต่อ การเปลี่ยนแปลงในประชาคมยุโรปต่อการค้าสินค้าเกษตรของโลก. ใน รายงานผลการประชุมสัมมนา เรื่องผลกระทบของการเปลี่ยนแปลงทางการเมืองในยุโรปต่อนโยบายการเกษตร, หน้า 48-55. กรุงเทพมหานคร: มูลนิธิสถาบันวิจัยเพื่อการพัฒนาประเทศไทย, 2534.

ภาษาอังกฤษ

- Anania, G., Carter, C.A., and McCalla, A.F., eds. Agricultural trade conflicts and GATT: New dimensions in US-European agricultural trade relations. Boulder: Westview Press, 1994.

- Anderson, K. Trade negotiations and farm policy. Economic Policy 18 (April 1994): 13-52.
- Avery, W.P., ed. World agriculture and the GATT. Boulder: Lynne Rienner Publishers, 1993.
- Barston, R., ed. International politics since 1945: Key issues in the making of the modern world. Worcester: Billing & Sons, 1991.
- Bonanno, A., ed. Agrarian policies and agricultural systems. Boulder: Westview Press, 1990.
- Bradsher, K. U.S. and Europe clear the way for a world accord on trade. New York Times (15 December 1993).
- Commission of the European Communities. Our farming future. Luxembourg: Office for Official Publications of the European Communities, 1993.
- Galtung, J. Essay in peace research vol. IV. Copenhagen: Christian Ejlertsen, 1980.
- Grant, C. Delors: inside the House that Jacques built. London: Nicholas Brealey Publishing, 1994.
- Holsti, K.J. International politics: A framework for analysis. New Jersey: Prentice-Hall, 1967.
- Jackson, J.H. The world trading system: Law and policy of international economic relations. London: MIT Press, 1989.
- Joint press statement of the Commission of the European Communities and the United States of America, 20 November 1992. (Mimeographed).
- Ludlow P., Mortensen, J., and Pelkmans, J., eds. The annual review of European Community affairs 1991. Oxford: Alden Press, 1992.
- Michelmann, H.J., Stabler, J.C., and Storey, G.G., eds. The political economy of agricultural trade and policy: Toward a new order for Europe and North America. Boulder: Westview Press, 1990.

- Moyer, H.W. and Josling, T.E. Agricultural policy reform: Politics and process in the EC and the USA. London: Harvester Wheatsheaf, 1990.
- Nugent, N. The government and politics of the European Union. 3rd ed. London: Macmillan Press, 1994.
- Opening statement on agriculture by Mr. Poul Dalsager. In EEC/US Ministerial. (Mimeographed).
- Outlook for the international trading system. Bangkok Bank Monthly Review (January 1989): 30-35.
- Oxley, A. The challenge of free trade. London: Harvester Wheatsheaf, 1990.
- Paarlberg, R.L. Fixing farm trade. Cambridge: Ballinger Publishing, 1989.
- Peter Ungphakorn. When the European Community's ambassador kissed the Malaysian trade minister. TDR Quarterly Review 9 (December 1994): 24-34.
- Pomfret, R.W.T. International trade: An introduction to theory and policy. Oxford: Basil Blackwell, 1991.
- Sanderson, F.H., ed. Agricultural protectionism in the industrialized world. Washington, D.C.: Resources for the Future, 1990.
- Spero, J.E. The politics of international economic relations. U.K.: Academic Division of Unwin Hyman, 1990.
- Tussie, D. and Glover, D., eds. The developing countries in world trade: Policies and bargaining strategies. Boulder: Lynne Rienner Publishers, 1993.
- United Nations Conference on Trade and Development. Uruguay Round: Further papers on selected issues. New York: United Nations, 1990.

United Nations Handbook 1982. New Zealand: Ministry of Foreign Affairs,
1982.

United States Department of Agriculture. Agriculture in the Uruguay
Round: Analyses of government supports. Washington, D.C.:
United States Department of Agriculture, 1988.

Walters, R.S., ed. Talking trade: U.S. policy in international
perspective. Boulder: Westview Press, 1993.

What the Blair House Accord says. Bangkok Post (26 June 1993): 22.

ภาคผนวก

ภาคผนวก ก

Agriculture: The de Zeeuw text, 7.6.90^{*}

1. Approach to reductions in support and protection. Support and protection to be reduced from 1991-92 for an agreed period of time. Reductions in export assistance should be both greater and implemented at a faster rate than reductions in other areas of support.

2. Market access. All border protection measures to be converted into tariff equivalents i.e. "tariffication".^{**} To be gradually reduced from 1991-92 for a given period. Tariff quotas to be gradually increased over same period. Where imports are insignificant, a minimum level of access to be established (representing a given percentage of domestic consumption).

3. Domestic support. Main issue is to decide which type of support is to be reduced or to be excluded from GATT agreements. De Zeeuw suggested policies be exempted only if a) certain criteria are met

^{*} จาก Anna Murphy, "The European Community and the Uruguay Round," in The annual review of European Community affairs 1991, ed. Peter Ludlow, Jørgen Mortensen, and Jacques Pelkmans (Oxford: Alden Press, 1992), p. 384.

^{**} This stems from the US proposal for tariffication. In 1989, it proposed that this be used as a means to reduce barriers to imports. All border measures other than customs duties would first be converted into tariff equivalents and then reduced. The de Zeeuw text indicated guidelines for this conversion.

and b) they remain subject to an overall ceiling on support. Possible exemptions: disaster relief funds and environmental programmes. Market price support, direct payments to producers and programmes to reduce input and marketing costs to be subject to GATT reductions.

4. Export competition. Reduction but no elimination of export subsidies (as sought by the US and Cairns Group). Negotiations to continue on export aid.

5. Sanitary and phytosanitary measures. Proposed text on reducing trade barriers. Contains mechanism for resolving disputes.

The EC objected to the de Zeeuw text on the grounds that export subsidies would be treated differently from other forms of support. It argued that the US system of deficiency payments (income supplements to producers) should be treated in the same way as an export subsidy. Also, the de Zeeuw text did not specifically permit "re-balancing". This referred to an EC demand that it be possible to increase protection where it is low or absent, as in the case of oilseeds and cereal substitutes, in tandem with reductions in support for competing products.* Furthermore, the de Zeeuw text did not envisage giving credit for reforms undertaken since the Uruguay Round began, as sought by the EC. This would influence the degree of cutbacks required in the future.

* EC imports of cereals substitutes have increased dramatically because they are a cheaper feedingstuff than domestically produced cereals. This has exacerbated the problems of cereals surpluses. The EC has been unable to raise tariffs to prevent this as it agreed during the Dillon Round of GATT negotiations to bind tariffs and customs duties on these products.

The US and the Cairns Group, on the other hand, welcomed the text as a basis for the negotiations. President Bush made agreement to the de Zeeuw text a priority issue at the Houston summit in July 1990. There the EC, represented by Commission President Delors, was forced to "commend" the text to the Geneva negotiators "as a means to intensify the negotiation".¹ This language was deliberately ambiguous as it did not mean that the text was adopted as the sole basis for negotiations.

The next stage in the negotiations was the presentation of country offers to reduce support and protection. It was agreed that these should be presented by 15 October, a deadline which left little time for reaching final agreements before the December ministerial meeting.

¹"Houston Economic Declaration," USIS Official Text 5, (12 July 1990).



ภาคผนวก ข

The Hellstrom "non-paper" presented to the negotiating group
on agriculture, 6.12.90^{*}

1. Internal support

Reduction in support per commodity by 30% over five years from 1.1.91. Base period for the calculation of the reductions to be 1990 or nearest financial or marketing year for which data are available. Flexibility for developing countries as regards timescale and degree of reductions.

2. Market access

Border protection on all products to be reduced by 30% over five years from 1990 levels. Import access to be maintained on the basis of 1990 levels (for primary and processed products). Where import levels are not significant, minimum level of access from 1991-92 to represent at least 5% of current domestic consumption of product concerned. Access for developing countries to be increased at a faster rate.

3. Export competition

Export subsidies to be reduced by 30% over five years, taking 1988-90 as the base period. Reductions in support may take the form

^{*} จาก Anna Murphy, "The European Community and the Uruguay Round," in The annual review of European Community affairs 1991, ed. Peter Ludlow, Jørgen Mortensen, and Jacques Pelkmans (Oxford: Alden Press, 1992), p. 387.

of commitments to progressively reduce aggregate budgetary outlays on export assistance, per unit export assistance, or the total quantity of a product in respect of which export assistance may be provided. Food aid to be maintained at a level at least equal to that existing in 1990. Participants ensure that supplies of basic foodstuffs are available to least-developed countries and net food-importing countries.

4. Review

The agreement to be reviewed in 1995 and steps towards further liberalisation to be considered. It is understood that reductions in support and protection are part of a continuous process of reform.

ภาคผนวก ค

Changes to Draft Final Act^{*} required by
US/EC Blair House Agreement^{**}

Part A

Part I

Article 1 - Definition of Terms

In this Agreement, unless the context otherwise requires:

"AMS" and "Aggregate Measurement of Support" -- mean the annual level of support, expressed in monetary terms, provided for an agricultural product in favor of the producers of the basic agricultural product or non-product-specific support provided in favor of agricultural producers in general, calculated in accordance with the provisions of Annex 5 to Part B of this Agreement [refer to the aggregate measurement as specified in the Schedules of domestic support commitments and the related supporting material];

^{*}All deletions from Draft Final (revised Dunkel Text) are framed in brackets; all new materials are underlined.

^{**}This document only incorporates changes to reflect the Blair House Agreement and does not incorporate other drafting changes that may be necessary to clarify ambiguities in the Dunkel Text.

"Equivalent Commitment"^{*} means the annual level of support, expressed in monetary terms, provided to producers of a basic agricultural product through the application of one or more measures, the calculation of which in accordance with the AMS methodology is impracticable and so is determined in accordance with the provisions of Annex 6 of Part B of the Agreement [are as specified in the Schedules of domestic support commitments and the related supporting material];

"Total AMS" and "Total Aggregate Measurement of Support" mean the sum of all domestic support provided in favor of agricultural producers, other than support provided under programs that qualify as exempt from reduction under this Agreement, calculated as the sum of all AMS calculations for basic agricultural products, all non-product-specific AMS calculations and all equivalent commitments for agricultural products.

Part IV

Article 6 - Domestic Support Commitments

1. The domestic support reduction commitments of each Member contained in its Schedule of commitments shall apply to all of its domestic support measures in favor of agricultural producers with the exception of domestic measures which are not subject to reduction in terms of the

^{*}Because the parties have agreed to make domestic support commitments on a Total AMS basis, rather than on a product-specific AMS basis, the term "equivalent commitment" appears no longer to be appropriate and should be changed to a term such as "equivalent calculation."

criteria set out in Part A, Annex 2 [to this Agreement]. The commitments are expressed in terms of Total Aggregate Measurement of Support [and of equivalent commitments]. The constituent data and methods employed in the calculation of these commitments shall be incorporated into the Schedules of domestic support commitments by reference to the relevant tables of supporting material.

2. Investment subsidies which are generally available to agriculture in developing country Members and input subsidies generally available to low-income or resource poor producers in developing country Members shall be exempt from domestic support reduction commitments that would otherwise be applicable to such measures, as shall domestic support to producers in developing country Members to encourage diversification from growing illicit narcotic crops.

3. A Member shall be considered to be in compliance with its domestic support reduction commitments in any year [where the product-specific and non-product-specific AMS values for support, or the equivalent commitments, do] in which its domestic support in favor of agricultural producers expressed in terms of Total AMS does not exceed the corresponding commitment levels specified in the Schedules of domestic support commitments of the Member concerned.

4. As long as product-specific domestic support, which would otherwise be required to be included in a Member's calculation of Total AMS and by such inclusion be subject to reduction does not exceed 5 per cent of the total value of production of a basic product [in the case of product-specific support], there shall be no requirement to include such support in the calculation of the Member's Total AMS [undertake the reduction of that support, and]. Similarly, as long as non-product-specific domestic support which would otherwise be required to be included in a Member's calculation of Total AMS and by such inclusion

be subject to reduction does not exceed 5 per cent of the value of that Member's total agricultural production [in the case of a non-product-specific AMS], there shall be no requirement to include such support in the Member's calculation of Total AMS [undertake the reduction of that support]. For developing country Members, the percentage under this paragraph shall be 10 per cent.

5. (a) Direct payments under production-limiting programs shall not be subject to the commitment to reduce internal support if:

(i) payments are based on fixed area and yields; or

(ii) payments are made on 85 percent or less of the base level of production; or

(iii) livestock payments are made on fixed number of head.

(b) The exemption from the reduction commitment for direct payments meeting the above criteria shall be reflected by the exclusion of the value of those direct payments in a Member's calculation of its current Total AMS.

Article 7 - General Disciplines on Domestic Support

1. Each member shall ensure that any domestic support measures in favor of agricultural producers which are not subject to reduction commitments because they qualify under the criteria set out in Part A, Annex 2 are maintained in conformity therewith [with the criteria set out in Annex 2 to this Agreement].

2. Any domestic support measure in favor of agricultural producers, including any modification to such measure, and any measure that is subsequently introduced that cannot be shown to satisfy the criteria in Part A, Annex 2 [to this Agreement] or to be exempt from reduction by reason of any other provision of this Agreement shall be included in

the Member's calculation of its Total AMS [coverage of the applicable AMS or equivalent commitment. Where no applicable AMS or equivalent commitment exists the support in question shall not exceed the de minimis level set out in Article 6(4)].

[3. The domestic subsidies listed in Annex 2 to this Agreement shall be considered as non-actionable for the purposes of countervailing duties, but not otherwise, provided that such subsidies are in conformity with the general and specific criteria relating thereto as prescribed in that Annex.]

Article 9 - Export Subsidy Reduction Commitments

2. Except as provided in paragraph 5(c) of Annex 8 to Part B of this Agreement, reduction commitments for any year of the implementation period, as specified in Schedules, represent:

- (a) in the case of outlay reduction commitments, the maximum level of expenditure that may be allocated or incurred in that year in connection with the export subsidies listed in this Article; and
- (b) in the case of export quantity reduction commitments, the maximum quantity of an agricultural product, or group of such products, in respect of which export subsidies listed in this Article may be granted in that year.

Article 10 - Prevention of Circumvention of Export Competition Commitments

1. Export subsidies not listed in Article 9(1) of this Agreement shall not be applied in a manner which results in, or which threatens to lead

to, circumvention of export subsidy commitments; nor shall non-commercial transactions be used to circumvent such commitments.

2. Members undertake to work toward the development of internationally agreed disciplines to govern the provision of [not to provide] export credits, export credit guarantees or insurance programs and, after agreement on such disciplines, to provide export credits, export credit guarantees or insurance programs only in conformity therewith [otherwise than in conformity with internationally agreed disciplines].

3. Any Member which claims that any quantity exported in excess of a reduction commitment level is not subsidized must establish that no export subsidy, whether listed in Article 9 or not, has been granted in respect of the quantity of exports in question.

4. Member donors of international food aid shall ensure:

(a) that the provision of international food aid is not tied directly or indirectly to commercial exports of agricultural products of recipient countries;

(b) that international food aid transactions, including bilateral food aid which is monetized, shall be carried out in accordance with the FAO "Principles of Surplus Disposal and Consultative Obligations" including, where appropriate, the system of Usual Marketing Requirement (UMRs);

(c) that such food aid shall be provided to the extent possible in fully grant form or on terms no less concessional than those provided for in Article IV of the Food Aid Convention 1986.

Part VI

Article 12 - Due Restraint [Serious Prejudice]

[Where reduction commitments on domestic support and export subsidies

are being applied in conformity with the terms of this Agreement, the presumption will be that they do not cause serious prejudice in the sense of Article XVI:1 of the General Agreement.]

During the implementation period, notwithstanding the provisions of the GATT 1993 and the Agreement on Subsidies and Countervailing Measures ("Subsidies Agreement"):

1. Domestic support measures that conform fully to the provisions of Part A, Annex 2 shall be:
 - (a) non-actionable subsidies for purposes of countervailing duties;^{*}
 - (b) exempt from action based on Article XVI of the GATT 1993 and Part III of the Subsidies Agreement; and
 - (c) exempt from action based on non-violation nullification or impairment of the benefits of tariff concessions accruing to another Member under Article II of the GATT 1993, in the sense of Article XXIII:1(b) of the GATT 1993.
2. Domestic support measures^{**} that conform fully to the provisions of Part B, paragraph 8, including direct payments that conform to the requirements of subparagraph 2 thereof, as reflected in each Member's Schedule of Commitments, shall be:
 - (a) exempt from the imposition of countervailing duties; unless a determination of injury or threat thereof is made in accordance

^{*}"Countervailing duties" are those covered by Article VI of the GATT 1993 and Part V of the Subsidies Agreement.

^{**}To be correct, references to domestic support measures and export subsidies for purposes of paragraphs 2(a) and 3(a) must be revised to refer to "subsidized imports that benefit from" domestic support measures and export subsidies.

with Article VI of the GATT 1993 and Part V of the Subsidies Agreement, and due restraint shall be shown in initiating any countervailing duty investigations;

(b) exempt from actions based on Article XVI:1 of the GATT 1993 or Articles 5 and 6 of the Subsidies Agreement, provided that such measures do not grant support to a specific commodity in excess of that decided during the 1992 marketing year; and

(c) exempt from actions based on non-violation nullification or impairment of the benefits of tariff concessions accruing to another Member under Article II of the GATT 1993, in the sense of Article XXIII:1(b) of the GATT 1993, provided that such measures do not grant support to a specific commodity in excess of that decided during the 1992 marketing year.

3. Export subsidies that conform fully to the provisions of Part V of Part A, as reflected in each Member's Schedule of Commitments, shall be:

(a) subject to countervailing duties only upon a determination of injury or threat thereof based on volume, effect on prices, or consequent impact in accordance with Article VI of the GATT 1993 and Part V of the Subsidies Agreement, and due restraint shall be shown in initiating any countervailing duty investigations; and

(b) exempt from actions based on Article XVI of the GATT 1993 or Articles 3, 5 and 6 of the Subsidies Agreement.

Article 17 - Review of the Implementation of Commitments

1. Progress in the implementation of commitments negotiated under the Uruguay Round reform programme shall be reviewed.
2. The review process shall be undertaken on the basis of notifications



submitted by Members in relation to such matters and at such intervals as shall be determined, as well as on the basis of such documentation as the MTO Secretariat may be requested to prepare in order to facilitate the review process.

3. In addition to the notifications to be submitted under paragraph 2, any new domestic support measure, or modification of an existing measure, for which exemption from reduction is claimed shall be notified promptly. This notification shall contain details of the new or modified measure and its conformity with the agreed criteria as set out either in Part A, Annex 2 [of this Agreement] or in Part B, paragraph 8(b).

4. In the review process members shall give due consideration to the influence of excessive rates of inflation on the ability of any member to abide by its domestic support commitments.

5. The review process shall provide any opportunity for members to raise any matter relevant to the implementation of commitments under the reform programme as set out in this Agreement.

6. Any member may bring to the attention of the members any measure which it considers ought to have been notified by another member.

Article 18 - Consultations and Dispute Settlement

1. The provisions of Articles XXII and XXIII of the GATT 1993, as elaborated and applied by the MTO Understanding on Rules and Procedures Governing the Settlement of Disputes shall apply to consultations and the settlement of disputes under this Agreement.

[2. On the basis of the commitments undertaken in the framework of this Agreement, Members will exercise due restraint in the application of their rights under the General Agreement in relation to products included in the reform programme.]



Part B

Specific Modalities: Domestic Support

8. (a) All domestic support in favor of agricultural producers, with the exception of measures [exempted from reduction under Annex 4] meeting criteria set out in Part A, Annex 2, shall be [reduced] subject to commitments expressed and implemented through Aggregate Measures of Support as defined in Annex 5, or where the calculation of an AMS is not practicable, through equivalent commitments as defined in Annex 6. The base period shall be the year 1986 to 1988. A Total AMS shall be calculated as the sum of the value of all Aggregate Measures of Support and equivalent commitments. The Total AMS shall be reduced during the period of implementation in equal annual installments and shall be bound, at the end of the period, at a level 20 percent below the base period level. Credit shall be allowed in respect of actions undertaken since the year 1986. [The reduction commitment shall be expressed and implemented through Aggregate Measures of Support (AMS) as defined in Annex 5, or through equivalent commitments as defined in Annex 6 where the calculation of an AMS is not practicable, and shall be implemented in equal installments.]

(b) Direct payments under production-limiting programs shall not be subject to the commitment to reduce internal support if:

- (i) payments are based on fixed area and yields; or
- (ii) payments are made on 85 percent or less of the base level of production; or
- (iii) livestock payments are made on fixed number of head.

The exemption from the reduction commitment for direct payments meeting the above criteria shall be reflected by the exclusion of the value of those direct payments in a Member's calculation of its current Total AMS.

9. Where any domestic support measure cannot be shown to satisfy the criteria set out either in Part A, Annex 2 or in Part B, paragraph 8(b) [in Annex 4], it shall be subject to the reduction commitment in paragraph 8(a) above.

10. As long as product-specific domestic support which would otherwise be required to be included in a Member's calculation of its Total AMS and by such inclusion be subject to reduction does not exceed 5 per cent of the total value of production of a basic product [in the case of product-specific support], there shall be no requirement to include such support in the calculation of the Member's Total AMS [undertake the reduction of that support, and]. Similarly, as long as non-product-specific domestic support which would otherwise be required to be included in a Member's calculation of its Total AMS and by such inclusion be subject to reduction does not exceed 5 per cent of the value of that Member's total agricultural production [in the case of a sector-wide AMS], there shall be no requirement to include such support in the Member's calculation of Total AMS [undertake the reduction of that support]. For developing country Members, the percentage under this paragraph shall be 10 per cent.

Specific Modalities: Export Competition

11. The export subsidies listed in Annex 7 shall be subject to budgetary outlay and quantity commitments. Outlays and quantities shall be reduced from the year [1993] 199 to the year [1999] _____ by 36 per cent and 21 [24] percent respectively. The base period shall be the year 1986 to the year 1990. These commitments shall be established in accordance with the modalities prescribed in Annex 8.

Annex 8 MODALITIES OF EXPORT COMPETITION COMMITMENTS

5. (a) Each Member shall, prior to the conclusion of the implementation period, reduce:

(i) its budgetary outlays for export subsidies for each agricultural product or group of products specified in Annex 7 by 36 percent of the base period level; and

(ii) the quantities of each agricultural product or group of products specified in Annex 7n benefiting from export subsidies by 21 percent of the base period level.

(b) Except as provided in subparagraph (c), in implementing the reduction commitments under subparagraph (a), each Member's budgetary outlays and quantities shall be no greater than the following percentages of the base period level:

<u>Year of implementation period</u>	<u>Budgetary outlays</u>	<u>Quantities</u>
<u>First</u>	<u>94</u>	<u>96.5</u>
<u>Second</u>	<u>88</u>	<u>93</u>
<u>Third</u>	<u>82</u>	<u>89.5</u>
<u>Fourth</u>	<u>76</u>	<u>86</u>
<u>Fifth</u>	<u>70</u>	<u>82.5</u>
<u>Sixth</u>	<u>64</u>	<u>79</u>

(c) In any of the second through fifth years of the implementation period, each Member may exercise flexibility in implementing subparagraph (b) as follows. The Member's budgetary outlays and quantities for a given year may exceed those specified under subparagraph (b) by an additional 3 percent and 1.75 percent of the base period level respectively, provided that:

- (i) the cumulative amount of budgetary outlays and quantities from the beginning of the implementation period through such year is not greater than 3 percent and 1.75 percent of the base period level respectively above the cumulative amount that would have resulted from the application of subparagraph (b);
- (ii) the total budgetary outlay for export subsidies for such product or groups of products and the quantity of such product or groups of products benefiting from export subsidies over the implementation period are no greater than the totals that would have resulted from the application of subparagraph (b); and
- (iii) the Member's final bound budgetary outlay and quantity commitments for each agricultural product or group of products at the conclusion of the implementation period is no greater than 64 percent and 79 percent of the base period levels, respectively.

[In the first year of the implementation period base levels shall be reduced by an amount corresponding to the reduction that would be applicable under implementation on the basis of equal installments. Thereafter commitment levels for any year of the implementation period shall be reduced by at least half the reduction applicable under implementation on the basis of equal annual installments. Commitment levels in the final year of implementation shall be established at levels that ensure that overall reduction during the implementation period is no less than if annual commitment levels has been established on the basis of equal annual installments.]

ที่มา : กรมเศรษฐกิจการพาณิชย์ กระทรวงพาณิชย์



ประวัติผู้เขียน

นางสาวรุ่งนภา ศรีวรรณวิทย์ เกิดวันที่ 16 มกราคม พ.ศ. 2511 ที่โรงพยาบาล
หัวเจียว จังหวัดกรุงเทพมหานคร สำเร็จการศึกษาปริญญาตรีรัฐศาสตรบัณฑิต สาขาการระหว่าง
ประเทศ (เกียรตินิยมอันดับ 1) คณะรัฐศาสตร์ มหาวิทยาลัยธรรมศาสตร์ ในปีการศึกษา 2534
และเข้าศึกษาต่อในหลักสูตรรัฐศาสตรมหาบัณฑิต ที่จุฬาลงกรณ์มหาวิทยาลัย เมื่อ พ.ศ. 2535