

ከአዘጋጁ

የኢትዮጵያ ኢኮኖሚክስ ባለሙያዎች ማህበር በተለያዩ መስኮች ኢትዮጵያ ያለችበትን ሁኔታ በመረዳት ዜጎች ጥርት ያለ የጋራ ርዕይ እንዲኖራቸው ለማስቻል ተከታታይ የውይይት መድረክ <<ርዕይ 2020>> በሚል ያዘጋጃል። በዚህ የውይይት መድረክ ላይ በተለያዩ ሙያና የሥራ መስክ ዕውቅና ያላቸው ኢትዮጵያውያን በተሰጣቸው ርዕሰ ጉዳይ ላይ ጽሑፍ እያዘጋጁ ለታዳሚዎች እንዲያቀርቡ ይደረጋል። የሚዘጋጀው ጽሑፍ <<ኢትዮጵያ አሁን ያለችበት ሁኔታ ምንድነው? በዚህ ሁኔታ ብትቀጥል በ2020 የት ትደርሳለች? እንዴት ሆኖስ ወደፊት ልናያት እንፈልጋለን? ይህን ርዕይ ለማሳካት ከዛሬ ጀምሮ ከኢትዮጵያውያን ምን ማድረግ ይጠበቃል?>> በሚሉ ጭብጦች ዙሪያ ያተኮረ እንዲሆን ይደረጋል።

በዚህ መሠረት <<የውጭ ንግድ ስምምነቶች እና ልማት በኢትዮጵያ>> በሚል በተዘጋጀ <<ርዕይ 2020>> የውይይት መድረክ ላይ በተጋባዥነት ጠቃሚ ጽሑፍ ያዘጋጁት አቶ ሀብታሙ ታደሰ ከንግድና ኢንዱስትሪ ሚኒስቴር እንደዚሁም አቶ አሚን አብደላ ከኢትዮጵያ ኢኮኖሚክስ ባለሙያዎች ማህበር ናቸው። አቶ ሀብታሙ ታደሰ እና አቶ አሚን አብደላ ላቀረቡልን ጽሑፍ እንዲዘሉም ከታዳሚዎች ለተነሱ ጥያቄዎችና አስተያየቶች ለሰጡት አጥጋቢ ማብራሪያ የኢትዮጵያ ኢኮኖሚክስ ባለሙያዎች ማህበር ከፍተኛ ምስጋና ያቀርባል።

በውይይቱ ወቅት በአቶ ሀብታሙ ታደሰ እና አቶ አሚን አብደላ ጽሑፍ ላይ ሙያዊ ትችት በመስጠት ውይይቱን ያዳበሩትንና ጥልቀት የሰጡትን አቶ ማሞ እስመለአለም እና መንገሻ □□ሰ ላበረከቱት ከፍተኛ አስተዋጽኦ ማህበራችን ምስጋና ያቀርባል። ሆኖም አቶ ማሞ እስመለአለም እና አቶ መንገሻ ታደሰ በቃል ያቀረቡትን ትችት በጽሑፍ ማቅረብ ባለመቻላቸው የሰጡት አስተያየት በዚህ ጽሑፍ ውስጥ አለመካተቱን ለአንባቢያን ለመግለጻችን እንወዳለን።

የአቶ ሀብታሙ ታደሰ ፅሑፍ የዓለም የንግድ ተቋምን ምንነት እና የአባልነት ሂደቶችን በዝርዝር ያብራራል። በተጨማሪም የዓለም የንግድ ድርጅት ሥርዓትን፣ አባል መሆን ሊያስገኘው ስለሚችለው ጥቅምና ጉዳት ይዘረዝራል። ኢትዮጵያም የዓለም የንግድ ተቋም አባል ለመሆን እያደረገች ስላለው ጥረት እና ወደፊት ምን ማድረግ እንዳለባት እና □ሉ □ታኝ ሁኔታዎችን ይዘረዝራል። □ሉ□ መሠረታዊ ፅንሰሃሳቦች ላይ እና የአለም የንግድ ሥርዓትና የድርድር ሂደትን የሚያብራራ ስለሆነ ለአንባቢያን በቂ ግንዛቤ ሊያስጨብጥ እንደሚችል ይታመናል።

የአቶ አሚን አብደላ ጽሑፍ የኢኮኖሚ አጋርነት ስምምነት ታሪካዊ አመጣጥና ከዓለም የንግድ ድርጅት ሕግ ጋር ስላለው አለመጣጣም እና መጣጣም ስለማስፈለጉ ያብራራል። በተጨማሪም የኢኮኖሚ አጋርነት ስምምነት ድርድር ሂደትን፣ ጥቅሙንና ጉዳቱን፣ አሁን የተደረሰበትን የድርድር ደረጃ ያትታል። ጽሑፉ አገራችንን በኢኮኖሚ አጋርነት ስምምነትም ሆነ በሌሎች የዓለም ንግድ ድርድሮች ውስጥ ማለፉ አይቀሬ እንደሆነ በመግለፅ በሚቀጥሉት 20 ዓመት ኢኮኖሚዎ ወደ ተሻለ ደረጃ ከፍ ሊል እንደሚችል ለዚህም መወሰድ የሚገባቸውን የፖሊሲ እርምጃዎች በግልፅ ጁ□ቁማል።

በ□ህ □ሉ□ ላጁ በታዳሚዎች የቀረቡ አስተያየቶች እና ጥያቄዎች ለነዚህም የተሰጡ ማብራሪያዎች በርዕሰ ጉዳይ ላይ የተሻለ ግንዛቤ ለመፍጠር ጠቃሚ ሆነው በመገኘታቸው እንዳሉ በመጽሔቱ ውስጥ እንዲካተቱ ተደርጓል።

የኢትዮጵያ ኢኮኖሚክስ ባለሙያዎች ማህበር የጽሑፍን አቅራቢና አስተያየት ሠጪዎችን በድጋሚ እያመሰገነ በውይይቱ የተገኙ ታዳሚዎች ላላዩት ንቁ ተሳትፎ ያለውን አክብሮት ለመግለጽ ይወዳል።

በ□ህ □ትም «The Tragedy of the በሚል ርክስ □□/ር □ዬ ንጉሴ ጽሑፍ እንዲቀርብ ተደርጓል ። በዚህ አጋጣሚ □/ር ታዩ ንጉሴን እያመሰገንን አንባቢያን በርዕሰ ጉዳይ ላይ ግንዛቤ ሊፈ ብ□ እና ሊወያዩበት እንደሚችሉ እምነት ተጁ□ል ።

የዓለም ንግድ ድርጅት (WTO) ምንነት፣ የኢትዮጵያ የአባልነት እንቅስቃሴና የወደፊት የልማት ተስፋ አቶ ሀበብ ሙሴ

1. መግቢያ

የዓለም ንግድ ድርጅት (WTO) ን ያህል ዘርፈ ብዙና ውስብስብ ጉዳይ በእንዲህ ዓይነቱ በጊዜ በተገደበ መድረክ በሰፊው ለመዳሰስ የሚቻል አይደለም። አብዛኛዎቹ የWTO የንግድ ቋንቋዎች በንግድ ተደራራቂዎች ካልሆነ በስተቀር በሌላው ህብረተሰብ ዘንድ የሚታወቁ አይደሉም። በመሆኑም በዚህ ጽሁፍ ስለዓለም ንግድ ድርጅት ታሪካዊ አመሠራረትና አወቃቀር፣ ስለድርጅቱ ዋና ዋና ተግባራት፣ ስለሚያቀሩቸው ዋና አምዶችና ስምምነቶች፣ ስለ WTO የአባልነት ድርድር ደረጃዎችና ኢትዮጵያ ስለምትገኝበት ሁኔታ፣ ከአባልነት ሊገኙ ስለሚችሉ ጥቅሞችና ፈታኝ ሁኔታዎች፣ ወ.ዘ.ተ ለውይይትና ቀጣይ ሥራ ሲሆን እንደሚችል እሳቤ በመውሰድ ጥቂት ጉዳዮችን ለማቅረብ ተሞክሯል።

1. የዓለም ንግድ ድርጅት ታሪካዊ አመሠራረትና አወቃቀር

የዓለም ንግድ ድርጅት (WTO) ቀደም ሲል እ.ኤ.አ ከ1947 ጀምሮ የተቋቋመውንና የታሪፍና የንግድ አጠቃላይ ስምምነት (GATT) በመባል የሚታወቀውን አካል በመተካት እ. ኤ. አ በ1995 ማረከሽ በተሰኘች የሞሮኮ ከተማ ተመሠረተ። በእርግጥ የዓለም ባንክና የዓለም የገንዘብ ድርጅት እ.ኤ.አ በ1944 ሲመሰረቱ ሌላው ተጀምሮ ዳር ሳይደርስ የቀረው ጉዳይ ንግዱን በዓለም አቀፍ ደረጃ የሚመራ International Trade Organization (ITO) የተሰኘ ተቋም ማቋቋም እንደነበር መረጃዎች የሰጧል።

በዚያን ወቅት ITOን መመስረት ባይቻልም ከብዙ ክርክር በኋላ ሃያ ሶስት በሚሆኑ ሃገሮች መካከል የተፈረመውና ለሃምሳ ዓመታት ያህል የንግድ ድርድር ዋና መድረክ ሆኖ ሲያገለግል የቆየው GATT መፈጠሩ አይዘነጋም። እ.ኤ.አ ከ1947 እስከ 1994 ድረስ በቆየው GATT ስምንት ያህል የንግድ ድርድር ዙሮች የተካሄዱ ሲሆን እነዚህም ድርድሮች ታሪፍና ታሪፍ ያልሆኑ የንግድ መሰናክሎች እንዲቀነሱ ከፍተኛ አስተዋፅኦ አድርገዋል። ከእነዚህ ስምንት ያህል የንግድ ድርድር ዙሮች ሁሉ በርካታ ጉዳዮች የተፈፀሙበትና በኋላም ለዓለም ንግድ ድርጅት መወለድ ምክንያት የሆነው እ.ኤ.አ ከ1986 እስከ 1994 የቆየው የኡራጓይ ዙር መሆኑም ይታወቃል።

WTO ከተፈጠረ በኋላ የተጀመረውና በአሁኑ ጊዜ የምንገኝበት የንግድ ድርድር ዙር 9ኛው ዙር ሲሆን የዶሃ የንግድ ድርድር (Doha Development Agenda/DDA) በመባል ይታወቃል። ይህ ስምምነት የተደረሰው እ.ኤ.አ 2001 በኪታር ዋና ከተማ ዶሃ ላይ በተካሄደው 4ኛው የWTO የሚኒስትሮች ጉባዔ ነው። የዶሃ ዴክላራሽን በዋናነት የሚታወቀው የልማት ጉዳዮችን የድርድሩ እምብርት ማድረግ ሲሆን፣ በተለይም በማደግ ላይ ላሉ ሃገሮች የሚደረጉ የተለያዩ አስተያየቶች (S & D) አንቀጾች አስገዳጅ፣ ግልፅና ተግባራዊ ሊሆኑ በሚችል መልኩ እንዲታዩ ወስኗል። ዴክላራሽኑ 21 የሚሆኑ የድርድር ርዕሰ ጉዳዮችን ከ50 በላይ በሚደርሱ አንቀጾች ከፋፍሎ አስቀምጧል። ዴክላራሽኑ በተለያዩ ርዕሰ ጉዳዮች የሚደረጉ ድርድሮች የሚጠናቀቁበትን የጊዜ ገደብ

አስቀምጦ የነበረ ቢሆንም አብዛኛዎቹ በተቀመጠው መሠረት ሳይጠናቀቁ ቀርተዋል።

የGATT ስምምነት በዋናነት በተፈበረኩ ምርቶች ላይ ትኩረት ያደረገ ሲሆን እንደ ግብርና፣ አገልግሎትና የአካላዊ ንብረት ጉዳዮች በኡራጓይ ዙር ድርድር ሲካሄዱባቸው ቆይቶ ከWTO መመስረት ጀምሮ የስምምነቱ አካል እንዲሆኑ ተደረገ።

በአሁኑ ወቅት WTO 151 ያህል ሃገሮችን በአባልነት ያቀፈ ሲሆን 95 በመቶ በላይ የሚሆነውን የዓለም ንግድ እንቅስቃሴ የሚሸፍን እንደሆነ መረጃዎች ይገልጻሉ። በተባበሩት መንግስታት መስፈርት መሠረትም ከአባል ሃገራቱ መካከል 25ቱ በኢንዱስትሪ የበለፀጉ፣ 94 ያህሉ በማደግ ላይ ያሉና 32ቱ ደግሞ በልማት ወደኋላ የቀሩ ሃገሮች ናቸው።

በድርጅቱ አወቃቀር መሠረት ከአባል ሃገራት የተውጣጠው የሚኒስትሮች ጉባዔ (Ministerial Conference) ድርጅቱን በበላይነት የሚመራ የመጨረሻው አካል ሲሆን በየሁለት ዓመቱ አንድ ጊዜ በመሰብሰብ ዋና ዋና ውሳኔዎችን ያስተላልፋል። WTO ከተመሠረተ ወዲህ 6 ያህል የሚኒስትሮች ጉባዔዎች የተካሄዱ ሲሆን፣ እነርሱም፣ የመጀመሪያው በሲንጋፖር(1996) ፣ ሁለተኛው በጄኔቫ(1998)፣ ሶስተኛው በሲያትል (1999)፣ አራተኛው በዶሃ(2001)፣ አምስተኛው በካንኩን(2003)፣ ስድስተኛውና የመጨረሻው በሆንግ ኮንግ(2005) የተካሄዱት ናቸው።

አቶ ሀበብ ሙሴ ታደሰ የመጀመሪያ ዲግሪያቸውን በኢኮኖሚክስ ከአዲስ አበባ ዩኒቨርሲቲ እ.ኤ.አ. በ1985 ሁለተኛ ዲግሪያቸውን በኢኮኖሚ ፖሊሲ አናሊስስ ከማካርቲ ዩኒቨርሲቲ ዩጋንዳ በማርች 2001 አገኝተዋል። አቶ ሀበብ ሙሴ በንግድና ኢንዱስትሪ ሚኒስቴር ውስጥ በተለፈው ቃላፊነት ቦታዎች ላይ ያገለገሉ ሲሆን በአሁኑ ሰዓት በሚኒስቴር መ/ቤቱ የአለም የንግድ ድርጅት ማስተባበሪያ መምሪያ (WTO Affair Department) ኃላፊ ናቸው። አቶ ሀበብ ሙሴ ታደሰ ለተለያዩ ተቋማት በተለያዩ ጊዜ የምክር አገልግሎት ሰጥተዋል።

በGATT ታሪክ የተካሄዱት የንግድ ድርድር ዙሮች

ተ.ቁ	ዓመት	ቦታ/ስም	ጉዳዮች	ሃገሮች
1	1947	ጄኔቫ	ታሪፍ	23
2	1949	አንሲ	ታሪፍ	13
3	1951	ቶርኮይ	ታሪፍ	38
4	1956	ጄኔቫ	ታሪፍ	26
5	1960-1961	ጄኔቫ(ዲሎን)	ታሪፍ	26
6	1964-1967	ጄኔቫ(ኬነዲ)	ታሪፍና አንቲ ዳምፒንግ	62
7	1973-1979	ጄኔቫ(ቶኪዮ)	ታሪፍና ታሪፍ ያልሆኑ መሰናክሎች፣ ማዕቀፎች	102
8	1986-1994	ጄኔቫ(ኡራጓይ)	ታሪፍ/ታሪፍና ታሪፍ ያልሆኑ መሰናክሎች፣ አገልግሎት፣ እንደምረቃዎችን፣ ግብርና፣ የWTO መመስረት ወ.ዘ.ተ	123

ምንጭ: www.wto.org

በድርጅቱ ከሚኒስትሮች ጉባዔ ቀጥሎ ስልጣን ያለው አካል አጠቃላይ ምክር ቤት(General Council) ሲሆን የተውጣጧውም አባል ሃገራት በጄኔቫ ከሚመደቧቸው አምባሳደሮች ወይም ቋሚ መልዕክተኞች ነው። አጠቃላይ ምክር ቤቱ በየጊዜው በሚያደርጋቸው ስብሰባዎች የተለያዩ ውሳኔዎችን ይሰጣል። ም/ቤቱ የአባል ሃገሮችን የንግድ ፖሊሲ ገምጋሚ (Trade Policy Review) እንዲሁም ግጭቶችን የሚፈታ አካል (Dispute Settlement Body) በመሆንም ያገለግላል። ከዚህ በተዋረድም ተጠሪነታቸው ለአጠቃላይ ም/ቤቱ የሆኑ የዕቃዎች፣ የአገልግሎቶችና የአእምሮችን ትብብር ጥበቃ የተሰኙ ሶስት ካውንስሎች ይገኛሉ።

በተጨማሪም በተለያዩ ስምምነቶች ዙሪያ ማለትም የአካባቢ ጥበቃ፣ የልማት ጉዳዮችን፣ የአባልነት ሂደትን፣ የአካባቢያዊ የንግድ ስምምነቶችን እና ሌሎች ጉዳዮችን የሚከታተሉ በርካታ የሥራ ክፍሎች፣ ኮሚቴዎችና ልዩ ልዩ የሥራ ቡድኖች ተዋቅረው ይገኛሉ።

የዓለም ንግድ ድርጅት ጸ/ቤት ሴክራታሪያት መቀመጫ ጄኔቫ ሲሆን በአሁኑ ወቅት ወደ 630 የሚደርሱ ሠራተኞችን እንደሚያቅፍ መረጃዎች ይጠቁማሉ። የሴክራታሪያቱ ዋና ተግባር የሚኒስትሮች ጉባዔንና በስሩ በየደረጃው የተዋቀሩ የተለያዩ አካላትን በቴክኒክ መደገፍ ነው።

2. የድርጅቱ አባይት ተግባራት

የዓለም ንግድ ድርጅት አጠቃላይ ዓላማ ታሪፍና ታሪፍ ያልሆኑ መሰናክሎችን በማስወገድ ንግድ በውድድር ላይ ተመርክቶ እንዲካሄድ ማስቻል ነው። የዓለም ንግድ ድርጅት፡-

- በሃገሮች መካከል የሚካሄደውን ዓለም አቀፋዊ የንግድ ህግ ያስተዳድራል፤
- መንግስታት የንግድ ስምምነቶችን የሚደራደሩትን መድረክ ነው፤
- መንግስታት የንግድ አለመግባባቶችን የሚፈቱትን ቦታ ነው፤
- መንግስታት የአባል ሃገሮችን የንግድ ፖሊሲዎች የሚገመግሙበት ሥርዓት ነው፤
- በማደግ ላይ ያሉና በልማት ወደጓላ የቀሩ አባል ሃገሮች ከዓለም አቀፉ የንግድ ሥርዓት ይበልጥ ተጠቃሚ እንዲሆኑ የቴክኒክ ድጋፎችን ይሰጣል፤ ለዚህም ስኬታማነት ከሌሎች አለመቀፋዊ ድርጅቶች ጋር በጋራ ይሰራል።

3. የድርጅቱ ዋና ዋና ስምምነቶችና መሠረታዊ መርሆዎች

የዓለም ንግድ ድርጅት ስምምነቶች በርካታ ጉዳዮችን ማለትም ግብርና፣ የኢንዱስትሪ ውጤቶችን፣ ባንኮችን፣ ቴሌን፣ የመንግስት ግብርን፣ ደረጃና

ጥራትን፣ የምግብ ጤንነትን፣ የአእምሮችን ትብብር ጥበቃን፣ ወ.ዘ.ተ ያጠቃልላል። ስምምነቶቹን በሁለት ትላልቅ ምድቦች መክፈል የሚቻል ሲሆን መጠሪያቸውም Multilateral Trade Agreements እና Plurilateral Trade Agreements በመባል ይታወቃሉ። የመጀመሪያዎቹ ስምምነቶች በሁሉም አባል ሃገራት ላይ ተፈጻሚ የሚሆኑ ሲሆኑ፣ በሁለተኛው ምድብ የተመለከቱት ግን ስምምነቱን በፈቃደኝነት በፈረሙ አባላት ብቻ ተፈጻሚ የሚሆኑ ናቸው።

በMultilateral Trade Agreements ውስጥ ሶስቱ የዓለም ንግድ ድርጅት ስምምነት ዓምዶች የተጠቃለሉ ሲሆን እነርሱም፣ የዕቃዎች ንግድ ስምምነት (Multilateral Agreement on Trade in Goods)፣ የአገልግሎቶች ንግድ አጠቃላይ ስምምነት(General Agreement on Trade in Services/GATS)፣ እና ንግድ ነክ የአእምሮች ትብብር ስምምነት (Agreement on Trade Related Aspects of Intellectual Property Rights/TRIPS) ናቸው። ከፍ ሲልም ለማመልከት እንደተሞከረው እነዚህን ዋና ዋና ስምምነቶች ማንኛውም የWTO አባል ሃገር እንደ አንድ ማእቀፍ (Single Undertaking) የመቀበል ግዴታ አለበት።

በWTO አሠራር በእነዚህ ስምምነቶች ሁሉ ተግባራዊ የሚሆኑ የተለያዩ መሠረታዊ መርሆዎች

በኖሩም ለዚህ ጽሁፍ ሁለቱ ዋና መሠረታዊ መርሆዎች ብቻ ቀርቦታል። የመጀመሪያው መርህ አድሎአዊነትን ማስወገድ (Trade Without Discrimination) ሲሆን ይህም አንድ አባል ሃገር መግቢያ በር ላይ ለሌላው የሰጠውን ጥቅም ለሁሉም አባል ሃገራት በተመሳሳይ ሁኔታ ወዲያውኑ የመስጠት (MFN Treatment) ግዴታ እና አንድ ዕቃ ወደ አንድ ሃገር ከገባ በኋላ በገበያ ላይ በሃገር ውስጥ ከተመረቱ ተመሳሳይ ዕቃዎች ጋር እኩል የመታየት (National Treatment) መብትን ያካትታል። ሁለተኛው መርህ ደግሞ የንግድ ከባቢያዊ ሁኔታን አስተማማኝ ማድረግ (Predictability) የተሰኘው ነው። ይህም እንደመጀመሪያው ሁሉ ሁለት መገለጫዎች አሉት፤ አስገዳጅ የታሪፍ ጣሪያ ማስቀመጥ (Binding) እና ግልፅነት (Transparency) የተሰኙ። Binding ስንል አባል ሃገራት ለንግድ ሽሪኮቻቸው በዕቃዎች ላይ የሰጧቸው የገበያ ዕድሎች በቀጣይ ድርድር ካልሆነ በስተቀር ታሪፉ እንደማይቀየር ግዴታ መግባት ሲሆን፤ Transparency ደግሞ አባል ሃገሮች በዓለም አቀፍ ንግድ ላይ የሚከተሏቸውን ፖሊሲዎችና በየጊዜው የሚያወጧቸውን ህጎች ለድርጅቱ ጽ/ቤት በየጊዜው የማሳወቅና መረጃ የመስጠት ግዴታን ይመለከታል።

በድርጅቱ ስምምነቶች ውስጥ በመልማት ላይ ያሉና በልማት ወደኋላ የቀሩ አባል ሃገሮችን ተጠቃሚ የሚያደርጉ የተለያዩ አፈፃፀሞች (Special and Differential Treatments) ያገኛሉ። የተወሰኑትን ለአብነት ለመጥቀስ ያህል፤ የተባሉት ሃገሮች የሚገቧቸው ግዴታዎች የኢኮኖሚ አቅማቸውን መሠረት ያደረጉ እንዲሆኑ፤ በተለይም በልማት ወደኋላ የቀሩ አባል ሃገሮች ስምምነቶችን ለመተግበር ተጨማሪ ጊዜ እንዲሰጣቸው፤ ሃገራቱ አቅማቸውን ለማጎልበት የስልጠናና ሌሎች የቴክኒክ ድጋፎች እንዲያገኙ፤ ማድረግ የሚሉት ይገኙበታል። ከዚህ ቀጥሎ ስለ ሦስቱ የWTO ዋና ምሰሶዎች ጥቂት እንበል።

4.1 የዕቃዎች ንግድ ስምምነት (Multilateral Agreement on Trade in Goods)

WTO ሲመሰረት የቀድሞው GATT ስምምነት የተሻሻለ ሲሆን ይህም የዕቃዎች ንግድ ስምምነት አብይ ጥላ እንዲሆን ተደረገ። በዚህ አብይ ጥላ ሥርም የተለያዩ ዘርፎችን የሚመለከቱ (ምሳሌ፡ ግብርና፣ ጨርቃጨርቅ) እንዲሁም የተለያዩ ጉዳዮችን የሚዳስሱ (ምሳሌ፡ የሰው፣ የእነሰላትና የዕዕቃት ጤንነት፣ የምርት ደረጃ፣ የድጎማና አጸፋዊ እርምጃ አወሳሰድ፣ ከጉዳት የመከላከያ እርምጃ አወሳሰድ፣ የጉምሩክ ቀረጥ አወሳሰን፣ የገቢ ንግድ ፈቃድ አሰጣጥ፣ የመንግስት የንግድ ድርጅቶች አሰራር ወ.ዘ.ተ) ስምምነቶች በአባሪነት እንዲታቀፉ ተደርጓል።

ከሃገራችን ተጨባጭ ሁኔታ አንፃር ሲታይ የበለጠ ትርጉም አላቸው ተብለው የታሰቡ የተወሰኑ ስምምነቶች ምንነት ብቻ በአጭሩ ከዚህ እንደሚከተለው ቀርቦታል።

4.1.1 የግብርና ስምምነት (Agreement on Agriculture/AG)

የግብርናው ዘርፍ ለመጀመሪያ ጊዜ ድርድር የተደረገበትና ስምምነት የተፈረመው የታሪፍና የንግድ አጠቃላይ ስምምነት (GATT) የኡራጋይ ዙር የንግድ ድርድር ማጠቃለያ ላይ በማራከሽ ነው። ስምምነቱ በሦስት ዋና ዋና አምዶች (Pillars) የተከፋፈለ ሲሆን እነርሱም የገበያ ዕድል (Market Access)፣ የሀገር ውስጥ ድጎማ (Domestic Support) እና የወጪ ንግድ ድጎማ (Export Subsidy) በመባል ይታወቃሉ።

የገበያ ዕድልን (Market Access) በተመለከተ፤

- በዚህ አምድ ከቀረጥ ሌላ ይወሰዱ የነበሩ ማናቸውም የንግድ መሰናክሎች ወደ ቀረጥ እንዲለወጡ (Tariffication) ወይም እንዲወገዱ፤
- በወቅቱ በሥራ ላይ የነበረው ቀረጥ በሁሉም አባል ሀገራት እንዲቀነስና ገደብ እዲኖረው፤

- ቀረጥ ያልሆኑ እርምጃዎችን ወደ ቀረጥ የቀየሩና የቀረጥ መጠናቸውንም የቀነሱ ሀገሮችን ካልተጠበቀ ጉዳት ለመከላከል ይችሉ ዘንድ የተለየ የመከላከያ እርምጃ (Special Safeguard Provisions/SSG) መውሰድ እንዲችሉ፤
- የቀረጥ አቀናኛነትን በተመለከተ በአማካይ የበለጸጉት ሀገሮች በስድስት ዓመት ውስጥ የሚጠናቀቅ 36 በመቶ፣ በማደግ ላይ ያሉት በ10 ዓመት ውስጥ የሚጠናቀቅ 24 በመቶ ቅናሽ እንዲያደርጉ ሆኖ ቢያንስ የበለጸጉት ሀገሮች በ15 በመቶ እና በማደግ ላይ ያሉት 10 በመቶ እንዲቀንሱ፤
- በልማት ወደኋላ የቀሩት ሀገሮች ግን ቀረጥ እንዲቀንሱ እንደማይገደዱ፤ በስምምነቱ ተደንግጓል።

የሀገር ውስጥ ድጎማን (Domestic Support) በተመለከተ፤

- በኡራጋይ የንግድ ድርድር ዙር አጠቃላይ የግብርና ድጎማ (Total Aggregate Measurement of Support) እንዲቀነስ ስምምነት ላይ የተደረሰ ሲሆን የበለጸጉት ሀገሮች በ6 ዓመት ውስጥ 20 በመቶ፣ በማደግ ላይ ያሉት በ10 ዓመት ውስጥ 13.3 በመቶ እንዲቀንሱና በልማት ወደኋላ የቀሩት ሀገሮች ግን ምንም ዓይነት ቅናሽ እንዳያደርጉ ስምምነቱ ደንግጓል።
- በዚህ አምድ ለግብርናው የሚሰጡ የድጎማ ዓይነቶች በሦስት ሳጥኖች ማለትም (Green, Blue and Amber Boxes) ተብለው መከፈላቸው፤
- የመጀመሪያው “Green Box” የተባለው ንግድን የማያዛቡ ወይም አነስተኛ ተጽዕኖ ያላቸውን የድጎማ ዓይነቶች የሚይዝ ነው። ሀገሮች የሚሰጧቸውን እንደዚህ ዓይነት ድጋፎች እንዲቀንሱ አይገደዱም።
- የሚፈቀዱት ድጎማዎችም፤

- ለምርምር፣
 - ለበሽታ መቆጣጠሪያ፣
 - ለሥልጠና፣ ኤክስፔንሽንና ምክር፣
 - ለገበያ ማስፈፊያና መረጃ፣
 - ለመሰረተ ልማት፣
 - በብሄራዊ ህግ የተደነገገ በምግብ እራስን የመቻል ፕሮግራም፣
 - የምግብ እርዳታ፣
 - ለተፈጥሮ አደጋ መከላከያ፣
 - ለመዋቅር ለውጥ ማስተካከያ፣
- የመሳሰሉት ድጋፎች ናቸው።

- ሁለተኛው “Blue Box” የተባለው ምርትን ለመቀነስ ሲባል የሚደረግ የቀጥታ ገንዘብ ክፍያን የሚመለከት ሲሆን ግብርናንና የገጠር ልማትን ለማፋጠን በሚል ለገበሬዎች የሚሰጥ የኢንሽራንት፣ የምርጥ ዘር የመሳሰሉትን ድጎማዎች የሚመለከት ነው። ድጋፉ ንግድን በማዘባት ረገድ ያለው ሚና አነስተኛ እንደሆነ ይታመናል።
- ሦስተኛው “Amber Box” በመባል የሚታወቀው ሲሆን ከፍ ሲል ከተጠቀሱት ውጭ ያሉትን ድጎማዎች በሙሉ ያካትታል። በዚህ ሥር የሚወድቁ የድጎማ ዓይነቶች ንግድን በከፍተኛ ሁኔታ የሚያዘቡ በመሆናቸው እንዲቀንሱ ስምምነቱ ያስገድዳል። ሆኖም የበለጸጉ ሃገሮች 5% እና በማደግ ላይ ያሉት 10% ያህሉን የዚህ ዓይነት ድጎማ እንኳ እንዲቀንሱ አይገደዱም። በልማት ወደ ጎሳ የቀሩት ሃገሮች ግን የሚሰጧቸውን ድጎማዎች በሙሉ እንዲቀንሱ አይገደዱም።

የወጪ ንግድ ድጎማን (Export Subsidy) በተመለከተ፤

- የወጪ ንግድ ድጎማን በተመለከተ ሀገሮች በሥራ ላይ ያውሉት የነበረውን መጠን ከዓመት ወደ ዓመት እንዲቀንሱ ስምምነት ላይ ተደርጏል።
- የበለጸጉት ሀገሮች የቀጥታ ድጎማ በጀታቸውን በ6 ዓመት ውስጥ 36 በመቶ በዋጋ፣ 21 በመቶ በመጠን፣ በማደግ ላይ

ያሉት ሀገሮች ደግሞ በ10 ዓመት ውስጥ በዋጋ 24 በመቶና በመጠን 14 በመቶ እንዲቀንሱ ተስማምተዋል።

- እንዲቀንሱ ስምምነት የተደረሰባቸው የዚህ አምድ ድጎማዎች፡- ለወጪ ንግድ የሚደረግ ቀጥታ የገንዘብ ክፍያ፣ ወደ ውጭ ሀገር ገበያ ለሚገቡ አዳዲስ ምርቶች የሚደረግ ማበረታቻ፣ በሀገር ውስጥ በሥራ ላይ ካለው ዋጋ በታች ለውጭ ገበያ እንዲውሉ ለማድረግ ከመንግስት ክምችት የሚደረግ ሽያጭ፣ ለወጪ ንግድ የሚደረግ ቀጥታ የገንዘብ ክፍያ፣ የማርኬቲንግ ዋጋን ለመቀነስ ሲባል ለምርት አያያዝ፣ የምርትን ደረጃ ለማሳደግ፣ ለአመራረትና ለዓለም አቀፍ ማጓጓዣ የሚደረግ ክፍያ፣
- በሀገር ውስጥ ካለው የትራንስፖርት ዋጋ በተሻለ ሁኔታ ወደ ውጭ ለሚላኩ ምርቶች በመንግስት የሚቀርብ ማጓጓዣ፣ የሚሉት ዋና ዋናዎቹ ናቸው።

4.1.2. የሰው፣ የእንስሳትና የዕዕዋት ጤንነትን የመጠበቅ ስምምነት (Agreement on Sanitary & Phytosanitary Measures/SPS)

ይህ ስምምነት በ7ኛው የቶክዮ የንግድ ድርድር ዙር ወቅት ስምምነት የተደረሰበት ጉዳይ ሲሆን፤ ስምምነቱ ከግብርና ጋር የተገናኘ ሲሆንም ከሚሰጠው ከፍተኛ ጠቀሜታ አኳያ ታይቶ እንደገና በኩራንይ ዙር በተደረገው ድርድር ለባቸው እንዲታይ ስምምነት ላይ ተደርሶ ህግ እንዲወጣለት ተደርጓል።

ስምምነቱ አባል ሀገራት ዓለምአቀፍ ንግድን በማይገታ መልኩ የሰዎችን፣ የእንስሳትንና የእጽዋትን ጤና እንዲሁም አካባቢንና ሀገርን ከጉዳት ለመከላከል የሚያስችሉ የቴክኒክ ሬጉሌሽኖችን በማውጣት የመከላከያ እርምጃዎችን መውሰድ እንደሚችሉ ይደነግጋል። እነዚህ የሚወጡ የቴክኒክ ሬጉሌሽኖች ወይም የመከላከያ እርምጃዎች እንደ ዓለምአቀፍ የእንስሳት ጤና ድርጅት (Organization Internationale

des Epizotes/OIE)፣ International Plant Protection Convention (IPPC) እና የምግብ አዘገጃጀት ኮሚሽን (Codex Alimentarius Commission) መመሪያዎችንና ደረጃዎችን የተከተሉና ቢያንስ ዝቅተኛ የመከላከል መስፈርቶችን ያሟሉ ቢሆኑ እንደሚመረጥ ተደንግጓል። አንድ አባል ሀገር የሚወስዳቸው እርምጃዎች ዝቅተኛ የመከላከል መስፈርቶችን ያሟሉ ከሆኑ ሌላው ሀገር በአኩሪነት ደረጃ እንዲቀበላቸው ስምምነቱ ይገልጻል። በዚህ ስምምነት መሠረት አንድ አባል ሀገር ከበሽታ ነጻ የሆነ አካባቢን/ቀጠናን ለይቶ መከለልና ለሚጠይቀው ሁሉ በማስረጃ አስደግፎ ማሳየት ይችላል። ቀጠናዎቹን አስመልክቶም ሆነ አጠቃላይ ስምምነቱን በማስፈጸም ዙሪያ የተለያዩ መረጃዎችን ለሚጠይቁ የድርጅቱ አባል ሀገራት መረጃ የሚሰጥበት ማዕከል (Enquiry Point) እና በየጊዜው የሚወሰዱት እርምጃዎች ማሳወቂያ የሥራ ክፍል (Notification Authority) መሰየም አስፈላጊዎች መሆናቸውም በስምምነቱ ተመልክቷል።

4.1.3. ቴክኒካዊ የንግድ መሰናክሎች ስምምነት (Agreement on Technical Barriers to Trade/TBT)

አባል ሀገራት ሰውን፣ እንስሳትን፣ እጽዋትን፣ አካባቢንና ሀገርን፣ ወ.ዘ.ተ እንዲሁም አሳሳችና ጥራታቸውን ያልጠበቁ ምርቶች ሊያደርሱ ከሚችሏቸው የተለያዩ ጉዳዮች ለመከላከል የሚረዱ እርምጃዎችን መውሰድ እንደሚችሉ ስምምነቱ ደንግጓል። የሚወሰዱት እርምጃዎች በሀገሮች መሀል ልዩነት ማድረግ እንደሌለባቸው፣ ለዓለምአቀፍ ንግድ እንቅፋት መፍጠር እንደማይኖርባቸው፣ እርምጃዎች ግልጽና በብሄራዊ ደረጃ በሚታተም የየሃገሮች ጋዜጣዎች ላይ መውጣት እንዳለባቸው፣ ወዘተ.. አባል ሀገራት በድርድሩ ወቅት ስምምነት ላይ ደርሰዋል። የሚወጡት የቴክኒክ ሬጉሌሽኖች፣ ደረጃዎችና የኮንፎርሚቲ ፅምጫ ሂደቶች እንደ ISO ያሉ ዓለምአቀፍ ድርጅቶች የሚያወጧቸውን

መመሪያዎች መሠረት በማድረግ የተዘጋጁ እንዲሆኑ ስምምነቱ ያበረታታል። አንድ አባል ሀገር የሚወስዳቸው እርምጃዎች ዝቅተኛ የመከላከል መስፈርቶችን ያሟሉ ከሆኑ ሌላው ሀገር በእኩልነት ደረጃ መቀበል እዳለበት፤ የሚወጡትን የቴክኒክ ሬጉሌሽኖች፣ ደረጃዎችና የኮንፎርሚቲ ፅምጭ ሂደቶችን የሚያስተባብር የበላይ አካል ማቋቋም፣ የመረጃ ማዕከል (Enquiry Point) እና በሥራ ላይ የዋሉት የቴክኒክ ሬጉሌሽኖች ወይም የተወሰዱት እርምጃዎችን በየጊዜው ማሳወቂያ የሥራ ክፍል (Notification Authority) መሰየም፤ እንደሚያስፈልግ ስምምነቱ ይደነግጋል።

3.1.4 ከጉዳት የመከላከያ እርምጃ አወሳሰድ ስምምነት (Agreement on Safeguard /SG)

የዚህ ስምምነት ዋና ዓላማ አባል ሀገራት ባልጠበቁት ሁኔታ ከፍተኛ መጠን ያለው ምርት ወደ ሀገራቸው ገብቶ በሀገር በቀል ኢንዱስትሪዎች ላይ ጉዳት በሚያደርስበት ወቅት ተገቢ የሆነ የመከላከያ እርምጃ መውሰድ እንዲችሉ ለማድረግ ነው።

አባል ሀገራት የተጠቀሰውን የመከላከያ እርምጃ ለመውሰድ የሚከተሉት ሁኔታዎች መሟላታቸው መረጋገጥ ይኖርበታል። እነርሱም፤

- የገቢ ንግድ በከፍተኛ ደረጃ በመጠንም ሆነ በዋጋ ባልተጠበቀ ሁኔታ መጨመሩ፤
- በሀገር ውስጥ ተመሳሳይ ምርት በሚያመርቱ ኢንዱስትሪዎች ላይ ከፍተኛ ጉዳት (Serious injury) መድረሱ ወይም ጉዳት የማድረስ አዝማሚያ (Threat of serious injury) መኖሩ፤
- የደረሰው ወይም ሊደርስ የሚችለው ጉዳት በተጠቀሰው የገቢ ምርት ምክንያት መሆኑ፤ የሚሉት ናቸው።

ሃገሮች የመከላከያ እርምጃ ለመውሰድ ጉዳቱ ለመድረሱ ወይም ሊደረስ ለመሆኑ በጥናት ማረጋገጥ አለባቸው፤ ሆኖም ጥናቱ እስኪጠናቀቅ ድረስ ጊዜያዊ የመከላከያ እርምጃ መውሰድ

ይቻላል። የተወሰደው ወይም የሚወሰደው እርምጃ ዋና ዓላማ ጉዳቱን ለማካካስ ብቻ መሆን ይኖርበታል። እርምጃውም ቀረጥ በመጣል ወይም የገቢ ንግዱን መጠን በከታ በመገደብ መልክ ሊወሰድ ይችላል። የሚወሰደው እርምጃ የሚቆየው ቢበዛ አራት ዓመት ሲሆን እንደ አስፈላጊነቱ ሊራዘም ይችላል። ሆኖም በጠቅላላው ከስምንት ዓመት መብለጥ እንደሌለበት ተደንገገዋል። አባል ሀገራት ይህን እርምጃ ለመውሰድ ለተገኝታቸው ሀገር ማካካሻ መስጠት ማለትም በምርቱ ፋንታ በሌላ ምርት ላይ የቀረጥ ቅነሳ ማድረግ አለባቸው።

3.1.5 የጉምሩክ ቀረጥ ትመና (Agreement on Customs Valuation/CVA)

ይህ ስምምነት ለመጀመሪያ ጊዜ ድርድር የተደረገበት እ.ኤ.አ. 1979 ቶኪዮ ላይ በተካሄደው 7ኛው ዙር ነው። ስያሜውም የTokyo Round Valuation Code በመባል ይታወቅ ነበር። በድርድሩም መጨረሻ በልውውጥ ዋጋ (transaction value) ላይ የተመሠረተ ስምምነት ሊፈረም ችሏል። በዚህ ስምምነት የጉምሩክ ዋጋ ትመና የሚካሄደው ወቅታዊ የንግድ ልውውጥ ሁኔታዎችን ከግምት ውስጥ በማስገባትና ለገቢ ምርት በሚከፈለው ወይም ሊከፈል በሚችለው ትክክለኛ ዋጋ (the Price Actually Paid or Payable) ላይ በመመስረት ሲሆን ከ40 በላይ የሚሆኑ ሀገሮች ስምምነቱን ፈርመው እስከ ኡራጓይ ዙር ድረስ ሲሠራበት ቆይቷል።

እ.ኤ.አ. በ1994 የተፈረመው የWTO የጉምሩክ ዋጋ ትመና ስምምነት ከቶኪዮ ዙር ቫሎራም ስምምነት ጋር ተመሳሳይ ሲሆን በገቢ ምርት ላይ የሚጣለው ቀረጥ በAd Valorem Duties መሠረት ተሰልቶ የሚከናወን ነው።

የጉምሩክ ዋጋ ትመና (Customs Valuation) በገቢ ምርት ላይ ቀረጥ ለመጣል ሲባል በገቢ ምርቱ ትክክለኛ ዋጋ ላይ Actual Value እና ወይንም በመጠንና ክብደት (volume/weight) ላይ ወይንም በሁለቱም ላይ በመመርኮገ

የሚደረግ የስሌት አሠራር ነው። የልውውጥ ዋጋን (Transaction value) ጨምሮ ስድስት ዓይነት የጉምሩክ ዋጋ ትመና ዘዴዎች በስምምነቱ የተካተቱ ሲሆን በመረጃ አለመኖር ምክንያት በአንዱ ዘዴ ካልተቻለ በሌላው ተከታታይ ዘዴዎች የዋጋ ትመና ማካሄድ እንደሚቻል ስምምነቱ ይገልጻል። እነዚህ ስድስት ዘዴዎች፣ Transaction Value፣ Transaction Value of Identical Goods፣ Transaction Value of Similar Goods፣ Deductive Method፣ Computed Method እና Fall-back Method በመባል የሚታወቁ ናቸው።

የWTO ጉምሩክ የዋጋ ትመና ስምምነት የአስመጪዎችን መብት ለመጠበቅ የሚያስችሉ አንቀጾችን አስቀምጧል። የእነዚህ አንቀጾች ዋና ዓላማ በጉምሩክ አሠራር ውስጥ ግልፅነትና ተጠያቂነትን ለማስፈን የታለመ ሲሆን በዚህ መሠረት የአስመጪዎችን ምስጢራዊ መረጃዎችን መጠበቅ፣ በፅሁፍ መረጃ መስጠት፣ ቅሬታቸውን እንዲገልጹ ለማድረግ ሁኔታዎችን ማመቻቸት ከጉምሩክ የሚጠበቁ ግዴታዎች ናቸው።

3.2 የአገልግሎት ንግድ አጠቃላይ ስምምነት (GATS)

የGATS ስምምነት ዓላማ አገራት ቀጣይነት በሚኖራቸው የድርድር ዙሮች የአገልግሎት ዘርፎችን ደረጃ በደረጃ ለውጭ አገልግሎት አቅራቢዎች ክፍት እንዲያደርጉ ማበረታታት ነው።

በስምምነቱ ውስጥ በተቻለ መጠን ሁሉም የአገልግሎት ዘርፎች እንዲካተቱ ቢደረግም፣ ለንግድ ወይም ለትርፍ ዓላማና ከሌሎች አገልግሎት አቅራቢዎች ጋር ለመወዳደር በታለመ መንገድ የማይካሄዱ አገልግሎቶች በስምምነቱ ውስጥ እንዳይታቀፉ ተደርጓል። እነዚህም በአብዛኛው በመንግሥት የሚካሄዱ ሆነው የብሔራዊ ባንክ አገልግሎት፣ የማህበራዊ ዋስትና አገልግሎትና የመሳሰሉትን የሚያካትቱ ናቸው። ከእነዚህ ውጭ በአየር ትራንስፖርት አገልግሎት ሥር የሚወድቀው

የአየር ትራፊክ መብት (air traffic rights) የቺካጎ ኮንቪንሽን በመባል በሚታወቀው “International Air Services Transit Agreement” ውስጥ በተዘረዘሩና በአብዛኛው ከብሔራዊ ደህንነት ጋር ከተቆራኙ ጉዳዮች ጋር የተያያዘ በመሆኑ ለጊዜው ከስምምነቱ እንዲወጣ ተደርጓል።

በዓለም ንግድ ድርጅት አመዳደብ መሠረት የአገልግሎት ንግድ በ12 ዋና ዋና ዘርፎችና ወደ 160 በሚደርሱ ንዑሳን ዘርፎች የተከፋፈለ ሲሆን፤

ዋና ዋና ዘርፎቹም፡-

1. የቢዝነስ አገልግሎት
2. የመገናኛ አገልግሎት
3. የኮንስትራክሽንና መሰል የኢንጅነሪንግ አገልግሎት
4. የማከፋፈል አገልግሎት
5. የትምህርት አገልግሎት
6. የጤናና መሰል ማኅበራዊ አገልግሎት
7. የአካባቢ ንፅህና አጠባበቅ አገልግሎት
8. የፋይናንሽያል አገልግሎት
9. የቱሪዝምና ጉዞ ነክ አገልግሎት
10. የመዝናኛ፣ ባህልና ስፖርት አገልግሎት
11. የትራንስፖርት አገልግሎት
12. ከላይ ከተዘረዘሩት ውጪ ያሉ አገልግሎቶች ናቸው።

ከላይ በተዘረዘሩት 12 ዋና ዘርፎች ውስጥ የተካተቱት 160 የሚደርሱ ንዑሳን የአገልግሎት ዓይነቶችም በአራት ዘዴዎች፡

- ከአንዱ አገር ወደ ሌላው ድንበር እያቋረጡ የሚሰጡ አገልግሎቶች (Cross-border Supply of Services: Mode1) ለምሳሌ፡ ቴሌኮሙኒኬሽንና የፖስታ አገልግሎት፤
- አገልግሎት ፈላጊው ወደ ሌላ አገር በመሄድ የሚያገኛቸው አገልግሎቶች (Consumption Abroad: Mode 2) ለምሳሌ፡ የቱሪዝም አገልግሎት፤
- አገልግሎት አቅራቢው ከባንያ የአገልግሎት ንግዱን በሌላ አገር ውስጥ ቅርንጫፍ በመክፈት የሚሰጥ አገልግሎት

(Commercial Presence: Mode 3) ለምሳሌ፡ የባንክ አገልግሎት፤

- በሌላው አገር በአካል በመገኘት በጊዜያዊ ቆይታ የሚሰጡ አገልግሎቶች (Temporary Movements of Natural Persons: Mode 4) ለምሳሌ፡ የሂሳብና የህክምና አገልግሎቶች፤ ሊቀርቡ ወይም ሊሰጡ እንደሚችሉ ስምምነቱ ይገልጻል።

የአገልግሎት ንግድን አስመልክቶ የዓለም ንግድ ድርጅት አባላት ሁለት ዓይነት ግዴታዎች አሉባቸው። እነዚህም፡-

- ስምምነቱ በሚያቅፋቸው በሁሉም የአገልግሎት ዓይነቶች ላይ ተፈጻሚ የሚሆኑ ግዴታዎች (Unconditional General Obligations) ሲሆኑ፤ ለአንድ አገር የተሰጠ ጥቅም ለሁሉም አባላት ወዲያውኑ መተላለፍ (MFN Treatment)፤ አባል አገራት የአገልግሎት አሰጣጥን አስመልክቶ የሚያወጧቸው ደንቦችና መመሪያዎች በግልጽ እንዲታወቁና በተፈለገ ጊዜ መረጃዎች በአግባቡ እንዲገኙ (Transparency)፤ የአገልግሎት አሰጣጥን አስመልክቶ የሚወጡ ደንቦችና መመሪያዎች አሳማኝ የሆኑና ያለአድልዎ የሚፈፀሙ እንዲሆኑ የሚሉ ግዴታዎች በዚህ ምድብ ውስጥ የሚወድቁ ናቸው።
- አባል አገራቱ ለውጭ አገልግሎት አቅራቢዎች ክፍት ለማድረግ የተስማሙባቸውና አፈጻጸማቸውን አስመልክቶ በዝርዝር ሰንጠረዥ ያስቀመጧቸውን አገልግሎቶች ብቻ የተመለከቱ ግዴታዎች (Conditional General Obligation) ናቸው።

አባል አገራት ለውጭ አገልግሎት አቅራቢዎች ክፍት ያደረጓቸውንና ቃል የገቡባቸውን አገልግሎቶች ዝርዝር ሠንጠረዥ (Schedule of Commitments) በማዘጋጀት ለድርጅቱ ጽ/ቤት ማቅረብ ይጠበቅባቸዋል። በዚህ ሠንጠረዥ ውስጥ ቃል የተገቡ አገልግሎቶች በሁለት ዓይነት

መንገድ ተዘርዝረው ይቀመጣሉ። እነርሱም፡-

- በሠንጠረዥ ውስጥ ለተዘረዘሩት ሁሉም አገልግሎት ዓይነቶች ገደብ የሚሆኑ (Horizontal Commitments)፤ በሰንጠረዥ ውስጥ ለሁሉም አገልግሎት የሚሆኑ ገደቦች የሚሰፍሩባቸው ክፍል መኖር ዋነኛ ምክንያት አገልግሎቶች በሚሰጥባቸው መንገዶች የሚኖረውን የገደብ ዓይነቶች ድግግሞሽ ለማስቀረት ታስቦ የተቀረፀ ክፍል ነው።
- በአያንዳንዱ የአገልግሎት ዓይነት ላይ ተፈጻሚ የሚሆኑ ገደቦች (Sector-specific commitments) ናቸው።

በአራቱ የአገልግሎት አሰጣጥ ዘዴዎች (Modes) የአገልግሎት ዓይነቶች ላይ የተገባውን ቃልና አገልግሎቱን ለማቅረብ የሚጣሉ ገደቦች (limitations) እንዲሁም MFN Exemptions በዝርዝር የሚቀርቡበት ነው። በውጭ አቅራቢዎች የሚሰጡ አገልግሎቶች ሁለት ዓይነት ገደቦች ሊጣሉባቸው ይችላሉ፡-

- አገልግሎቱ ወይም አገልግሎት አቅራቢው ወደ አገር ውስጥ ገቢያ ሲገባ የሚጣልበት ገደብ (Market Access limitations) እና
- ከአገር ውስጥ አገልግሎት አቅራቢዎች ጋር በማነፃፀር የሚጣል ገደብ (National Treatment Limitations)

የመጀመሪያው የገቢያ ገደብ በስድስት መንገድ የሚገለፅ ነው። እነርሱም፡-

- የአገልግሎት አቅራቢዎችን ቁጥር መገደብ፤
- የአጠቃላይ የአገልግሎቱን እንቅስቃሴ ዋጋ (Value of Transactions) መገደብ፤
- የአገልግሎቱን መጠን (Output) መገደብ፤
- በአገልግሎቱ ውስጥ የሚቀጠሩ ሰዎችን ቁጥር መገደብ፤
- አገልግሎቱ ከአገር ውስጥ አቅራቢዎች ጋር በሽርክና (Joint Venture) ብቻ እንዲሰጥ መገደብ፤
- አገልግሎቱን ለመስጠት ከውጭ ወደ አገር ውስጥ የሚገባውን

የገንዘብ መጠን መገደብ፣ ናቸው።

በሁለተኛው የገደብ ዓይነቶች ውስጥ ከሚካተቱት ጥቂቶቹን ለመጥቀስ፡-

- የውጭ አገልግሎት አቅራቢዎችን የድጋግና ገንዘብ ድጋፍ አሰጣጥን (Discriminatory Subsidies and other financial Measures) መገደብ፤
- የአገልግሎት አቅራቢዎችን የዜግነት አሰጣጥ (Nationality requirements) መገደብ፤
- ለውጭ አገልግሎት አቅራቢዎች የመኖሪያ ቦታ አሰጣጥ (Residency Requirements) መገደብ፤
- የፈቃድ፣ ምዝገባና ብቃት መለኪያ ሰርተፊኬት አሰጣጥ (Licensing, registration and qualifications requirements) መገደብ፤
- የቴክኖሎጂ ሽግግርና ስልጠና አሰጣጥ (Technology transfer/training requirements) መገደብ፤
- የአገር ውስጥ ግብዓቶችን አጠቃቀም (Local content requirements) መገደብ፤
- የአገልግሎት አቅራቢዎችን የንብረትና መሬት ባለቤትነት (Ownership of Property/Land) መገደብ፤ ወዘተ

የሚሉና ሌሎችም ገደቦች አባል አገራቱ እንዲያስቀምጡ የአገልግሎት ንግድ ስምምነት ይፈቅዳል።

የአገልግሎት ንግድ ስምምነት አባል አገራት በሚፈልጓቸው አገልግሎት ዓይነቶች ላይ ብቻ ቃል እንዲገቡ፣ በጣም ውስን ወይም ጥቂት ዘርፎችን(Fewer sectors) ብቻ ለውጭ አገልግሎት አቅራቢዎች እንዲከፍቱ እንዲሁም የልማት ደረጃቸውን ባገናዘበ መልኩ ጥቂት በሚሆኑ የአገልግሎት እንቅስቃሴዎች (Fewer types of transactions) ብቻ ላይ እንዲወሰኑ አንቀጽ 19 አጽንኦት ይሰጣል።

4.3. ንግድ ነክ የአሰምሯዊ ንብረት ጥበቃ ስምምነቶች (TRIPS)

TRIPS በዓለም ንግድ ድርጅት ከተካተቱት ሦስት ዋና ዋና ስምምነቶች አንዱ ሲሆን፣ እ.ኤ.አ. ከ1995 ዓ.ም. ጀምሮ ሥራ ላይ እንዲውል ተደርጓል። የTRIPS ስምምነት የተመሠረተው በፓሪስ፣ በርሊን እና ሮም ኮንቬንሽኖች እንዲሁም የሽንግተን ትሪይቲ ላይ ነው። በተለይም ፓሪስና በርሊን ኮንቬንሽኖች ውስጥ የነበሩት አንቀጾች ከሞላ ጎደል እንዳሉ በTRIPS ስምምነት ውስጥ እንዲካተቱ ተደርጓል። የTRIPS ስምምነት ቀደም ብሎ ከነበሩት የተለያዩ ኮንቬንሽኖች ጋር ሲነጻጸር በተሻለ መልኩ ንግድ ነክ የአሰምሯዊ ንብረቶችን ማስጠበቅ የቻለ ስምምነት ነው። ምክንያቱም፤

- የንግድ አለመግባባቶች የሚፈቱበት ሥርዓት በመያዙ፤
- በብሔራዊ ደረጃ የአሰምሯዊ ንብረት ጥበቃ እንዴት ተግባራዊ መሆን እንደሚችል በስምምነቱ ውስጥ በመገለጹ እና
- አዳዲስ የቴክኖሎጂ ግኝቶች ለምሳሌ የኮምፒውተር ቴክኖሎጂ ጥበቃን በተመለከተ በስምምነቱ ውስጥ እንዲካተቱ በመደረጉ የሚሉት ዋና ዋናዎቹ የጥንካሬ ምልክቶች ናቸው።

በTRIPS ስምምነት መሠረት አገሮች በስምምነት ከተቀበሉት የጥበቃ ጊዜ በታች ማድረግ የማይችሉ ሲሆን በስምምነቱ ከተጠቀሱት የጥበቃ ጊዜ በላይ ግን ለፈጠራ ሥራዎች የጥበቃ ጊዜ መስጠት እንደሚችሉ ስምምነቱ ይደነግጋል። የTRIPS ስምምነት የሚከተሉት ዓላማዎች አሉት። አነርሱም፡-

- የፈጠራ ሰዎች ለደክሙበት የፈጠራ ሥራ ተገቢውን ዋጋ እንዲያገኙ ምቹ ሁኔታዎችን በመፍጠር የፈጠራ ሥራዎች እንዲስፋፉ ለማስቻል፤
- ለፈጠራ ሥራዎች ተገቢውን ጥበቃ በማድረግ የቴክኖሎጂ ሽግግርን ለማበረታታት እና
- በዓለም አቀፍ ንግድ ፍላጎት ላይ የሚከሰቱትን

መሰናክሎች የሚሉት ዋና ዋና ጥያቄዎች ናቸው።

ንግድ ነክ የአሰምሯዊ ንብረት ስምምነት የሚይዛቸው ጉዳዮች Copyrights & Related Rights እና Industrial Property በመባል በሁለት አበይት ምድቦች የሚከፈሉ ሲሆን በዝርዝር ሲታዩ የሚከተለውን ይመስላሉ።

(1). ኮፒራይት (Copyright): የTRIPS ስምምነት ከያዛቸው ጉዳዮች መካከል አንዱ ሲሆን የደራሲያንንና የአርቲስቶችን የፈጠራ ውጤት የባለቤትነት መብት የሚያስጠብቅ ነው። በኮፒራይት የሚጠበቁት የፈጠራ ውጤቶች መብቃ፣ መጽሐፍ፣ ፊልም፣ ኮምፒውተር ሶፍትዌር የመሳሰሉት ናቸው። የኮፒራይት መብት ለፈጠራ ውጤትነት ዕውቅና የሚሰጠው ለሃሳቦች (Ideas) እና አሠራሮች (Procedures) ወዘተ ሳይሆን የፈጠራው ባለቤት እነዚህን ሃሳቦችና አሠራሮች በተጨማሪ በጽሁፍ፣ በፊልም ወዘተ መልክ ካቀረበ ብቻ ነው። ይህም ማለትም የሚጠበቀው Idea ሳይሆን Expression of Idea መሆኑ በስምምነቱ ውስጥ ተመልክቷል።

በኮፒራይት የባለቤትነት መብት ጥበቃ የሚደረግላቸው የፈጠራ ውጤቶች ያለ ፈጠራ ባለቤቱ ፈቃድ አባዝቶ መሸጥ፣ ውጤቶቹንም በካሴት ወይም በሲዲ ቀድቶ መሸጥ የተከለከለ ነው። ሆኖም የፈጠራ ውጤቶቹ ለምርምር፣ ለትምህርት፣ ለአስተያየት እና ለዜና ዝግጅት ጥቅም ላይ የሚውል ከሆነ የፈጠራ ውጤቶቹን ያለ ፈጠራ ባለቤቱ ፈቃድ መጠቀም እንደሚችል ስምምነቱ ይደነግጋል። በኮፒራይት መብት ጥበቃ የሚደረግላቸው የፈጠራ ውጤቶች እንደሌሎቹ የTRIPS ጉዳዮች (ለምሳሌ ንግድ ምልክት) በሚመለከተው የመንግሥት አካል ምዝገባ ማካሄድ ሳያስፈልግ የፈጠራ ውጤቱ ይፋ ከሆነበት ቀን ጀምሮ ጥበቃ እንደሚደረግለት ስምምነቱ ይደነግጋል። በኮፒራይት የባለቤትነት መብት የፈጠራ ባለቤቱ ህይወቱን ሙሉ የፈጠራው ተጠቃሚ እንዲሆን ከመደንገጉም በላይ ባለመብቱም

ከሞተ በኋላ የባለሙያዎች ህጋዊ ወራሾች ለ50 ዓመታት ያህል የፈጠራው ተጠቃሚ እንዲሆኑ በስምምነቱ ተደንግጓል።

(2). ከኮፒራይት ጋር ግንኙነት ያላቸው መብቶች (Related Rights): ሦስት ጉዳዮችን ማለትም የፊልም ትዎናዎችን ወይም ዘፈኖችን፣ የሙዚቃ አቀነባባሪዎችንና የዜና አስተላላፊ ድርጅቶችን መብቶች የሚመለከቱ ናቸው። ከኮፒራይት ጋር ግንኙነት ያላቸው መብቶች ባለቤቶች የጥበቃ መብት ለማግኘት ምንም ዓይነት ምዝገባ ማካሄድ አያስፈልጋቸውም። ተዋናዮች ወይም ዘፋኞች እና የሙዚቃ አቀነባባሪዎች ለ50 ዓመታት እንዲሁም የዜና አስተላላፊ ድርጅቶች ለ20 ዓመታት ጥበቃ እንደሚደረግላቸው በስምምነቱ ውስጥ ተጠቅሷል።

(3). የንግድ ምልክቶች (Trademarks): በTRIPS ስምምነት አንቀጽ 15 ሥር በተገለጸው መሠረት የንግድ ምልክት ማለትም ማንኛውም ምልክት ወይም የምልክቶች ንብር ሆኖ የአንድ ድርጅትን ምርቶች ወይም አገልግሎቶች ከሌላ ድርጅት ምርቶች ወይም አገልግሎቶች የመለየት አቅም ያለው ማንኛውም ምልክት መሆኑ ተመልክቷል። የሰው ስሞች፣ ፊደሎች፣ ቁጥሮች የተለያዩ ምስሎች እንዲሁም የተለያዩ የቀለም ቅንብሮች እንደ ንግድ ምልክትነት ሊያገለግሉና ሊመዘገቡ እንደሚችሉ በስምምነቱ ተጠቅሷል።

የንግድ ምልክቶች የአንድን ድርጅት ምርቶች ወይም አገልግሎቶች ከሌላ ድርጅት ምርቶች ወይም አገልግሎቶች የመለየትና ገበያን የማስፋፋት ተግባራትን ይጫወታሉ። በስምምነቱ መሠረት አንድ የንግድ ምልክት ለ7 ተከታታይ ዓመታት ጥበቃ የሚደረግለት ሲሆን ከ7 ዓመት በኋላም ለምልክቶቹ እድሳት በማድረግ ምልክቶቹን ለሁልጊዜ መጠቀም እንደሚችል ነው። የንግድ ምልክቶች ተመዝግበው ለ3 ተከታታይ ዓመታት ያለበቁ ምክንያት በሥራ ላይ ካልዋሉ እንደሚሰረዙ ስምምነቱ ይደነግጋል።

(4). በአካባቢ ስሞች የሚጠበቁ የንግድ ምልክቶች (Geographical Indications): በTRIPS ስምምነት ከተካተቱት ጉዳዮች መካከል አንዱ ነው። እነዚህ ምልክቶች የአንድን አካባቢ ምርቶች ከሌላ አካባቢ ምርቶች ለመለየት የሚያገለግሉ ናቸው። የንግድ ምልክቶቹ በምልክትነት የሚያገለግሉት በእርሻና እደጥበብ ምርቶች እንዲሁም በምግብ ኢንዱስትሪ ለሚመረቱት ምርቶች ነው።

በአካባቢ ስሞች የሚጠበቁ ምርቶች ከሌላ አካባቢ ካሉት ምርቶች የተለየ ባህሪ፣ ጥራትና በተጠቃሚ ዘንድ የተለየ ተወዳጅነት ወይም ደህና ስም አላቸው ተብለው የሚገመቱ ምርቶች ናቸው። ለምርቶቹ ልዩ መሆን እንደምክንያት የሚጠቀሱት በአካባቢው ያሉት የተፈጥሮ ሁኔታዎች ማለትም የአካባቢው አየርና አፈር እንዲሁም በአካባቢው የሚገኘው የተለየ የአመራረት ዘዴና ልምዶች ናቸው። ለምሳሌ የሸኖን ቅቤ ከሌላ አካባቢ የተለየ ጣዕም እንዲኖረው ያደረገው የአካባቢው አየርና አፈር ሊሆን ይችላል።

በአካባቢ ስምነት የሚጠበቁት የንግድ ምልክቶች የአንድ ሰው ወይም ድርጅት ንብረት አይደሉም። የማንኛውም በአካባቢው የሚገኝና አንድ ዓይነት ምርት የሚያመርት ሰው ወይም ድርጅት የጋራ ንብረት ናቸው። ምልክቶቹን ማንኛውም ሰው ወይም ድርጅት ለተመሳሳይ ምርት ሊጠቀምባቸው ይችላል ማለት ነው። ከላይ የተጠቀሱት ምልክቶች ከንግድ ምልክቶች ጋር መሰል ተግባራት አላቸው። በአካባቢ ስምነት የሚጠበቁ የንግድ ምልክቶችን በተመለከተ እስካሁን በዓለም አቀፍ ደረጃ ወጥ የሆነ የአመዘጋገብ ሥርዓት ያልወጣላቸው በመሆኑ ጉዳዩ ገና በድርድር ሂደት ላይ ነው። የTRIPS ስምምነት ማንኛውም የWTO አባል አገር በአገሩ ውስጥ በአካባቢ ስሞች ለሚወጡት ምልክቶች ጥበቃ እንዲያደርግ ግዴታ ከመጣሉም በላይ በተለይ ለወይንና አልኮል ምርቶች ከፍተኛ ጥበቃ እንዲደረግላቸው ያዛል።

(5). ኢንዱስትሪያል ዲዛይኖች: የፈጠራ ውጤቶች ሲሆኑ

የሚውሉትም አንድን የኢንዱስትሪ ውጤት የሆነውን ምርት ለማስፈጸም ለምርቱም ገበያው በሚፈልገው መልክ ቅርፅ ለመስጠት ነው። ኢንዱስትሪያል ዲዛይኖች አንድን ተመርቶ ለገበያ የሚቀርብ ምርት የተለየ ውበት በመስጠት ምርቱም ከሌሎች ተመሳሳይ ምርቶች ጋር ተወዳድሮ የተሻለ የገበያ ዕድል እንዲያገኝ የማድረግ አቅም አላቸው።

ኢንዱስትሪያል ዲዛይኖች አብዛኛውን ጊዜ በጨርቃጨርቅ፣ በመኪና አምራች ከባንዶዎችና በኤሌክትሮኒክስ ኢንዱስትሪዎች ውስጥ ጥቅም ላይ የሚውሉ የፈጠራ ውጤቶች ናቸው። ጥበቃ ለማግኘት ዲዛይኖቹ በሚመለከተው የመንግስት አካል መመዝገብ አለባቸው። ዲዛይኖቹም ለምዝገባ ብቁ የሚሆኑት፡-

- አዲስነት (Novelty) ማለትም ዲዛይኖቹ ቀደም ብሎ ለህዝብ አለመቅረባቸው፤
- ኦሪጅናልነት (Originality) ማለትም ቀደም ብሎ ከተሰሩት ሥራዎች ላይ አለመቀዳታቸው፤ የሚከተሉትን ሁኔታዎች ካሟሉ ነው።

ስምምነቱ የፈጠራ ባለቤት የድካሙን ዋጋ እንዲያገኝና ለፈጠራ ሥራው ያወጣውን ወጪ እንዲመልስ፣ በዚህም በመበረታታት ለተጨማሪ የፈጠራ ሥራዎች እንዲዘጋጅ ለማድረግ የፈጠራ ሥራዎቹ ቢያንስ ለ10 ተከታታይ ዓመታት እንዲጠበቁ ያዛል።

(6). ፓተንት (Patents): በTRIPS ስምምነት መሠረት ፓተንት ማለት ለአንድ የፈጠራ ውጤት የሚሰጥ የምስክር ወረቀት ነው። ይህ የምስክር ወረቀት ለፈጠራው ባለቤት፣ የፈጠራው ባለቤት ያልሆኑ ግለሰቦችም ሆኑ ድርጅቶች የፈጠራውን ውጤት እንዳይጠቀሙበት የመከላከል መብት የሚሰጥ ነው። መንግሥት ለፈጠራው እውቅና ሲሰጥ የፈጠራው ባለቤት ደግሞ የፈጠራውን ዝርዝር ሁኔታ የሚገልጽ ደክመንት የማቅረብ ግዴታ እንዳለበት በስምምነቱ ተጠቅሷል። በፓተንት መብት

ጥበቃ የሚደረግለት የፈጠራ ውጤት ለአንድ ለተለየ ችግር ቴክኒካዊ የሆነ መፍትሄ የሚሰጥ መሆን አለበት። ፓተንት ለፈጠራ ሥራዎች እውቅና የሚሰጠው በምርትና በምርት ሂደት ለሚቀርቡት የፈጠራ ሥራዎች ነው። የፈጠራ ውጤቱም ለምርት ከሆነ ምርት የማምረት ብቃት ሊኖረው ይገባል። ለፈጠራ ሥራዎች የፓተንት መብት መስጠት፡-

- ለፈጠራ ሥራዎች ህጋዊ ጥበቃ በመስጠት የፈጠራ ሥራዎች ለሕዝብ ይፋ እንዲሆኑ ይበረታታሉ፤ የፈጠራ ባለቤቶችም ሥራዎቻቸውን አይደብቁም፤
- ለፈጠራ ሥራዎች ጥበቃ መደረግ ትላልቅ ኩባንያዎች ለምርምር ተግባራት በርካታ ገንዘብ እንዲመድቡ ስለሚያግዝ የምርምር ሥራዎች ይበረታታሉ፤
- አማራጭ ቴክኖሎጂ እንዲኖር ዕድል ይፈጥራል።

አንድ የፈጠራ ውጤት የጥበቃ ጊዜ ለማግኘት የሚከተሉትን፡-

- አዲስነት (Newness or Novelty) ማለትም የፈጠራ ውጤቱ ቀደም ብሎ ያሉት ፈጠራዎች አካል መሆን የለበትም፤
- የፈጠራ ሂደቱ ለማንኛውም ተራ ሰው በግልፅ የማይታወቅ መሆን አለበት (Inventive Step or non-obvious)፤
- ፈጠራው በኢንዱስትሪ ውስጥ ሥራ ላይ መዋል የሚችል መሆን አለበት (Industrial applicability)፤ የሚሉትን ሁኔታዎች ማሟላት አለበት።

በTRIPS ስምምነት መሠረት የፓተንት መብት ለሁሉም የፈጠራ ሥራዎች ህጋዊ የጥበቃ መብት አይሰጥም። ህጋዊ የጥበቃ መብት ከማይሰጣቸው የፈጠራ ሥራዎች መካከልም፤

- ለሰው ልጅ፣ ለእንስሳትና ለእጅግ ህይወት አደገኛ የሆኑ የፈጠራ ሥራዎች፤
- ለህክምና ዘዴዎች ለምሳሌ diagnostic therapeutic and Surgical methods of human or animal እና

- hMicro-Organisms በስተቀር ለእጅግ ትና እንስሳት፤ በተጨማሪም በስምምነቱ መሠረት መንግሥት አጣዳፊ ሁኔታዎች ሲያጋጥሙት (የተፈጥሮ አደጋዎች፣ በወረርሽኝ መልክ የሚነሱ በሽታዎች ወ.ዘ.ተ) ከፈጠራ ባለቤቱ ፈቃድ ውጭ በCompulsory Licensing የፈጠራ ውጤቱን ራሱ መጠቀም ወይም ለሌላ ኩባንያ መስጠት ይችላል። በTRIPS ስምምነት መሠረት በፓተንት መብት ለሚጠበቁ ግኝቶች ለተከታታይ 20 ዓመት ጥበቃ እንዲደረግላቸው ተደንግጓል። የፈጠራ ሥራውም ከ20 ዓመት በኋላ የህዝብ ሀብት ይሆናል ማለትም ከ20 ዓመት በኋላ ማንኛውም ሰው ፈጠራውን ያለ ክልከላ መጠቀም ይችላል ማለት ነው።

(7). Layout Designs of Integrated Circuits: በTRIPS ስምምነት ከሚሸፈኑት ጉዳዮች መካከል አንዱ የኢንቴግሬትድ ስርኪዩትስ ዲዛይኖች ናቸው። የኢንቴግሬትድ ስርኪዩትስ ዲዛይኖች የሰው ልጅ የአኦሮ ሥራ ውጤቶች ከሆኑት የፈጠራ ሥራዎች መካከል የሚመደቡ ናቸው። እነዚህ ዲዛይኖችም ሥራ ላይ የሚውሉት በሰዓት፣ ቴሌቪዥን፣ የልብስ ማጠቢያ ማሽን እና መኪኖች በመሳሰሉት ምርቶች ላይ ነው።

ዲዛይኖቹም Three Dimensional Disposition ያላቸው ሲሆኑ የፈጠራ ሥራውም በከፍተኛ ደረጃ የሰለጠኑ ባለሙያዎች ዕውቀት እና ክፍተኛ ኢንፎርሜሽንን የሚጠይቅ ነው። ይህንን የፈጠራ ውጤት መጠበቅ ያስፈልገበት ዋናው ምክንያት በሥራ ላይ ያሉትን የIntegrated Circuits Dimensions ለመቀነስና የመስራት አቅማቸውን ከፍ ለማድረግ (dimensionነን በመቀነስ ምርቱ የሚይዘውን ቦታ፣ ለምርቱ መሥሪያ የሚውሉትን ማቲሪያሎች እና ለምርቱ የሚወጣውን ወጪ

ለመቀነስ) የሚደረገውን የፈጠራ ሂደት ለመደገፍ ነው። በTRIPS ስምምነት መሠረት ለኢንቴግሬትድ ስርኪዩትስ ዲዛይኖች ለ10 ተከታታይ ዓመታት ጥበቃ ይደረግላቸዋል።

(8). ሚስጥራዊ መረጃዎች (Undisclosed Information): በTRIPS ስምምነት መሠረት ሚስጥራዊ መረጃዎች Trade Secrets እና Test Data በመባል በሁለት ይከፈላሉ።

- በTrade Secret የሚሸፈኑት መረጃዎች የምርት ፎርሙላዎች፣ ዲዛይኖች፣ የአንድ ኩባንያ ደንበኞች ሥም ዝርዝር የያዘ ሰነድ የመሳሰሉት ናቸው። እነዚህ መረጃዎች ከሚመለከተው የሥራ ክፍል ጥቂት ሠራተኞች በስተቀር ማንም አያውቃቸውም የአንድ ኩባንያ ሚስጥራዊ መረጃዎች ናቸውና።
- በTest Data የሚሸፈኑት Pharmaceutical እና Agricultural Chemical Products ናቸው። ስምምነቱ ለሁለቱም ምርቶች ኬሚካሎች ጥበቃ እንዲደረግ የሚያዘው ምርቶቹ ውስጥ አዲስ ኬሚካል ጥቅም ላይ ከዋሉ ብቻ ነው። ምርቶቹንም ገበያ ላይ ለማዋል የሚመለከተው ኩባንያ ከመንግሥት አካላት ስምምነት ማግኘት አለበት፤ የመንግሥት አካላትም ምርቱን ለገበያ ለማቅረብ ስምምነቱን እንዲገልጽ በሚደረገው የሥራ ሂደት እጅ የሚገቡትን መረጃዎች በሚስጠር መጠበቅ እንዳለበት ስምምነቱ ያዛል።

ስለ ሶስቱ የዓለም ግንድ ድርጅት አበይት ስምምነቶች ይህንን ያህል ካልን፤ ቀጥሎ ደግሞ ስለ WTO የአባልነት ድርድር ሁኔታ እንመልከት።

5. አባልነትና የአባልነት ድርድር ደረጃዎች

የWTO የአባልነት ሂደት በተለይም በልማት ወደኋላ ለቀሩ እንደ ኢትዮጵያ ላሉ ሃገሮች እጅግ የተወሳሰበና የሚጠይቀው ወጪም

ከፍተኛ እንደሆነ ይነገራል። የWTO አባል ለመሆን የሚፈልጉ ሃገሮች በኢኮኖሚያቸው ላይ የተለያዩ ለውጦችን የሚያስከትሉ ህጎችን እንዲቀበሉ ከመሻነው ይገደዳሉ። አባል ሃገራት ለአባልነቱ የሚከፍሉት ዋጋ በወደፊቱ የኢኮኖሚና የማህበራዊ ልማታቸው ላይ ትልቅ እንደምታ ሊያሳድር ይችላል።

በመሆኑም ለአባልነት ዝግጅቱና ለድርድር ተሳትፎው ከፍተኛ የሆነ የገንዘብና የሰው ሃብት እንደሚጠይቅ ይታመናል። ይህም ሃብት በተለይ በልማት ወደኋላ የቀሩ ሃገሮችን ስናስብ አቅማቸውን የሚፈታተን ሊሆን ይችላል።

የዓለም ንግድ ድርጅት አባል መሆን በሌሎች ዓለም አቀፍ ድርጅቶች ለምሳሌ በተባበሩት መንግስታት፣ በዓለም ባንክ፣ በዓለም የገንዘብ ድርጅት ወ.ዘ.ተ አባል መሆን ጋር ፈጽሞ የተለያየ ነው። የዓለም ንግድ ድርጅት አባል መሆን የአንድ ወገን (One Sided Affair) ጉዳይ እንደሆነ ይነገራል። ይህም ማለት ሁሉንም ከነባር አባላት የሚቀርቡ ጥያቄዎችን በሚገባ የማስተናገዱ ጉዳይ ሙሉ በሙሉ የሚወድቀው በአመልካች ሃገር ጫንቃ ላይ ስለሚሆን ነው።

በማረካሽ ስምምነት አንቀጽ 12 መሠረት ማንኛውም በራሱ የውጭ ንግድ ግንኙነቶች ላይ ሉዓላዊነት ያለው መንግስት ወይም ተራቶሪ በድርድር ወቅት ከአባል ሃገራት ጋር በሚደረስ ስምምነት መሠረት የዓለም ንግድ ድርጅት አባል ሊሆን እንደሚችል ተደንግጓል። WTOን የመሠረተው የማረካሽ ስምምነት አንቀጽ 12 ከዚህ እንደሚከተለው ቀርቧል።

“1. Any State or separate customs territory possessing full autonomy in the conduct of its external commercial relations and of the other matters provided for in this Agreement and the Multilateral Trade Agreements may accede to this Agreement, on terms to be agreed between it and the WTO. Such accession shall

apply to this Agreement and the Multilateral Trade Agreements annexed thereto.

2. Decisions on accession shall be taken by the Ministerial Conference. The Ministerial Conference shall approve the agreement on the terms of accession by a two-thirds majority of the Members of the WTO.

3. Accession to a Plurilateral Trade Agreement shall be governed by the provisions of that Agreement.”

አንድ አመልካች ሃገር ለአባልነት የምትከፍለው ዋጋ ወይም የምትገባው ግዴታ ድርድሩን እንዲያስተባብር ለሚቋቋመው ለእያንዳንዱ የሥራ ቡድን የተተወ ጉዳይ ነው። ይህም በመሆኑ አንድ ሃገር ለአባልነት የከፈለው/የገባው ግዴታ ከሌላው ሃገር በጣም የተለየ ይሆናል።

የWTO የአባልነት ሂደት አራት ቴክኒካዊ ደረጃዎች ማለፍን የሚጠይቅ ሲሆን፣ ደረጃዎቹ ከዚህ እንደሚከተለው በአጭሩ ቀርበዋል።

ደረጃ አንድ፡ ጥያቄ ማቅረቢያና የሥራ ቡድን መመሥረቻ፡- ማንኛውም የWTO አባል መሆን የሚፈልግ ሃገር በማረካሽ ስምምነት አንቀጽ 12 መሠረት ተደራድሮ አባል ለመሆን መፈለጉን የሚገልጽ ጥያቄ በጽሑፍ ለዳሬክተር ጄኔራሉ ማቅረብ ይጠበቅበታል። ዳሬክተር ጄኔራሉም ጥያቄውን ተቀብሎ ለቀጣዩ የጄኔራል ካውንስል ስብሰባ ያቀርባል። ጄኔራል ካውንስሉ ጥያቄውን መርምሮ በሙሉ ድምፅ ተቀባይነት ሲያገኝ (WTO ውስጥ ውሳኔ የሚተላለፈው በሁሉም አባል ሃገራት ስምምነት-Consensus መሠረት ነውና) ጉዳዩን የሚከታተል የሥራ ቡድን (Working Party) እንዲቋቋም ያደርጋል።

ደረጃ ሁለት፡ መረጃ ማሰባሰቢያ፡- ይህ ደረጃ አባል ሃገራት ስለ አመልካቹ ሃገር አጠቃላይ ኢኮኖሚ ሁኔታ በዋናነትም ስለ ውጭ ንግድ ሥርዓቱ በቂ ግንዛቤ እንዲያገኙ የሚያስችል ነው። ይህንን ደረጃ

ለመጀመር አንድ አመልካች ሃገር በቅድሚያ የውጭ ንግድ ሥርዓት መግለጫ ሠነድ (Memorandum on the Foreign Trade Regime/MFTR) እንድታቀርብ ይደረጋል። ሠነዱ የሚዘጋጀው የዓለም ንግድ ድርጅት ሴክራታሪያት በቋሚነት እንዲያገለግል ባዘጋጀው ፎርማት (Guideline) መሠረት ነው። ሠነዱም በሥራ ቡድኑ ይመረመራል፤ አባል ሃገራት በሠነዱ ላይ ጥያቄያቸውን በጽሑፍ ያቀርባሉ፤ አመልካች ሃገር በጽሑፍ ምላሽ ይሰጣል፤ የሥራ ቡድኑ እስከሚረከ ድረስ ሂደቱ ይቀጥላል። በዚህ ደረጃ ላይ ከሚሞራንደሙ በተጨማሪ ሌሎች ለድርድሩ አጋዥ የሆኑ ሠነዶችም (ACC Documents, Legislative Action Plan, etc) እንደአስፈላጊነቱ በየዘርፉ ተዘጋጅተው እንዲቀርቡ ይደረጋል።

ደረጃ ሦስት፡ ድርድር፡- ስለ አመልካቹ ሃገር አስፈላጊ የሆኑ መሠረታዊ መረጃዎች ከተገኙ በኋላ የሥራ ቡድኑ ስብሰባ ይጠራል፤ የሥራ ቡድኑ በስብሰባው በዋናነት ከWTO ስምምነቶች ጋር የማይጣጣሙትን የአመልካች ሃገር የንግድ ሥርዓቶች ይመረምራል። አመልካች ሃገር በዕቃዎችና በአገልግሎት ዘርፎች ልትሰጥ የምትችለውን የገበያ እድል (Initial Offers) እንድታቀርብ በማድረግ የሁለትዮሽ (Bilateral) ድርድር ይካሄዳል። የሁለትዮሽ ድርድሩ ብዛት በሥራ ቡድኑ ውስጥ በተካተቱ የአመልካች ሃገር ዋና የንግድ ሽሪኮች ብዛት የሚወሰን ነው። አጠቃላይ ሁሉንም የሚመለከቱ በሆኑ ጉዳዮች ላይም የብዙወገን (Multilateral) የንግድ ድርድሩ ጎን ለጎን ይቀጥላል። በመጨረሻም አመልካች ሃገር እና የሥራ ቡድኑ የአባልነት ዋጋውን(Terms and Conditions of Entry) ይወስናሉ። በዚህ ደረጃ ላይ ለየስብሰባው የተዘጋጁትን ቃላት ጉባኤዎች በማጠናቀርን በማጠቃለል የሥራ ቡድኑ ረቂቅ ሪፖርቱን ያዘጋጃል።

ደረጃ አራት፡ የአባልነት ፕሮቶኮል፡- ይህ ደረጃ የአባልነት ሂደቱ መጨረሻ ሲሆን፣ የሥራ ቡድኑ ሪፖርት፣ የአባልነት ፕሮቶኮል

እንዲሁም አመልካች ሃገር የገባቸው ዝርዝር ግዴታዎች (List of Commitments) ተጠቃልሎ ለሚኒስትሮች ጉባዔ ወይንም ለጄኔራል ካውንስሉ ለውሳኔ ይቀርባል። የአባልነት ፕሮቶኮሉ በሁለት ሦስተኛ ድምፅ ከተደገፈ የአመልካች አባልነት እንደሚረጋገጥ በስምምነቱ ቢደነገግም፤ ከአስከ አሁኑ ልምድ ግን ይህ ተግባራዊ ሲሆን አልተስተዋለም። አባልነቱ በጉባዔው ከወደቀ በኋላ አመልካችም ፕሮቶኮሉን በሃገሯ ፓርላማ እንድታስወድቅ ተደርጎ የድርጅቱ አባል ትሆናለች።

6. ኢትዮጵያ የምትገኝበት ደረጃ

ኢትዮጵያ የዓለም ንግድ ድርጅት አባል ለመሆን ጥያቄዋን ያቀረበችው እ.ኤ.አ ጃንዋሪ 2003 ነበር። ጥያቄዋን ከማቅረቧ በፊት ለ6 ዓመታት ያህል በታዛቢነት ስትሳተፍ ቆይታለች። ጥያቄዋ ለጄኔራል ካውንስሉ ቀርቦ በሙሉ ድምፅ ተቀባይነት ያገኘውና የሥራ ቡድን የተቋቋመው እ.ኤ.አ በማርች 2003 ነው። ቀጥሎም በሃገር ውስጥ ጉዳዩን በቅርብ የሚከታተሉ የብሔራዊ እና የቴክኒክ ኮሚቴዎች ተቋቋሙ። የቴክኒክ ኮሚቴውም ለሂደቱ መሠረታዊ የሆነውን ሚሞራንደም እንዲያዘጋጅ ተደረገ። ሠነዱ በየደረጃው እንዲገመገምና እንዲፀድቅ ከተደረገ በኋላ እ.ኤ.አ በዲሴምበር 2006 ለWTO ጽ/ቤት ተልኳል። ሃገሪቱም በአሁኑ ወቅት ከአባል ሃገራት በሚሞራንደሙ ላይ ለቀረቡ ጥያቄዎች ማብራሪያና ምላሾችን በመስጠት ላይ ትገኛለች። ከዚህ ከቀረበው ሁኔታ በአባልነት ሂደቱ፤ ሃገሪቱ በሁለተኛውና የመረጃ ማሰባሰቢያ በሚባለው ደረጃ ላይ የምትገኝ መሆኑን መገንዘብ ይቻላል።

የአባልነት ሂደትን ማጠናቀቅ በጊዜ ገደብ የተወሰነ አይደለም፤ ፍጥነቱም በአብዛኛው በአመልካቹ ሃገር አፈፃፀም ላይ የተመሰረተ ነው። በእርግጥ ሂደቱን በማፋጠንና በማራዘም ተደራዳሪ ሃገሮች ተፅዕኖ የላቸውም ለማለት አይደለም። ለአንዳንዶቹ በጣም

ረጅም (ቻይና 15 ዓመት አካባቢ)፤ ለሌሎቹ ደግሞ አጭር ጊዜ (ከርኪስታን 2 ዓመት) እንደወሰደባቸው ተሞክሮዎች ይሳያሉ። በሃገራችን የአባልነት ሂደቱ ይወስዳል ተብሎ በታሳቢነት የተቀመጠው ጊዜ 5 ዓመት ያህል ነው። ይህም ጊዜ ሚሞራንደሙ ለWTO ጽ/ቤት ከተላከበት እ.ኤ.አ 2006 መጨረሻ ጀምሮ የሚቆጠር ቢሆን፤ የአባልነት ድርድሩ እ.ኤ.አ 2011 መጨረሻ አካባቢ ይገባደዳል ተብሎ ተገምቷል። ሃገሪቱ በሚሞራንደሙ ላይ ከአሜሪካና ካናዳ መንግስታት ወደ 220 የሚደርሱ ጥያቄዎችን እ.ኤ.አ ፌብሩዋሪ 2007 መጨረሻ ላይ የተቀበለች ሲሆን፤ ለጥያቄዎችም ምላሾች ተዘጋጅተው በብሔራዊ ኮሚቴው የፀደቁ በመሆኑ በአጭር ጊዜ ውስጥ ለጽ/ቤቱ የሚላኩ ይሆናል።

ከሃገሪቱ የWTO አባል መሆን ጋር በተያያዘ ባለፉት ጥቂት ዓመታት እንደ ሚሞራንደሙ ያሉ ሠነዶችና በሱ ላይ ለቀረቡ ጥያቄዎች መልሶች ተዘጋጅተዋል። በሶስቱ የድርጅቱ ዋና ምስሪዎች ማለትም በዕቃዎች፤ በአገልግሎቶችና በአእምሮቹ ንብረት ጥበቃ ዙሪያ በተለያዩ ዘርፎች የአንደምታ ጥናቶች ተካሂደዋል/በመካሄድም ላይ ናቸው። ረቂቅ የአንደምታ ጥናቶቹም የሚመለከታቸው አካላት ሁሉ በተማተሩበት በአውደ ጥናት እንዲገመገሙ ተደርጓል። ሃገሪቱ ያወጣቸው ከንግድ ጋር የተያያዙ ህጎች ከWTO ስምምነቶች ጋር የተጣጣሙ ስለመሆናቸው የተወሰኑ የህግ ፍተሻ ሥራዎች ተከናውነዋል። በተለይም ለWTO የቴክኒክ ኮሚቴ አባላትና ባለሙያዎች የንግድ ድርድር ክህሎት ስልጠናዎች ተሰጥተዋል። ድርጅቱን በቅርቡ የተቀላቀሉ የተወሰኑ ሃገራት የአባልነት ሂደት ተሞክሮዎች ባለድርሻዎች በተሳተፉበት እንዲቀርቡ ተደርጓል። ከWTO ሀሁ ጀምሮ በስርዓቱ የተለያዩ ስምምነቶች ላይ በርካታ የአቅም ግንባታና የግንዛቤ ማስጨበጫ ተግባራት (በአብዛኛው በማዕከልና በተወሰኑ ክልሎች ጭምር) ተካሂደዋል/በመካሄድም ላይ ናቸው።

7. ከአባልነት ሊገኙ የሚችሉ ጥቅሞችና ፈታኝ ሁኔታዎች

7.1 ሊገኙ የሚችሉ ጥቅሞች

የWTO አባል መሆን ወደ ግለሰቦች ኪስ ከሚገባ ተጨማሪ ገቢ ጀምሮ ትላልቅ ጦርነቶችን አስከማስወገድ የሚዘልቁ ዘርፈ ብዙ ጥቅሞችን እደሚያካትት የተለያዩ ጽሑፎች ያስረዳሉ። ጽሑፎቹ እንደሚሉት WTO በህጎች የሚተዳደር የንግድ ሥርዓት በመሆኑ እነዚህ ህጎች ግብይቱን በቀላሉ ይመሩታል። የሥርዓቱ መሠረታዊ መርሆዎች ንግዱ የበለጠ ቀልጣፋና የተሳለጠ እንዲሆን ያበረታታሉ፤ መንግስታትን የተለየ ፍላጎት ካላቸው ጥቂት ቡድኖች (Interest Lobby Groups) በንግድ ፖሊሲዎች ላይ ሊንፀባረቅ ከሚችል ተገቢ ያልሆነ ተጽዕኖ ይጠበቃል። በየስምምነቶቹ የተለያዩ የግልጽነት መሥሪያቶች በመቀመጣቸው ሥርዓቱ መልካም አስተዳደርን ያበረታታል፤ የንግድ ያለመግባባቶች ቢነሱ እንኳ ጉዳዮቹ ገንቢ በሆነ መልኩ የሚፈቱበት ሥርዓት ተበጅቷል፤ በመሆኑም ሥርዓቱ በአጠቃላይ ሠላምን ያራምዳል።

የአስተሳሰቡ አራማጆች በተጨማሪም ንግድ ሥርዓት ባለውና ነፃ በሆነ መንገድ እንዲካሄድ ማድረግ የልውጥ ወጪን በአጅጉ ይቀንሳል፤ ውድድርን ያበረታታል፤ ውድድር ካለ ደግሞ ተጠቃሚው ብዙ ምርጫ ይኖረዋል፤ በዚህ ሂደት ምርቶችና አገልግሎቶች በጥራትና በተመጣጣኝ ዋጋ እንዲቀርቡ ይደረጋል፤ ንግድ ቀጣይነት ባለው መልኩ እንደዚህ ሲስፋፋ ደግሞ የሥራ መስክ ይከፍታል፤ የኢኮኖሚ እድገትን ያፋጥናል፤ ይህም ውሎ አድሮ በሀብረተሰቡ የገቢ መጠን ላይ የሚንፀባረቅ ይሆናል በማለት ይመክራሉ።

ከላይ በጥቅሉ ከቀረቡት ጉዳዮች በመነሳት ከሃገራችን ተጨባጭ ሁኔታ አኳያ ሲታይ ከንግድ ሥርዓቱ ሊገኙ የሚችሉ ጥቅሞች ከዚህ እንደሚከተለው ቀርቦታል።

- 1. ጠንካራ ተቋማዊ አቅም ለመገንባት ያስችላል፤

የዓለም ንግድ ድርጅት አባል ለመሆን ከመነሻው ሥርዓቱ የሚጠይቃቸውን የተለያዩ መስፈርቶች ማሟላትን የግድ ይላል። እነዚህ መስፈርቶችም በዋናነት ተቋማዊ አቅም መገንባትን የሚመለከቱ ናቸው። ይህም የአቅም ግንባታ ተግባር ዓለማቀፋዊ የንግድ ሥርዓቱ የሚጠይቀውን የሰው ኃይል(Trade Lawyers ,Economists, Skilled Negotiators)፣ ጠንካራ ተቋማት (WTO Representative Offices, National Standards, Customs)፣ እንዲሁም የመሠረተ ልማት (Roads, Ports, Telecommunications etc) ማሟላትን ይጠይቃል። ስለሆነም ድርጅቱ በተለይም በልማት ወደኋላ ለቀሩ የእኛ አይነት ሃገሮች ከሌሎች የልማት አጋሮች ጋር በመሆን የሚሰጣቸው ልዩ ልዩ ድጋፎች ከዓለም አቀፍ የንግድ ሥርዓቱ ተጠቃሚ ለመሆን የሚያግዝ ጠንካራ ተቋማዊ አቅም ለመገንባት እድል ይፈጥራል።

2. አስተማማኝ የሆነ ገበያ ለማግኘት ይረዳል፤
በድርጅቱ መሠረታዊ መርሆዎች መሠረት አባል ሃገራት የታሪፍ ጣሪያ የመወሰን ግዴታ (Tariff Binding Commitment) እንዲሁም በየጊዜው የሚያወጧቸውን ህጎችና የንግድ አሰራሮች ማሳወቅ ስለሚጠበቅባቸው፤ ይህ ሁኔታ ለአባል ሃገራቱ የወጪ ምርቶችና አገልግሎቶች አስተማማኝና የበለጠ የሚታወቅ ገበያ እንዲኖራቸው ያስችላል። የWTO አባል ሳንሆን አሁን እያገኘናቸው ያሉት የገበያ እድሎች በሰጪዎቹ ሃገሮች ሙሉ ፈቃደኝነት ላይ የተመሠረቱ እንጂ አስገዳጅ ባለመሆናቸው ነገ ጧት ሊከለከሉ የሚችሉ ናቸው።

3. የውጭ መዋዕለ ንዋይ ለመሳብ ያግዛል፤
የድርጅቱ ስምምነቶችና መሠረታዊ መርሆዎች በየጊዜው እንደተፈለገ የሚለዋወጡ አይደሉም። ይህም ሁኔታ የተረጋጋ የኢኮኖሚ ፖሊሲ እንዲኖር ስለሚያስችል ለሃገር ውስጥም ሆነ ለውጭ ባለሀብቶች ኢንቨስትመንት ምቹ ሁኔታ ይፈጠራል። ይህም በተለይ ለውጭ

መወዕለ ንዋይ (FDI) ፍሰት እንደ ትልቅ ሠር-ቴሌኬት ይቆጠራል።

4. ከግልግል ሥርዓቱ ለመጠቀም ያስችላል፤

የዓለም ንግድ ድርጅት ከፈጠራቸው ሥርዓቶች አንዱ ከንግድ ጋር በተያያዘ የሚከሰቱ ግጭቶችን ፍትሃዊ በሆነ መንገድ ለመጻኘት የፈጠረው ሥርዓት መሆኑ ይታወቃል። በመሆኑም የሚከሰቱ ያለመግባባቶች ግልፅና ሥርዓት ባለው ሁኔታ የሚፈቱ ስለሚሆን በአባላት መካከል ቀጣይነት ያለው የንግድ ግንኙነት እንዲኖር ይረዳል።

5. ለተጠቃሚዎች የሚሰጠው የምርጫ እድል ያሰፋል፤

የንግድ ሥርዓቱ ውድድርን ስለሚያበረታታ ህብረተሰቡ በተሻለ ጥራትና ዋጋ አማራጭ ምርቶችና አገልግሎቶች እንዲቀርቡለት ሰፊ እድል ይሰጣል።

6. መገለልን (Marginalization) ለማስቀረት ያግዛል፤

የWTO አባል መሆንና አጠቃላይ በዓለም አቀፋዊ የንግድ ሥርዓቱ ተሳታፊ መሆን በሌሎች ዓለም አቀፋዊ የገንዘብ ተቋማትም ሆነ በበለፀጉ ሃገሮች ሊገጥም ከሚችል መገለል እንደሚከላከል ይገመታል።

7.2 ፈታኝ ሁኔታዎች

1. በተለይም በልማት ወደኋላ የቀሩት ሃገሮች የንግድ ፖሊሲዎቻቸውንና ህጎቻቸውን ከድርጅቱ ስምምነቶች ጋር ለማጣጣም የሚያደርጉት ጥረት ምናልባትም አቅማቸውን የሚፈታተንና ክፍተኛ የሆነ ወጪ ሊያስከትል መቻሉ፤

2. በተለይም ከአባልነት በኋላ በሚደረጉ ተከታታይ ድርድሮች ታሪፍ እንዲቀንስ የሚደረግ ስለሚሆን የሃገር ውስጥ ታዳጊ ኢንዱስትሪዎች ጠንካራ ለሆነ የውጭ ውድድር ሊጋለጡ የሚችል መሆኑ፤ በአገልግሎት ዘርፎችም ዘርፎችን ለውጭ አቅራቢዎች ክፍት ማድረጉ የሃገር ውስጥ ባለሀብቶችን ለክፍተኛ ውድድር የሚያጋልጣቸው እንደሚሆን፤

3. ከአባልነት በኋላም ቢሆን በገቢ ምርቶች ላይ የሚጣለው ታሪፍ በድርድር የሚቀንስ መሆኑ በመንግስት አጠቃላይ የገቢ መጠን ላይ አሉታዊ ተፅዕኖ ሊያሳድር መቻሉ፤ በተለይም በልማት ወደኋላ በቀሩት ሃገሮች ከታሪፍ የሚሰበሰብ ገቢ መንግስት በታክስ ከሚያገኘው አጠቃላይ ገቢ ትልቁን ድርሻ ስለሚይዝ ሊያሳድር የሚችለው ተፅዕኖ ቀላል ያለመሆኑ፤ ወ.ዘ.ተ የሚጠቀሱ ናቸው።

ዓለም አቀፍ የንግድ ሥርዓቱ ሊያስገኝ የሚችላቸው ጥቅሞች እንዲሁም ሲከሰቱ የሚችሉ ፈታኝ ሁኔታዎች ጎን ለጎን መኖራቸው አባል ለመሆን የሚወሰደውን እርምጃ አከራካሪ እንዲሆን ያደርጉታል። አባል መሆን ያለመሆንን በአማራጭነት እያነሱ በተለያዩ ነጥቦች ዙሪያ መከራከር ይቻላልም ይሆናል። ይሁን እንጂ አሁን በምንገኝበት ተጨባጭ ሁኔታ የተሻለ ሊሆን የሚችለው የማይቀረውን (አሁንም ቢሆን በውስጡ ያለንበትን) ዓለም መቀላቀልና የሥርዓቱ አካል ሆኖ ጠንክሮ በመስራት በተወዳዳሪነት ለመዘለቅ መጣር ነው። የመቀላቀሉ ጉዳይ ግን በጥናት ላይ ተመስርቶ ብሄራዊ የድርድር አቋሞች (National Negotiation Positions) በየዘርፉ እየተዘጋጁ፤ አጠቃላይ የሃገርን ጥቅም በሚያስጠብቅ መልኩ ሊኬድበት ይገባል። ለእንደዚህ ዓይነት ግብዓቶች በተለይም በምርምር ተቋማት አካባቢ ከተሰማሩ ባለሙያዎችና ከእንደዚህ ዓይነት የባለሙያዎች ስብስብ ማህበራት ብዙ ይጠበቃል። ከዓለም አቀፍ ስርዓቱ ተጠቃሚ ለመሆን የመንግሥት አማካሪዎችና ምሁራን በጋራ መሥራት አለባቸው።

8. ማጠቃለያ

በ1940 (እ.ኤ.አ) አንድ ዓለም አቀፍ የንግድ ተቋም ለመመስረት በተደገረው እንቅስቃሴ 23 በሚደርሱ አባላት በ1947 የተፈረመው GATT ወደ 50 ዓመት ለሚጠጋ ጊዜ የንግድ ድርድሩን ሲያስተባብር ቆይቶ እ.ኤ.አ በ1995 ለተመሰረተው ለዓለም ንግድ ድርጅት(WTO) ስልጣኑን አስረከበ።

በ GATT ታሪክ 8 ያህል የንግድ ድርድር ዙሪያ የተካሄዱ ሲሆን በርካታ ተግባራት የተከናወኑት በመጨረሻውና እ.ኤ.አ. ከ1986-1994 ድረስ በቆየው በኦሪጎን ዙር ነው።

WTO ከተፈጠረ በኋላ የተጀመረውና በአሁኑ ጊዜ የምንገኝበት የንግድ ድርድር ዙር 9ኛው ዙር ሲሆን የዶሃ የንግድ ድርድር (Doha Development Agenda/DDA) በመባል ይታወቃል። የዶሃ የንግድ ድርድር የልማት አጀንዳን ትልቅ ስፍራ የሰጠው ሲሆን፤ ጉባዔው ያስቀመጣቸው ጉዳዮች አሁንም ገና በድርድር ሂደት ላይ ናቸው።

ኢትዮጵያ ወደ ዓለም አቀፍ የንግድ ሥርዓቱ በታዛቢነት መሳተፍ የጀመረችው እ.ኤ.አ በ1997 ሲሆን፤ ተደራድራ አባል መሆን እንዲፈቀድላት ጥያቄዋን ያቀረበችው እ.ኤ.አ በ2003 መጀመሪያ ላይ ነበር። ሃገሪቱ ከአባልነት ጋር በተያያዘ በርካታ ተግባራትን ማከናወንና የተለያዩ ደረጃዎችን ማለፍ ይጠበቅባታል። እስከአሁን

ለሃይቱ መሠረታዊ የሆነው ሚሞራንደም ተዘጋጅቶ ለWTO ጽ/ቤት ተልኳል። በሚሞራንደሙ ላይ ከአሜሪካና ከካናዳ መንግስታት ለቀረቡ የመጀመሪያ ዙር ጥያቄዎች ምላሾች ተዘጋጅተዋል። በተለያዩ ዘርፎች የእንደምታ ጥናቶች ተካሂደዋል።

የአባልነት ድርድሩን በብቃት ለመወጣት በቀጣይነት በርካታ ጉዳዮች መከናወን እንዳለባቸው ይታወቃል። ለዚህ ሃገራዊ ለሆነ ትልቅ ዓላማም ሁሉም የበኩሉን አስተዋዕክ ሊያበረክት ይገባል። ዋናው ጉዳይ ብሔራዊ ጥቅምን ሊያስጠብቅ የሚችል ሃገራዊ አቋም በየዘርፉ በማዘጋጀት በብቃት መደራደር ነው። ለዚህ ትልቅ ተግባር ዋና ተዋናዎች ኢትዮጵያውያን ምሁራን ናቸው።

9. ርዕይ

የዛሬ 20 ዓመት ማለትም በኢትዮጵያ አቆጣጠር በ2020 ዓ.ም ለሃገራ የምመኘው፡- ዲሞክራሲ፤ ሠላምና እኩልነት የሰፈነባት፤

ንግድ፤ ኢንዱስትሪና ኢንቨስትመንት የተስፋፋባት፤ በዓለም ተወዳዳሪ የሆነችና መካከለኛ ገቢ ካላቸው ሃገሮች ተርታ የተሰለፈች ኢትዮጵያን ማየት ነው።

REFERENCES

1. The Doha Development Agenda (Doha Declarations) (2001).
2. Doha Work Program (2004): Decision Adopted by the General Council on 1 August 2004, WT/L/579.
3. The Legal Texts (2002): The Results of the Uruguay Round of Multilateral Trade Negotiations.
4. Setting the Trade Policy Agenda: What Roles for Economists? (2005)
5. The Sixth Ministerial Conference, Hong Kong 13-18 December 2005 (WT/MIN (05) DEC.
6. Understanding the WTO (2006).



THE NATURE OF THE WORLD TRADE ORGANIZATION, ETHIOPIA'S MEMBERSHIP EFFORTS AND PROSPECTS FOR DEVELOPMENT ATO HABITAMU TADESSE

I. Introduction

Given the limited time available at this forum, it is virtually impossible to discuss in any extensive manner such a multifaceted and complex institution as the World Trade Organization (WTO). Most of the Organization's jargons are little known to, or understood by, the general public, knowledge in such matters being the specialty of experienced negotiators. For this reason this presentation limits itself to raising certain issues relating to the history and structure of the Organization, its major functions, the main pillars and agreements it adheres to, levels of negotiation for membership in the Organization and Ethiopia's status therein, the advantages obtained from membership in the Organization and the challenges posed by that membership. The principal aim of the paper, therefore, is to facilitate discussions and open up possibilities for further exploration of the issues involved.

2. Overview of the Founding of the World Trade Organization and its Structure

The World Trade Center came into being in 1995 at Marrakesh, Morocco as successor to what

was then known as the General Agreement on Tariffs and Trade (GATT), which had been in operation since its creation in 1947. Available data indicate that the idea was to create an International Trade Organization (ITO) to oversee trade relations

at the global level, which did not materialize at the time the World Bank and the International Monetary Fund were established in 1944.

Although at that time attempts to create ITO proved unsuccessful, it is to be recalled that GATT, which served as the main instrument governing international trade for almost fifty years, was successfully created. Between 1947 and 1994 eight rounds of trade negotiations took place under GATT, which contributed to the reduction of tariff and non-tariff trade barriers.. Of these eight rounds it was the Uruguay Round, which lasted from 1986 to 1994 and during which numerous tasks were accomplished, that gave birth to the World Trade Organization.

The round which started following the establishment of the Uruguay Round and which constitutes the ninth round is

known as the Doha Development Agenda (DAA). This agreement was reached at the Fourth Ministerial Conference of WTO in Doha, Qatar in 2001. The Doha Declaration is famous for making development issues its focal point and, especially, for the special considerations given to developing countries and the resolutions it passed to make obligatory provisions at once transparent and practicable. The declaration put down 21 subjects to be negotiated in more than 50 provisions. Though the declaration had set deadlines for the completion of the negotiations, most of them could not be completed in accordance with the provisions of the declaration.

The GATT concentrated mainly on manufactured goods, while agriculture, services and intellectual property rights were negotiated at the Uruguay Round and became an integral part of the Agreement after the establishment of WTO.

Currently the WTO has 151 member states and covers about 95 per cent of the world's trade activities, according to the available data. According to the United Nations Organization's indicators 25 of the member

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countries are industrially developed and 94 are developing, while 32 are less developed.

According to the formal structure of the WTO, the Ministerial Conference, which comprises

representatives from the member countries, is the topmost decision-making body, and it meets every two years and makes major decisions. The Ministerial Conference has held 6 meetings since the establishment of the WTO: the first in Singapore

(1966); the second in Geneva (1998); the third in Seattle (1999); the fourth in Doha (2001); the fifth in Cancun (2003); and the sixth and the most recent in Hong Kong (2005).

GATT Trade Rounds

#	Year	Place	Subjects covered	Countries
1	1947	Geneva	Tariffs	23
2	1949	Annecy	Tariffs	13
3	1951	Torquay	Tariffs	38
4	1956	Geneva	Tariffs	26
5	1960-61	Geneva (Dillon)	Tariffs	26
6	1964-67	Geneva (Kennedy)	Tariffs & Anti-dumping	62
7	1973-79	Geneva (Tokyo)	Tariffs, non-tariff measures, Framework agreements	102
8	1986-94	Geneva (Uruguay)	Tariffs, non-tariff measures, services, intellectual property, agriculture, creation of WTO, etc.	123

Source: www.wto.org

Next to the Ministerial Conference, the second level authority goes to the General Council and comprises the ambassadors (or equivalent representatives) of member countries in Geneva. The General Council meets regularly to make various decisions. The Council also serves as the Trade Policy Review Body as well as Dispute Settlement Body for member countries. There are also three third-level councils accountable to the General Council: namely, Council for Trade in Goods; Council for Trade-Related Aspects of Intellectual Property; Council for Trade in Services.

There are also other subsidiary committees and working parties dealing with such issues as environment, development, regional trade agreements, accession, etc.

The Secretariat of the World Trade Organization has its Headquarters in Geneva, with about 630 employees under its command. The main function of the Secretariat is to provide technical support to the Ministerial Conference and the various bodies operating under the Conference at different levels.

3. Main Functions of the WTO

The general aim of the World Trade Organization is to ensure that trade flows competitively by lowering trade tariff and non-tariff trade barriers. The World Trade Organization:

- Oversees the administration and operation of the international trade agreements.

- Provides a forum for trade negotiations among governments.
- Serves as a venue for settling disputes between countries.
- Serves as a forum where governments review the national trade policies of member countries.
- Provides technical support to least-developed and low-income countries for them to be able to adjust to the WTO rules and disciplines. Towards this end the WTO cooperates closely with other international institutions.

4. The Organization's major agreements

The WTO's Agreements cover various subjects, including agriculture, industrial products, banks, telecommunications, government procurement, quality

and standards, nutrition, intellectual property rights, etc. The Agreements can be divided into two major categories, namely, Multilateral Trade Agreements and Plurilateral Trade Agreements. While the first group of agreements are mandatory for all member countries, the second group of agreements apply only to those countries who have signed the agreements of their own free will.

Under Multilateral Trade Agreements are included the World Trade Organization's three pillars, namely, Multilateral Agreement on Trade in Goods, General Agreement on Trade in Services (GATS), and Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS). As pointed out above, every member country of the WTO is duty-bound to abide by these major agreements as a single undertaking.

According to the WTO's mode of operation, although there are different principles in all these agreements that must be observed, for the purpose of this presentation only two of those principles will be considered. One is the principle of Non-Discrimination. This principle has two components: the Most Favored Nation (MFN) rule and the National Treatment Policy. The MFN rule requires a WTO member to apply the same conditions on all trade for all other WTO members, that is, the member has to grant the most favorable conditions under which it allows trade in a certain

product type to all other WTO members. National Treatment Policy requires that imported and local products be treated equally once the foreign goods have entered the market.

The second is the principle of predictability. This principle has two components, just like the first one, namely Binding and Enforceable Commitments and Transparency. Binding and enforceable commitments refers to "ceiling bindings" WTO members enter into and which require payment of tariffs that remain in force until further negotiations are made with the trade partners. Transparency refers to the process that requires WTO members to publish their trade policies and regulations that they issue at different times to the WTO and to respond to requests for information.

The WTO agreements also provide for special and differential treatments to both developing and least-developed countries to help them adjust to WTO rules and disciplines. Some examples are: ensuring that the obligations that such countries enter into are based on the levels of their economic development; allowing especially the least-developed countries additional time to meet the trade requirements; providing the said countries with technical support and training to help them build their capacities. Let us now say a few words about the three main pillars of the WTO's agreements.

4.1 Multilateral Agreement on Trade in Goods

By the time the WTO was created, the GATT was updated to become the WTO's major umbrella treaty for trade in goods. Under this major umbrella treaty are agreements relating to other sectors (e. g. agriculture, textiles) and other agreements (e.g. human, animal and plant health, product quality, subsidies and retaliatory measures, preventive measures, imposition of customs duties, import permits, operation of government businesses, etc.) have been included as annexes. Below are considered only those agreements that are deemed more relevant to our country's situation.

4.1.1 Agreement on Agriculture (AoG)

The Agreement on Agriculture was first negotiated and signed as part of the GATT during the conclusion of the Uruguay Round at Marrakesh. The Agreement has three pillars, namely Market Access, Domestic Support, and Export Subsidy.

Market Access: It was resolved in the Agreement:

- That all trade barriers, except tariffs that were imposed, be converted into ordinary customs duties (Tariffication);
- That the current tariff that was in force at the time of the negotiation be reduced with limits set by all member countries;

- That countries that have converted non-tariff measures into ordinary customs duties be allowed Special Safeguard provisions;
 - Regarding tariff reduction, that the developed countries should on the average make a reduction of 36 per cent within a time range of 6 years and the developing countries make a reduction of 24 per cent within a time range of 10 years, with a minimum requirement of 15 per cent for the developed countries and 10 per cent for the developing countries;
 - That the least-developed countries shall not be required to reduce tariffs.
- The first, labeled "Green Box," includes those types of support that do not interfere with, or with minimal consequences to, the flow of trade. Member countries are not required to provide such types of support as they may provide to agricultural producers.
 - The types of programmes qualifying for support include the following:
 - Research;
 - Pest and disease control;
 - Training services;
 - Extension and advisory services;
 - Marketing and promotion services;
 - Infrastructure services
 - Self-sufficiency program established by a national law;
 - Food subsidy;
 - National disaster prevention;
 - Structural adjustment programs.
 - The second, known as the "Blue Box," involves payment extended to agricultural producers of facilitate reduction of production, and it concerns those types of support provided to agricultural producers in order to speed up agricultural and rural development, such support for investment and provision of improved seeds. It is believed that such types of support have only minimal consequences to the flow of trade.
 - The third, known as the "Amber Box," relates to all support types not included in the above mentioned packages. Because the types of support in this package seriously affect the flow of trade, the Agreement requires member countries to make reductions. While the developed and developing countries are required to reduce 5 per cent and 10 per cent, respectively, of the types of support in this package, the least-developed countries are not required to reduce all the types of support they provide.

Domestic Support:

- While agreement has been reached at the Uruguay Round of trade negotiations to reduce the total aggregate measurement of support in favor of agricultural producers, the Agreement has resolved that the developed countries reduce their AMS by 20 per cent within 6 years, while the developing countries must reduce their support by 13.3 per cent within 10 years. The least developed, low-income countries are not required to make any reduction.
 - Under this pillar, the types of domestic support to be provided have been classified into three groups as Green, Blue and Amber Boxes.
- #### Export Subsidy
- When it comes to export subsidy, an agreement has been reached that member countries shall take measures to make annual reduction on the export subsidies they provide to agricultural producers.
 - The developed countries are required to reduce their direct subsidies by 36 per cent of the marketing cost and 21 per cent of export amount within a time range of 6 years, while the developing countries are required to reduce their direct subsidies by 24 per cent in marketing cost and 14 per cent in the export amount within a time range of 10 years.
 - The subsidies agreed upon for reduction under this pillar include: direct budgetary

payments; incentives provided for new products contingent on their incorporation in exported products; the sale or disposal by government action of non-commercial stocks of agricultural products at a price lower than the comparable price charged for the like product to buyers in the domestic market; payments on the export of an agricultural product financed by virtue of government action; provision of subsidies to reduce the costs of marketing of agricultural products, including handling, upgrading and processing costs, and the costs of international transport and freight; international and freight charges on export shipments provided or mandated by governments, on terms more favorable than for domestic shipment.

4.1.2 Agreement on Sanitary and Phytosanitary Measures (SPS)

While this Agreement was negotiated at the 7th Tokyo Round, and although the Agreement had to do with agriculture, consideration was given to it on the basis of the high benefits it provides and it was accordingly agreed to look at it on its own merit at the Uruguay Round, resulting in separate regulations.

Accordingly, the Agreement proclaims that member states

can issue technical regulations and take measures to protect human, animal and plant health as well as the environment and the country as a whole from any hazard, without however imposing unnecessary trade restrictions. The Agreement has proclaimed that it would be preferable as much as possible for these technical regulations or measures are consistent with the guidelines and standards of such organizations as Organization International des Epizooties, the International Plant Protection Convention and Codex Alimentarius Commission, and at least meet the minimum international protective standards. If the protective measures taken by a given member state have been found to meet the minimum protective standards, so proclaims the Agreement, other countries should accept them on an equal basis as their own standards. According to this Agreement, a given member state can set up a recognized disease-free area and provide information supported by data for any member state that would like to know about its safety standards. The Agreement also stipulates that member states should create Enquiry Points for dissemination of information regarding the safety regions and the implementation of the Agreement, as well as the establishment of Notification Authorities for advance notification of proposed measures.

4.1.3. Agreement on Technical Barriers on Trade

The Agreement stipulates that member states can take measures to protect human, animal and plant life from health risks and damages due to deceptive or sub-standard products. Member countries have agreed that the measures to be taken in this respect should not discriminate among member states, should not pose barriers to international trade, must be transparent and made public in national bulletins of the respective countries.

The Agreement encourages that the technical regulations, standards and conformity assessment procedures to be developed be consistent with the guidelines developed by such international organizations as International Standards Organization (ISO). The Agreement stipulates that if the restrictive measures a given member country takes meet the minimum standards, other member countries must accept them as equivalents; it also requires the establishment of an authority for the coordination of technical regulations, standards and conformity assessment, enquiry point and notification authority to provide information on the technical regulations already implemented or measures taken in the process.

4.1.4 Agreement on Safeguards (SG)

The main objective of this Agreement is to set forth rules to enable member states to take safeguard measures with regard to increased imports entering their countries, where such imports have caused serious injury to the importing members' domestic industries.

For member countries to be able to take such measures, the measures must be consistent with the following guiding principles:

- When imports are increased in terms both of volume and price;
- When imports are found to cause, or threaten serious injury to, a competing domestic industry;
- When the injury or the threat of injury is caused by the specific product imported.

Member countries must demonstrate through investigation that serious injury has occurred, or that the threat of serious injury is imminent, as shown by the facts; however, temporary measures can be taken until the investigation has been completed. The measures taken or intended to be taken should be applied only to remedy the injury. The measure can assume the form of levying taxes or imposing quota limitation on the concerned product. The measure so taken will be in effect for a maximum of four years with

a possibility of extension where necessary. But it has been resolved that the period cannot be extended beyond a total of eight years. Member countries are required to compensate injured countries, that is, they should reduce duties imposed on other products replacing the concerned product.

4.1.5 Agreement on Customs Valuation (CVA)

This Agreement was first entered into at the Seventh Round Agreement that took place in Tokyo in 1979. The Agreement was also known as the Tokyo Round Valuation Code. The basis for the final Agreement signed by the member countries was transaction value. Under this Agreement customs value shall be determined on the basis of the price actually paid or payable for the goods, taking into consideration current transaction conditions. The Agreement was signed by 40 countries and it stayed in effect until the Uruguay Round.

The World Trade Center's Customs Valuation Agreement, which was signed in 1994, is similar to the Tokyo Round Code. The customs value of imported goods is determined on the basis of *Ad Valorem Duties*. This kind of computation, used in imposing customs duties on imported goods, is based on the actual value or the volume/weight of the goods imported, or on both. There are six methods of computing customs valuation, including transaction value, and

where information on imported goods is not available for purposes of determining customs valuation, recourse can be made to any one of the six methods where the others have been found unworkable. The six methods are known as: *Transaction Value; Transaction Value of Identical Goods; Transaction Value of Similar Goods; Deductive Method; Computed Method; Fall-back Method*.

The World Trade Organization's Agreement on Customs Valuation has incorporated provisions to protect the rights of importing countries. The aim of these provisions is to ensure that customs valuation operates in accordance with the principles of transparency and accountability, right to confidentiality, provision in writing of information upon request, expression of reservations by parties involved. All these and more are obligations that member countries are required to uphold.

4.2 General Agreement on Trade in Services (GATS)

The aim of this agreement is to encourage member countries to open up their respective service sectors to suppliers of services of other member countries in four gradual stages.

Although the Agreement has attempted as much as possible to incorporate all service sectors in its provisions, except those services that are supplied neither on a commercial basis nor in

competition with one or more service suppliers. Such services as are excluded from the Agreement are those services supplied in the exercise of governmental authority and they include national bank services and social security services. Among the services falling under these that are temporarily excluded from the Agreement are air traffic rights and those rights incorporated in the International Air Services Transit Agreement (also known as the Chicago Convention) mainly to do with issues relating to national security.

According to the classification of the World Trade Organization, trade in services is divided into 12 major sectors and 160 sub-sectors, of which the major sectors are the following:

1. Trade services
2. Communications services
3. Construction and related engineering services
4. Supply (Distribution) services
5. Educational services
6. Health and related social services
7. Environmental sanitation services
8. Financial services
9. Tourism and travel-related services
10. Recreational, cultural and sports services
11. Transport services
12. Services not included in the preceding categories

The Agreement also has provided for about 160 minor services under the 12 major

services, which can be supplied in four modes:

- Cross-border Supply of Services: Mode 1: Supply of services from the territory of one Member into the territory of any other Member; e.g. Telecommunications and Postal Services;
- Consumption Abroad: Mode 2: Supply of services in the territory of one Member to the service consumer of any other Member e.g. Tourism Services;
- Commercial Presence: Mode 3: Supply of services by a service supplier of one Member, through commercial presence in the territory of any other Member; e.g. Banking Services;
- Temporary Movements of Natural Persons: Mode 4: Supply of services by a service supplier of one Member, through presence of natural persons of a Member in the territory of any other Member; e.g. Accounting and Medical Services.

With regard to trade in services, members of the World Trade Organization have two types of obligations:

- Unconditional General Obligations: Each Member is obliged to accord immediately and unconditionally to services and service suppliers of any other Member treatment no less favourable than that it accords to like services and

service suppliers of any other country under the Most-Favored-Nation Treatment provision. Transparency, which requires each Member to publish promptly all relevant measures of general application which pertain to or affect the operation of the Agreement, is subsumed under this General Obligation. Each member is required to respond promptly to all requests by any other Member for specific information on any of its measures of general application and ensure that the regulations and administrative guidelines that significantly affect trade in services are reliable and implemented without discrimination.

- Conditional General Obligations: These are obligations pertaining to those services on which Member countries have agreed to make accessible to suppliers of services from other Member countries, and which they have included in their respective schedules of commitments.

Member countries are expected to prepare Schedules of Commitments for the services they have committed themselves to accord to service suppliers of other Member countries and inform the Organization's Secretariat of same. The services to be included in the Schedule of Commitments can

be inscribed under two categories:

- Horizontal Commitments: commitments that serve as limitations for all services inscribed in the Schedule of Commitments. The rationale for the existence in the Agreement of such limitations is to avoid redundancies in limitations on the modes of supply of services;
- Sector-Specific Commitments: this pertains to the limitations imposed on each type of service.

Another purpose of the Agreement is to provide a schedule of commitments pertaining to the types of services to be supplied under the four modes of service supply, the limitations to be imposed on those services, and MFN exemptions. Two types of limitations can be imposed on services supplied by service suppliers of one member in the territory of another member.

- Market Access Limitations: This category pertains to those limitations imposed on services or service suppliers from one member country in the territory of another member country.
- National Treatment Limitations: This category pertains to those limitations imposed on services that are comparable to services locally supplied in the host country.

The first of the two limitations assumes six forms:

- Limitations on the number of service suppliers;
- Limitations on the total value of transaction or assets;
- Limitations on the total quantity of service output;
- Limitations on the total number of natural persons deployed in a particular service sector;
- Measures that require specific types of legal entity, such as joint venture alone;
- Limitations on the participation of foreign capital.

Some of the limitations imposed through the second category include, among others:

- Limitations pertaining to discriminatory subsidies and other financial measure;
- Limitations pertaining to nationality requirements;
- Limitations pertaining to residency requirements;
- Limitations pertaining to licensing, registration and qualification requirements;
- Limitations pertaining to technology transfer/training;
- Limitations pertaining to local content requirements;
- Limitations pertaining to ownership of property/land.

Article 19 of the Agreement stresses that member countries commit themselves only to those supplies of services that they actually need, to accord services or service suppliers participation in limited or fewer sectors, and

limit the supply of services to fewer types of transactions.

4.3 Agreement on Trade-Related Intellectual Property Rights (TRIPS)

The TRIPS Agreement constitutes one of the three major Agreements entered into by the World Trade Organization, and it has been in force since 1995. The Agreement on TRIPS is based on the Paris, Berne and Rome Conventions as well as the Washington Treaty on Intellectual Property. The provisions or stipulations especially of the Paris and Berne Conventions have been incorporated in the TRIPS Agreement more or less wholesale. Compared to those conventions that preceded it, the Trips Agreement has proved a more effective instrument in protecting trade-related intellectual rights, because:

- It contains provisions for resolving trade disputes;
- It describes procedures by which protections of intellectual property rights could be implemented at the national level;
- It has provisions for the protection of rights pertaining to technological innovations, e.g. computer technology.

The TRIPS Agreement stipulates that, if member countries could not act on the minimum duration of protection of intellectual property rights conferred on creators, they could, however, set down terms of protection with longer duration than those set down by the Agreement. The

TRIPS Agreement has the following major objectives:

- To create conditions whereby creators are duly rewarded for their creation and thereby encourage the dissemination creativity;
- To give adequate protection to intellectual property rights and encourage the promotion of technological innovation and dissemination of technology;
- To reduce distortions and impediments to international trade.

The Agreement on Trade-Related Aspects of Intellectual Property Rights has incorporated two major types of rights: Copyright and Related Rights and Industrial Property Rights, the details of which are enumerated below:

1. Copyright: This right pertains to the protection of the intellectual products of writers, and performers. The intellectual products protected under this right include music, books, film, computer software and the like. The copyright protection extends to expressions (in writing, through film, etc.) and not ideas, procedures, methods of operations or mathematical concepts as such. In other words what is protected are not ideas but the expression, in concrete form, of the ideas.

Copyright protection forbids the reproduction and sale, through copying and cassette- or CD-recording, the products of writers

and performers without the authorization of the creators. The Agreement stipulates that, if intellectual creations are used for purposes of research, education, comments, news broadcast, they can be used without the authorization of the creators. The Agreement stipulates that intellectual property rights that are protected under copyright and related rights, unlike those rights pertaining to goods and services that require registration (e.g. Trademarks), shall be protected with no need for registration effective the day/year the work is made. Under the copyright and related rights provision, the creator of an intellectual property shall be conferred with a lifelong right to protection of his/her product. Other than the life of a natural person, the term of protection shall be no less than 50 years from the making of the work for use by the creator's legal inheritors.

2. Related Rights: Copyright related rights pertain to protection of performers, producers of phonograms (sound recordings), and broadcasting organizations. The owners of these copyright-related rights are not required to register in order to claim or use those rights. The term of the protection available under this Agreement to performers and producers of phonograms shall last at least until the end of a period of 50 years from the end of the calendar year in which the fixation was made or the

performance took place. The term of protection granted to Broadcasting organizations shall last for at least 20 years from the end of the calendar year in which the broadcast took place.

3. Trademarks: As provided for in Article 15 of the TRIPS Agreement, trademark constitutes any sign, or any combination of signs, capable of distinguishing goods or services of one undertaking from those of other undertakings. The agreement further stipulates that such signs, in particular words including personal names, letters, numerals, figurative elements and combinations of colours, as well as any combination of such signs, shall be eligible for registration as trademarks.

As already pointed out, trademarks are used to distinguish the goods and services of one undertaking from those of other undertakings. According to the Agreement, initial registration, and each renewal of registration, for a trademark shall be for a term of no less than seven years, while the registration shall be renewed indefinitely. If use is required to maintain a registration, the registration may be cancelled only after an uninterrupted period of at least three years of non-use.*

* The provision attaches a condition: "unless valid reasons based on the existence of obstacles to such use are shown by the trademark owner. Circumstances arising independently of the will of the owner of the trademark, which constitute an

4. Protection of Geographical Indications: Trademarks under this category serve to identify goods originating from the territory of one Member, or region or locality in that territory from those of other Members. These trademarks generally apply to agricultural products and products of handicraft and food industries. Such products are considered to have qualities, reputations or other characteristics that are attributed to their geographical origins. The reasons cited for the uniqueness of such products are the natural environment of the region from which they originate, such as the soil and the climate, or the peculiar mode of production used in the particular region. For example, it could be the locality's climate and nature of soil that probably gives the 'Sheno butter' its unique quality [just by way of an example—Trans.]

Trademarks protected under Geographical Indications are not considered private properties of particular individuals or enterprises. Rather, they constitute common properties of individuals or enterprises producing the same products in the same territory of a Member, or a region or locality in that territory. In other words, any person or enterprise can use the trademarks for the identification

obstacle to the use of the trademark, such as import restrictions on or other government requirements for goods or services protected by the trademark, shall be recognized as valid reasons for non-use." [Translator's note.]

of the same product. The various signs that can be used to identify products or services [e.g. proper names, letters, numbers, etc. or their combinations] have the same function as trademarks. Since there is no internationally agreed upon system of registration for trademarks, the issue is still being negotiated. Regarding trademarks under Geographical Indications, the TRIPS Agreement requires Members to protect the rights to the trademarks, but particularly to trademarks for wines and liquors.

5. Industrial Designs: These are artistic designs serving as embellishments or adornments for a given industrial product in accordance with the demands or requirements of the existing market. Industrial designs have the capacity to give a given product supplied to the market a special aesthetic worth, thereby enabling the product to compete and win against similar other products.

Industrial designs are products of the imagination that are mostly put to use in textile, automobile and electronics industries. The designs must be registered with a government agency in order to be conferred with protection rights. In order to be eligible for registration, the designs must be:

- novel, i.e. heretofore unknown to consumers;
- original, i.e. must be significantly different from known designs or combinations of known design features.

The TRIPS Agreement stipulates that the duration of protection of rights for industrial designs shall amount to at least 10 years. The idea is to enable the creators to get returns both on the labor and the expenses they invested in their creations and, at the same time, to encourage them to come up with new creations.

6. Patents: Patents, in the context of the TRIPS Agreement, is a certificate of ownership conferred upon individuals or groups, or enterprises for a given invention [in all fields of technology]. The relevant provision of the TRIPS Agreement confers on the owners of the invention the right to prevent third parties not having the owners' consent from using the products or processes of invention. Members shall require an applicant for a patent to disclose detailed and clear information on the invention. An invention that enjoys protection under the Patents provision should be capable of industrial/technical application. Patent rights are conferred both for products and processes. If the invention is for a product, it must be capable of production. Patents for inventions are given:

- To provide legal protection and encourage the dissemination of the inventions among the public, while at the same time encouraging the creators to go public with their inventions;
- To encourage big industries to invest more

money for research, thereby facilitating the undertaking of more research;

- To create opportunities for the creation of alternate technologies.

For an invention under patent to be eligible for protection:

- It must be new or novel, i.e. it should not be part of previous inventions;
- It must involve an inventive step (i.e. it should not be obvious to the man-on-the-street);
- It must be capable of industrial application.

Under the TRIPS Agreement, not all inventions are patentable. Among such products are:

- Products that are hazardous to human, animal, and plant life or health;
- Diagnostic, therapeutic and surgical methods for the treatment of humans or animals;
- Plants and animals other than micro-organisms.

The Agreement also stipulates that, in emergency situations (e.g. natural disasters, epidemics, etc.), Members (governments) can use, or authorize third parties to use, the subject matter of the patent without the authorization of the right holder through compulsory licensing. According to the TRIPS Agreement the term of protection for a patented subject matter is at least twenty years [computed from the filing date]. This means that the subject

matter of the patent becomes public property, that is, anybody can use the subject matter of the patent without prohibition once the twenty years expire.

7. Layout-Designs [Topographies] of Integrated Circuits: Layout-Designs constitute one of the intellectual products conferred with protection rights. The designs incorporate integrated circuits. These designs are used in such industrial products as watches, television, laundry washing machines and automobiles.

The designs involve a Three-Dimensional Disposition and they require the sophisticated knowledge and expertise of professionals, as well as huge investment. The main reason behind protecting these designs is to reduce the integrated circuits dimension (to reduce the space the product takes and the materials and the cost needed to produce it, by reducing its dimension) in order to support the process of creation. The term of protection for lay-out designs of integrated circuits shall be a term of no less than 10 years.

8. Undisclosed Information: Under the TRIPS Agreement Undisclosed Information is of two types: Trade Secrets and Test Data.

- Information under the Trade Secret category pertains to product formulae, designs, documents with the list of names of a company's clients and others of a similar nature. Since such

information constitutes a company's trade secrets, only a handful of the company's personnel are authorized to have access to the contents of the information.

- Test Data incorporate Pharmaceutical and Agricultural Chemical Products. The Agreement confers protection rights on both types of products if they utilize new chemical entities. In order to market such products, the relevant company must first secure the consent of the Member country's government. The Agreement stipulates that the government, for its part, must commit itself to keeping the information it gets during the negotiation process confidential.

Now that we have said this much about the three major Agreements of the World Trade Organization, let us now turn to the WTO's membership negotiation process.

5. Membership and Membership Negotiation Phases

The process of accession to the WTO is complex and demanding, particularly for poor countries such as Ethiopia. Countries that seek membership in the WTO are required to accede to laws and regulations that entail making various changes in their economies. The cost/price member countries pay to secure accession to the Organizations could have far reaching implications to their economic

and social development. It is believed that the preparation for accession and participation in the negotiation requires huge financial and human resources. When we particularly consider the situation of the less-developed countries, the required resources could pose a serious challenge to them.

Accession to the WTO involves an entirely different process from the processes involved in accessing membership in other international organizations, for example, the United Nations, the World Bank, or the International Monetary Fund. Membership in the WTO is a one-sided affair, as the lore has it. This means that the burden of demonstrating to existing members how to meet the requirements for membership falls squarely on the applicants.

Article XII of the Marrakesh Agreement stipulates that "any state or separate customs territory possessing full autonomy" can become a member of the WTO on terms to be agreed between the state and members of the WTO. The terms of the provision run as follows:

"1. Any state or separate customs territory possessing full autonomy in the conduct of its external commercial relations and of other matters provided for in this Agreement and the Multilateral Trade Agreements may accede to this Agreement on terms to be agreed between such a state or separate customs territory and the members of the WTO. Such accession shall

apply to this Agreement and the Multilateral Trade Agreements annexed thereto.

"2. Decisions on accession shall be taken by the Ministerial Conference. The Ministerial Conference shall approve the agreement on the terms of accession by a two-thirds majority of the Members of the WTO.

"3. Accession to a Plurilateral Trade Agreement shall be governed by the provisions of that Agreement."

The determination of the cost a country pays or the obligations it enters into to become a member of the WTO is left to each Working Party. Because of this the cost paid and the obligations entered into vary from one country to another.

There are four technical phases that a country must pass through before becoming a member of the WTO. These are:

Phase One: Request for membership and setting up of Working Party (WP): Any country that seeks membership in the WTO sends, on the basis of Article XII of the Marrakesh Agreement, a request in writing to the Director General of the WTO. The Director General presents the request for consideration by the WTO General Council at its next meeting. Once the accession application has been considered and gains acceptance by all the members of the General Council,

a Working Party is set up to consider the application.

Phase Two: Information Gathering: This phase serves as a stage whereby the WTO members are informed about the applicant's economic status, but particularly about its foreign trade regime. It is during this phase that the applicant provides a Memorandum on its Foreign Trade Regime (MFTR). The Memorandum should be prepared in accordance with the WTO Secretariat's Guidelines. The Memorandum is then examined by the Working Party; WTO member countries present questions in writing, to which the applicant must respond in writing as well. The process continues until the Working Party is satisfied with the responses it gets. During this phase, other relevant documents (such as ACC Documents, Legislative Action Plan, etc.) could be presented for consideration as situations require.

Phase Three: Negotiations: Once the required/relevant data have been gathered, the Working Party calls a meeting in which it looks into those aspects of the applicant's foreign trade regime that do not accord with the WTO's Agreements. In this phase, the applicant is requested to submit its initial schedule of offers in goods and services, after which bilateral negotiations are held. The duration of the bilateral negotiations depends on the number of the applicant's main trade partners sitting in the Working Party. At the same time

that the bilateral negotiations are carried out, multilateral trade negotiations are held on general issues of concern to all members/partners. Finally, the applicant and the Working Party get together to deliberate on the Terms and Conditions of Entry. It is during this phase that the Working Party compiles and summarizes the contents of minutes the of all the meetings held and prepares its draft report.

Phase Four: Protocol of Accession: This is the final phase of the accession process. The report of the Working Party, the Protocol of Accession and the applicant's List of Commitments are compiled and submitted to the Ministerial Council or the General Council for approval. Although it has been stipulated that, once the Protocol of Accession has been approved by a two-thirds majority the applicant's request would be endorsed, this has not been the case in practice. Following a favorable decision by the General Council, the applicant is invited to sign a protocol of accession, which it must have ratified by its parliament. Then only does the applicant become a member of the WTO.

6. Ethiopia's Current Status

Ethiopia applied for membership in the World Trade Center in January 2003. Before submitting its application Ethiopia has been attending meetings of the Organization with an observer status for six years. Its application was submitted to the

General Council and unanimously accepted in March 2003, leading to the setting up of a Working Party. Following this, national and technical committees were set up to further follow up the process within Ethiopia. The technical committee was assigned the task of preparing the Memorandum on the country's Foreign Trade Regime, which constitutes the first substantive phase. The Memorandum was reviewed at different levels, after which it was endorsed and sent to the Secretariat of the WTO in December 2006. Ethiopia is currently in the Questions and Answers phase in which it clarifies to the members the nature of its policies and institutions.

There is no specific deadline for the accession process. The time it takes to get to the final phase depends, by and large, on how quickly and efficiently the applicant does its part of the job. This does not mean, however, that negotiating members do not influence the process one way or another. Experience has shown that it takes a very long period for some (China 15 years) while it takes a very short period for others. In the case of Ethiopia the process is estimated to take 5 years, from the date the Memorandum was submitted to the Secretariat of the WTO, that is, until December 2006. The process, it is estimated, will be finalized by the end of 2011. Ethiopia was asked to respond some 220 questions by the

United States of America and Canada towards the end of February 2007. The responses to the questions have been approved by the National Committee and they are expected to be submitted to the WTO Secretariat soon.

In the last few years questions have been raised regarding the Memorandum and other related documents to which responses have been prepared. Pilot studies if this is what is intended by the Amharic have been undertaken in the area of the three pillars of the WTO; namely, goods, services and intellectual property rights. The draft of the studies has been reviewed at a workshop in which the relevant bodies participated. Legal surveys have also been conducted to make sure that the country's trade regimes are in accord with the WTO Agreements. Training programs on trade negotiations have been conducted for members of the WTO Technical Committee and other professionals. The experiences of countries that recently joined the WTO have been presented at a meeting in which stakeholders participated. Capacity building and awareness raising activities have been undertaken (mostly at the Federal level, but also in some regions) regarding the basics of the WTO and its various Agreements.

7. Benefits and Challenges of Membership

7.1 Benefits

Various studies explain that membership in the WTO has multifaceted benefits, beginning with additional income for individuals and extending to preventing armed conflicts. Because the WTO operates on the basis of legal regimes these regimes help to ease and facilitate the trade exchange among members. The basic principles of the system encourage ease and efficiency in market access to major markets and protect governments from undue pressures exerted by interest lobby groups. Since various transparency criteria have been put in place, the system encourages good governance, and in the event that disputes arise for various reasons, there is a dispute settlement mechanism which helps promote peace between members.

The proponents of this line of thinking advise that conducting trade in a systematic and free manner reduces the costs of transactions, encourages competition, thereby leading to various alternatives for the beneficiaries to choose from. Such a process helps access to quality products and services at competitive prices. When, in this manner, trade expands, job opportunities will grow to the same extent, economic growth will speed up and, ultimately, all this will be reflected through the collective income of societies. Looked at from the vantage point of these general issues, and taking Ethiopia's present

conditions, the benefits that the country can gain can be itemized as follows:

1. Building a strong institutional capacity

Accession to WTO membership demands from the very outset meeting the criteria the regime requires. These criteria in the main pertain to institutional capacity building. This institutional capacity building process requires the creation of trained and skilled manpower (trade lawyers, economists, skilled negotiators); strong institutions (WTO representative offices, national standards, customs); and infrastructure development (roads, ports, telecommunications, etc.). The various forms of support that the Organization, in collaboration with other development partners, provides, particularly for the less developed countries such as our own, will create opportunities to build a strong institutional capacity that will help these countries benefit from the international trade regime.

2. Reliable market access

The international trade regime requires Member countries to enter into a Tariff Binding Commitment and to provide information on the various trade laws and procedures, a process that helps member countries get a reliable market access to big international markets for the products and services they export. The market access opportunities presently open to

Ethiopia in the world market are available to us entirely on the good will of the countries with trade relations with us; since the countries are not obligated by any legal regime, they could easily deny the country access to their markets.

3. Attracting of foreign investment

The Agreements and basic principles of the Organization are not of such nature as to invite or allow arbitrary change. Because this state of affairs enables the development of a stable economic policy, it creates an opportunity both for local and foreign investors to invest in the country. This can be considered as a sure guarantee particularly for the flow of foreign investment into the country.

4. Benefit from the dispute settlement mechanism

One of the systems that the World Trade Center set up is the dispute settlement mechanism for the resolution of trade-related conflicts. Because such conflicts can be resolved in a transparent and systematic manner, it helps develop sustainable trade relations among Members.

5. Broader alternatives/choices for beneficiaries

Because the international trade regime encourages competition among Members, it provides better opportunities for consumers to benefit from quality products and services at competitive prices.

6. Elimination of marginalization.

Membership in the World Trade Center and participation in the international trade regime is considered helpful in preventing the risk of marginalization by other international financial institutions or the developed countries.

7.2 Challenges

The major challenges are:

1. The possibility, in the case particularly of the least developed countries, of incurring huge expenditure in their efforts to make their trade policies and regulations accord with the Organization's various Agreements;
2. The chances for local industries being exposed to lopsided foreign competition as a result of the tariff reduction the country is required to commit itself to during the many negotiations that follow after membership, as well as the same kind of exposure to unfair competition local investors would face as a result of opening up the service sector to foreign service providers;
3. The fact that the tariff imposed on imported goods should be reduced through various negotiations even after the country has been accepted into WTO membership could

negatively affect the government's general revenue; the fact that tariff constitutes the bigger share of the revenue governments in less developed countries generate through taxation severely affects the governments' revenue generating capacity, etc.

The parallel existence of the potential benefits to be gained through membership in the World Trade Organization and the challenges posed thereby make the process of accession to membership controversial. It may be possible to argue on whether or not to opt for membership as two alternatives, as the option not to be considered in its own right. However, as things concretely stand in today's world (and in which we already find ourselves), there is not better alternative than facing the inevitable and joining the rest of the world and becoming part of the international trade regime, and making a sustained effort to work towards being able to develop a competitive market. The choice to compete, however, must be based on a well considered study whereby national negotiation positions should be adopted in the different sectors to ensure the protection of the country's interests and benefits. For such inputs to produce the desired outcome, a lot is expected from professionals and groups of professionals in the country's research institutions. In order to benefit from the international trade

regime, government consultants and the country's intellectuals must also work hand in hand.

7. Conclusion

The General Agreement on Tariffs and Trade (GATT), which was signed in 1947 by 23 members following a movement in 1940 to establish a world trade institution, served for 50 years in coordinating the world trade negotiations, until it passed on its mandate to the present World Trade Organization (WTO), which was founded in 1995. While about 8 trade negotiations were carried out under GATT, a lot of the activities were undertaken during the Uruguay Round that lasted from 1986 to 1994.

The present trade negotiation round, which constitutes the 9th Round, is known as the Doha Development Agenda (DDA). It coordinates the current trade negotiations. The Doha Development Agenda's main area of focus is development, and the issues of the Agenda it has set are still being negotiated.

While Ethiopia started participating in the WTO as an observer in 1997, it applied for membership at the beginning of 2003. It is expected of the country to undertake numerous trade-related activities and pass through various phases before accessing membership in the Organization. So far, the Memorandum, which constitutes the activity of the first substantial phase, has been submitted to the

Secretariat of the WTO. Responses to the first phase questions raised by the United States and Canada have been prepared, while pilot studies have been conducted in the various sectors.

It is clear that to emerge successfully in the accession negotiations numerous issues must be taken care of. Everybody is duty bound to contribute their share towards this important national goal.

The main task awaiting us in this regard is the creation of a national institution capable of protecting our national interest and equipping ourselves with the capacity to conduct the negotiations.

This is where Ethiopian intellectuals come into the picture.

9. Vision

My vision for Ethiopia 20 years from now, that is the year 2020 Ethiopian calendar, is to see a land in which democracy, peace and equality have flourished and where industrialization and investment have expanded. I would like to see a land capable of competing in the world market and sitting on a par with the middle-income countries of the world.

References

- The Doha Development Agenda (Doha Declarations)* (2001).
Doha Work Programme (2004): *Decision Adopted by the General Council on 1 August 2004, WT/L/579,*
The Legal Texts (2002): The Results of the Uruguay Round of Multilateral Trade Negotiations.
Setting the Trade Policy Agenda: What Roles for Economists? (2005).
The Sixth Ministerial Conference. Hong Kong, 13-18 December 2005 (WT/MIN (05) DEC).
Understanding the WTO (2006).

New arrivals

- Proceedings of the Fourth International Conference on the Ethiopian Economy (2 volumes)
- Ethiopian Journal of Economics Vol. XIV No. 1
- Quarterly Macro Economic Reports Vol. 5 No. 2
- Report on the Ethiopian Economy Volume V 2005/06: (Unemployment Challenges and Prospects)
- Vision 2020 Ethiopia (Amharic version) volume II)
- Quarterly Macro Economic Reports Vol. 6 No. 1 January 2008

የኢኮኖሚ አጋሪነት ስምምነት (EPAs): የኢትዮጵያ አጠቃላይ ሁኔታ አቶ አሚን አብደላ

I. መፅቢ

በአስገራሚ ፊጥነት በመጠቀም የትራንስፖርትና የመገናኛ ቴክኖሎጂ የተነሳ ዓለማችን ወደ አንድ መንደርነት እየተቀየረች ከመጠኛ ሰንበት ብላለች። ከዚህ ውክደትና አንዱ ሀገር ከሌላው ጋር ተቆራኝቶ ባለበት ሁኔታ ለብቻ ተነጥሎና በርን ዘግቶ መኖር የማይቻልበት ደረጃ ላይ በመደረሱ ወደ ዓለም ኢኮኖሚ ውይይት መጓዝ ግድ ይላል።

ከዚህ አኳያ ሀገራችን በአሁኑ ወቅት ሶስት የተለያዩ የንግድ ድርድሮችን እያካሄደች ትገኛለች። እነርሱም WTO, COMESA FTA & የኢኮኖሚ አጋሪነት ስምምነት (EPAs) ናቸው። ከእነዚህ መካከል ዋነኛው ከአውሮፓ የንግድ ሽሪት ጋር ወደ ነፃ የንግድ ቀጠና ምስረታ የሚመራው የኢኮኖሚ አጋሪነት ስምምነት (EPAs) ነው።

ላለፉት 3 አሥርት ዓመታት በአውሮፓ ህብረትና በአፍሪካ ካሪኒያንና ፖስጋ (ACP) ሀገሮች መካከል የነበረው የንግድ ግንኙነት በሁለትዮሽ የሚመራ የተለያዩ ስምምነቶች ነበሩ። ስምምነቶቹም የተቀረፁበት ዋነኛው ለአማርኛ ACP ሀገሮች በአውሮፓ ህብረት ገበያ ውስጥ ተሻለ ክፍል እንዲያገኙ ታስቦ ነበር። ስምምነቶቹም እ.ኤ.አ ከ1975 እስከ 2000 የሎሜ እና ከ2000 እስከ ጃንዋሪ 2008 የኮቶኑ ናቸው።

በሎሜው ስምምነት የACP ሀገሮች ምርቶች በአውሮፓ ህብረት ገበያ ውስጥ አቅጣቢ ለአቅጣቢ (Non-reciprocal) መልኩና የተሻለ ዕድል ተሰጥቶአቸው ገበያ ውስጥ እንዲገቡ ይደረጋል። የACP ሀገሮች በብሪታኒያ ምርቶች ከቀረጥና ከኮታ ነፃ ሙሉ ለሙሉ የሚገቡ ሲሆን የርሻ ምርቶች ግን ከአውሮፓ ህብረት በራሱ ስር ፖሊሲ አኳኑ በሆኑ ስምምነት ይደረጋል።

የዚህች አጭር ፅሁፍ ዓላማ በአውሮፓ ህብረት ስር ACP ሀገሮች መካከል የተደረገ ያለውን ወደ ነፃ የንግድ ቀጠና የሚያመራውን የኢኮኖሚ አጋሪነት ስምምነት (EPAs) ድርድር አጠቃላይ ሁኔታና የሀገራችንን የመፈረም ሁኔታ በመዳሰስ ለውይይት ማቅረብ ነው።

2. የኢኮኖሚ አጋሪነት ስምምነት ርዕዮ አመጣጥና ከWTO ርዕዮ መጠቀም

2.1 ርዕዮ አመጣጥ የአፍሪካ፣ የካሪቢያንና የፖስጋ ሀገሮች ከአውሮፓ ህብረት ጋር የኢኮኖሚ ግንኙነት በ1957 የሮማ ስምምነት መሠረት ተመሠረተ። የግንኙነቱ መነሻ የACP ሀገሮችን የኢኮኖሚና ማህበራዊ ልማትና ዕድገትን የማገዝ መርህ ይዞ ነበር። ጅምም የACP ሀገሮች ከአውሮፓ

ህብረት ጋር አቅጣቢ ለአቅጣቢ (Non-Reciprocal) መልኩ መነገድ በንዲችሎና ቅድሚያና የተሻለ የገበያ ክፍል (Special and Differential Treatment) አግኝተው ኢኮኖሚያቸውን በንዲያላድጉ ማመቻቸት ነበር።

በዝም መሰረት ከ ACP ሀገሮች ወደ አውሮፓ ገበያ ከሚገቡት ምርቶች ውስጥ 96.5 በመቶ የሚሆነው ከቀረጥና ከኮታ ነፃ የሚገቡ መሆኑን መረጃዎች ይሳያሉ። የ1996 የአውሮፓ አረንጓዴው ሠነድ የACP ሀገሮች በ1976 በአውሮፓ ህብረት ገበያ ውስጥ ከነበራቸው የ6.7 በመቶ ድርሻ በ1994 ወደ 2.8 በመቶ ዝቅ ማለቱን አሳይቶ የሎሜው የንግድ ስምምነት ውጤት በአጠቃላይ ተስፋ አስቆራጭ እንደ ነበር ደምድሞአል።

የዓለም ባንክ የ2004 ሪፖርትም በንዲዚሁ በአደገና በታዲያ ሀገሮች መካከል የሚመሠረተው የነፃ ንግድ ቀጠና አቅጣቢ ለአቅጣቢ (Reciprocal) ካልሆነ በስተቀር ታዲያ ሀገሮች ተቃራኒ እንደሚሆኑ ያሳያል። ለዚህም የአቅጣቢ ለአቅጣቢ ያልሆነው ግንኙነትና የሎሜው ስምምነቶች እስከ አሁን ድረስ አጥጋቢ ውጤት እንዳላሰገኙ ማስረጃነት ያደርጋሉ።

አቶ አሚን አብደላ በ1987 የመጀመሪያ ዲግሪያቸውን በኢኮኖሚክስ በ1993 በሁለተኛ ዲግሪያቸውን በኢኮኖሚክስ ፖሊሲ አናሊስት ከ ኢ.አ. ዩኒቨርሲቲ አግኝተዋል። ከነሐሴ 1987 እስከ መስከረም 1999 በም. በገንዘብና ኢኮኖሚ ልማት ሚኒስቴር እና በብሔራዊ ባንክ ያገለገሉ ሲሆን ከጥቅምት 1999 ጀምሮ በ EEA/EEPRI የንግድና ኢንዱስትሪ ቡድን ውስጥ ተመራማሪ ሆነው በማገልገል ላይ ጁኛሉ።

ትኩረት ስር የአውሮፓ ህብርትና ለACP ሀገሮች ስድስት ዋና ዋና አርዕስተ ጉዳዮችን ለይተዋል። ህርሱም የገበያ ዕድል፣ ርዕሻ፣ ማገፍት የልማት ትብብር፣ የአገልግሎት ንግድና ከንግድ ጋር ተዛማጅነት ያላቸው ጉዳይዎች ናቸው። በእነዚህ ላይ ላለፉት 4 መታት ድርድር ሲካሄድ ቢቆጃም እስከአሁን ሙሉ በሙሉ መቋቋሙ አላገኘም።

3.1 ጭሎ ለኢኮኖሚ/የሲቪል ማህበረሰብ ግንዛቤ፣ ተሳትፎ ጠገኛት

ለACP ሀገሮች የግሉ ክ/ኢኮኖሚ ለEPA ስምምነት መፈረም የተነሳ ለሚከተለው አሉታዊም ሆነ አዎንታዊ ተፅዕኖዎች ግንባር ቀደም ተቋዳሽ በመሆኑ ስለስምምነቱም ሆነ ርዕሻ ይዘት አትኩሮት መስጠት ጁ በቅበል።

ይሁን እንጂ የሀገራችን የግሉ ክ/ኢኮኖሚ በሰነድ አዘጋጅ ኮሚቴ በአባልነት ደረጃ የተወከለ ቢሆንም ተሳትፎው ደረጃና ጥልቀት ምን ያህል ትርጉም ያለውና ውጤት ምን እንደሆነ ግልፅ አይደለም።

የሌሎች ሀገሮችን ልምድ ያየን በንደሆነ የግሉ ክ/ኢኮኖሚ ተሳትፎና ግንዛቤ እጅግ የላቀ ነው። በአንዳንድ አፍሮካ ሀገሮች የግሉ ክ/ኢኮኖሚ የሚወክሉ ቡድኖች ከስምምነቱ ተጠቃሚ ነን ብለው የሚያስቡት ስምምነቱን መንግስታቸው በአፋጣኝ እንዲፈረም በመወትወት ላይ ሲገኙ በአንጻሩ ተጽእኖ እንሆናለን ያሉት ወገኖች ደግሞ ስምምነቱ እንዳይፈረም የበኩላቸውን እንቅስቃሴ በማድረግ ላይ ይገኛሉ።

ከኒያን የወሰድን እንደሆነ የአበባ ላኪዎች EPAsን በወቅቱ ያለመፈረምን ተከትሎ የሚከሰቱባቸውን የንግድ መቋረጥ ወይንም በአውሮፓ ገበያ ሊያጋጥማቸው የሚችለውን ክፍተት

ጭረፍ ምጣኔ ከግምት በማስገባት መንግሥታቸው ፊርማውን በቀነ- በቡ እንዲያኖር እየተረገገ- ሲሆን በአንጻሩ በስምምነቱ ምክንያት 65 በመቶ የሚሆነው የአምራች እንዳስትሪዎች ተጉጂ በመሆናቸው የተቃውሞ ድምፃቸውን ስሙ ጁንሉ። እንዲሁም ሌሎች አነስተኛ እና ለተራራ- አምራቾችና ድሆች ደካማ ከመሆናቸው የተነሳ ድምፃቸው ሊያሰሙ ባለመቻላቸው የሲቪል ማህበረሰብ ድርጅቶች ድምፅ ሆኖቸው ሲንቀሳቀሱ ይባላል።

በዚህ ረገድ ሀገራችን ላይ የሚገጥሙ ጭቅጥታዎች የለም። ምናልባት ስምምነቱን ለመፈረም የማትገደድ መሆኑን ታስቦ በመውሰድ ይሁን ወይንም ከግንዛቤ ዕጥረት በሀገራችን የሌሎች ሀገሮች መሰል ጭቅጥታዎችን ባለው ሆነ በሲቪል ማህበረሰብ በኩል አይገጥም።

ስምምነቱ ከሞላ ጎደል የንግድ ጭቅጥታዎች ከመፈረሙ በፊት የንግድ ማህበረሰብ የበኩሉን ተሳትፎና ጠገኛት ማድረግ ጁ በቅበታል። የተሳትፎውም ደረጃ ከስም የመወከል ያለፈና በግሉ ክ/ኢኮኖሚ ላይ ሊያደርስ የሚችለውን አሉታዊና አዎንታዊ ተፅዕኖ በጥናት አስደግፎ ማቅረብ ጁ በቅበታል። ከዚህም አልፎ የጥናቱ ውጤት በሀገራዊ የአቋም

ሠነዱ ውስጥ መካተቱን ማረጋገጥ ይኖርበታል። ጁህ ካልሆነ የግሉ ተሳትፎ ተፈላጊ ውጤት ሊያስገኝ አይችልም።

የሲቪል ማህበረሰብም ቢሆን ድምፅ የሌላቸውን ተጎጂ የህብረተሰቡ ክፍሎችን ወክለው ጉዳዩን በመከተል አስፈላጊውን እንቅስቃሴ ማረፊያ ይኖርባቸዋል።

በአንጻሩ በአውሮፓ ወገን ጥቅማቸውን ለማስከበር ከመቻኮል የተነሳ ስምምነቱ ያለ ACP ሀገሮች ጭቅጥ ተወካዎች ውሳኔ በጥድፊያ ሊፈረም እንደሚገባ ጌሬት ሲያደርጉ ጁ ባል። ለህም የአውሮፓ ጭቅጥ ኮሚሽነር ማንዴልሰን በማርች 2007 በሚኒስትሮች የጋራ ኮሚቴ ላይ የተናገሩትን መጥቀስ ይቻላል⁴። ይህ ጭቅጥ ተወካዎች ያላሳተፈ ውሳኔ የአውሮፓ ህብረት ጭቅጥክራሴ መጎልበትና የመንግስት የውሳኔ አሰጣጥ ዲሞክራሲያዊ እንዲሆን የያዘውን ፖሊሲ የሚፈረር አካሄድ ነው።

4. የኢኮኖሚ አጋርነት ስምምነት የመፈረም ጉዳትና ጥቅም

አቻ ለአቻ ያልነበረው ስምምነት የሚበቃበት ቀን ገደብ ተቃርቦአል። የኢኮኖሚ አጋርነት ስምምነት ይፈረማል ወይስ አይፈረምም? አቻ ለአቻ ያልነበረው የንግድ ስምምነት ኢኮኖሚያቸውን ያላሻሻላቸው ለACP ሀገሮች የነፃ የንግድ ስምምነት የት ሊያደርሳቸው ይችላል? ቢፈረም ምን ጥቅምና ጉዳት ባይፈረም ደግሞ ምን ጉዳት ሊያስከትል፣ ምን ጥቅም ይቀርብናል የሚሉ ጥያቄዎች ተነስተው የተለያዩ ሐሳቦች እየተሰጡበት ጁንሉ።

³ Oxfam, a matter of political will: how the European Union can maintain market access for African Caribbean and pacific countries in the absence of economic partnership agreements, briefing note April 2007

⁴ Commissioner Mandelson, joint Ministerial Trade Committee, March 2007

4.1 ጉዳትና ጥቅም

እንደሚታወቀው በ1980ዎቹ በርካታ የአፍሪካ አገሮች Structural Adjustment Program (SAP) ተብሎ የሚታወቀው የማኅበር ማስተካከያ ፕሮግራም በዓለም ባንክና በአለም አቀፍ የገንዘብ ድርጅት(IMF) አማካኝነት ተግባራዊ ማድረግ ጀምረው ነበር። ከዚህ ፕሮግራም እርምጃዎች መካከል የንግድ ቁጥጥርን ማላላት በአፍሪካ ዋናው ነበር። ይሁን እንጂ እነዚህ የተወሰዱ ማስተካከያ እርምጃዎች በተጨማሪም አጠቃላይ የኢኮኖሚ ክፍተት ማስመላከት አለመቻላቸው እንዲያውም ተግባራዊ ያደረጉ ሀገሮችን ወደ ድህነት በማምራቱ የተነሳ የድህነት ቅንሳ ፕሮግራሞች ቀጭኑዎቹ በመተሰበር ላይ ጽፏል።

የተባበሩት መንግስታት መረጃ ምንጭ SAPን ተግባራዊ ያደረጉ አገሮች ቀድሞ ከነበሩበት የኢኮኖሚና የማህበራዊ ልማት ደረጃ አሽቆልቶለው መገኘታቸውን ጠቅሞታል። በነዚህ አገሮች የድህነት ሁኔታ ከመባባሱ የተነሳ SAP ተግባራዊ መሆኑን ተቆጣጦ ሀገሮች የድህነት ቅንሳ እስትራቴጂ ሰነድ አዘጋጅተው ለትግበራ በተቀረጸው መሆናቸው ይታወሳል። ሀገራችንም በዚህ ሂደት ውስጥ የምትገኝ ናት። ይህ ክስተት የቅርብ ጊዜ ትውስጥ ሆኖ እያለ እነዚህን ሀገሮች በአጭር ጊዜ ውስጥ ኢኮኖሚያቸውን ሙሉ ለሙሉ እንዲከፍቱ ለምን ይዋክባሉ?

ምንም እንኳን የኢኮኖሚ አጋርነት ስምምነት ACP ሀገሮችን ከዓለም ኢኮኖሚ ጋር ለማዋሃድ፣ በአቁጣጠር ልማት ለማምጣትና ድህነትን

የማስወገድ ዓላማ ይዞ የተነሳ በመስልም የኢኮኖሚ አጋርነት ስምምነት ድርድር ይዘት ግን እነዚህን ዓላማዎች የሚያሳኩ መስሎ አይገኝም።

በተጨማሪም EU ACP ሀገሮች ከአገልግሎትና ከንግድ ጋር ተዛማጅነት ባላቸው ጉዳዮች ዙሪያ ድርድር ውስጥ እንዲገቡ ግፊት እያደረገ ይገኛል። ይህ ግፊት ACP ሀገሮች የኢኮኖሚና ማህበራዊ ልማታቸው ላይ እንደሚከላከል አለው። ጆህ ዓረፍቶው የሀገራቸውን ዕድገት ለማፋጠን የሚያወጡት ፖሊሲ በንደፈለጋቸው መጋፋት መቻላቸውንና አውሮፓውያን ለሀገራቸው ዕቃዎችና አገልግሎት ላኪዎች እንዴት አዳዲስ ዕድሎችን ለመፍጠር እየጣሩ መሆኑን ነው።

የEBA ዕድል በመኖሩ የኢኮኖሚ አጋርነት ስምምነት የሀገራችን ከአውሮፓ ህብረት ጋር የሚኖራቸው የንግድ ግንኙነት ወደ አቻ ለአቻነት /Reciprocity/ ከማሸጋገር በስተቀር አዲስ የገበያ ክፍለ ሊፈጥሩላቸው እንደማይችል ጁታወቃል። ምክንያቱም ቀድሞም ቢሆን ከ95 በመቶ በላይ የሚሆነው ACP ሀገሮች ምርቶች የገበያ ዕድል ነበራቸው ችግሩ የማምረትና የማቅረብ እንጂ መች የገበያ ነበረ?

በንደ አብዛኞቹ ምሁራን አዲሱ ACP ስምምነት የአውሮፓ ህብረት የነፃ ንግድ ስምምነት ACP ሀገሮች አቅም በጣም በስካልተባበረ ሲሆን አሁን ባለው ሁኔታ ልማትን ሊጠቃም እንደማይችል ይናገራሉ። ይህም አቅም የኢኮኖሚ አጋርነት ስምምነትን የማቀድና የማስፈጸም ብቻ ሳይሆን የማምረትና የመክፈት አቅምን ያጠቃልላል።

EPAs ገበያን የማስፋፋትና ልማትን ለማፋጠን ይረዳል ። ይሁንም የውጭ ቀዳ ተኛ ኢንቨስትመንትን ይስባል ተብሎ ጁምቷል። ይሁን እንጂ እነዚህ ሁሉ አወንታዊ ገፊታዎች በተለይ መግለጫ በሚገባቸው ሁኔታዎች የታጠሩ ናቸው።

በEPAs ጋር በተጨማሪም በርካታ ጥናቶች ከተከተሉት የጥናት ሥልጣን ክፍሎች፣ የመረጃ ዕቅድና ሌሎች ከዚህ በፊት በተጨማሪም ጉድለቶች ምክንያት የተነሳ ግኝቶችን አስተማማኝ አድርጎ መውሰድ ያስቸግራል። እነርሱም፡-

1. ጥናቶቹ በንግድ ላይ ብቻ ማተኮራቸው፤
2. በመንግሥት ገቢ መቀነስ ያለውን ቀጥተኛ ተፅዕኖ ላይ ብቻ ማተኮራቸው፤
3. ከተወዳዳሪነት ብቃት፣ ሥራ ዕድል ፈጠራና ኢኮኖሚ ዕድገት አኳያ በጥልቀት አለመዳሰሳቸውና፤
4. quantitative ሳይሆን qualitative የጥናት ስልትን መሠረት ማድረጋቸው ከሚጠቀሱ ዋና ዋናዎቹ ናቸው።

የጥናቶቹ ቁልፍ ግኝቶች፡-

1. የኢኮኖሚ አጋርነት ስምምነት የንግድ ፊልትን እንደሚጨምር፤
2. የኢኮኖሚ አጋርነት ስምምነት የንግድን ከተፈራራራራዎቹ ወደ ሌላ ሀገር ከማዞር (Trade diversion) ይልቅ ንግድን በመካከላቸው መፍፀር (Trade Creation);
3. የEU ግጽ የእርሻ ፖሊሲ የእርሻ ምርቶቻቸውን ዋጋ ከ50 - 70 በመቶ እንዲቀንስ ከማድረግ የተነሳ ACP ሀገሮችን ገበሬዎች ወደ ባለ ድህነት የሚከታቸውና አፍሪካዊያን የአውሮፓ ባለፋብረካዎች የጥሬ ዕቃ አቅራቢ ሆነው እንዲወሰኑ ማጠቃለያ፤

⁵ Economic and social council, realization of economic and social cultural rights: 2nd progress report 18 July 1991 E/CN.4/sub2/ 1991/17

4. የመንግሥትን ገቢ ጠቅላይ ግብርና የአፍሪካ ኢኮኖሚ ኮሚሽን (UNECA) ስሌት መሠረት ከሰሃራ በታች ባሉ አፍሪካ ሀገሮች ላይ ሙሉ በሙሉ ተግባራዊ የሚደረግ EPAs በዓመት ወደ 1.52 ቢሊዮን ዩሮ ታሪፍ ገቢ እጦት ሊያስከትል እንደሚችል ያሳያል። ይህ የታሪፍ ቢ መቀነስ ደግሞ የአፍሪካ መንግስታት የዜጎቻቸውን የመሠረታዊ የማህበራዊ አገልግሎት አቅርቦትና አስጣጥ ላይ ከፍተኛ ተፅዕኖ በማሳጠር ከድህነት ለመውጣት የሚያደርጉትን ጥረት ሊያደናቅፍ እንደሚችል። በንዲሁም
5. ACP ሀገሮች ሽግግራቸውን ተቃዋሚ ነገር ግን አምራች በንዲስትሮቸን ተጽዕኖ በንደሚያደርግ የሚያሳዩ ናቸው።

- ተደራዳሪዎች መካከል የከረረ ልዩነት ይስተዋላል። ይህም ውጥረትንና ተስፋ መቁረጥን በተደራዳሪ ቡድኖች መካከል ፈጥሯል። ዋና ዋና ልዩነት ነጥቦች
- የልማት አስፈላጊነት ላይ ከስምምነት የተደርሰ ቢሆንም ልማት እንዴት የሚል ላይ ፣
 - ከታሪፍ ማንሳት ጋር ተያይዞ የሚከተለውን የመንግስት ገቢ ቅነሳ ካሳ ላይ፣
 - የሽግግር ወቅት ርዝመትን፣
 - ACP ሀገሮችን የኢኮኖሚ መሻጭ ለማስተካከልና የተወዳዳሪነትና የአቅርቦቱን ችግር ለማሻሻል የሚረዳ ጅርታ መጠን ፣
 - የወላኝ ምርቶች (Sensitive Products) ጋር ላይ ፣
 - የግጥም ገቢ የማደራጀት አገልግሎት (trade liberalization) ከልማት ግብ ጋር ማደግ ስለሚችል ሁኔታ እና የተመረተበት ሀገር (Rules of Origin) አስመልክቶ፣ ማደግ ቀሱ ናቸው።

4.3 የኢትዮጵያና የሌሎች ሀገሮች ምርት/የሥራ ሁኔታ

የዓለም ባንክ ለግብር ሀገሮች አውጥቶ የነበረው SAP ህዝብን ያሳማክላል ነው ተብሎ በበርካታ ትችቶች ተሰንዘርበት ነበር። ይሁን እንጂ ይንን ወደ ጎን በመተው ርፅ ራሱ እንዳለ ተግባራዊ በመደረጉ ሀገሮችን ወደ ባለ ቀውስ ለማስገባት በቅቷል። አሁንም EPAs ድሀ ሀገሮችን ይጉዳል ተብሎ በተለያዩ መረጃዎች የተደገፉ ጥናቶች ቢቀርቡም የአውሮፓ ህብረት ጆሮ ዳባ ልበስ ለገጽ ል። ጆህም ማደግ መለዘተው እንደ SAP ሁሉ EPAs ጉዳት ከጊዜ በግብር በፀልቅ ስኬት ማድረግ ስለሚችል ስለሆነ እየተጠበቀ መሆኑን ነው። አስቀድሞ መጠንቀቅ የተሻለ ሆኖ ለገጽ ጉዳት በፀልቅ ስኬት ማድረግ ስለሚችል መጠበቅ ትክክል አይደለም።

በኢትዮጵያም የተደረገው ጥናት ከላይ የተጠቀሱ ጉድለቶችን የሚጋራ ነው። በተጨማሪም የጥናቱን መደምደሚያዎች ለመቀበል የሚስቸግሩ ናቸው። ለመጥቀስ ያህል የኢትዮጵያ አምራች ኢንዱስትሪዎች በግንባታ ማሻሻራትን በነፃ የሚሰጡ ስለሆነ ከኢኮኖሚ አጋርነት ስምምነት ተቃዋሚ በንደሚሆኑ ማሳየቱ ጥናቱ የስምምነቱን ጉዳቱ ከወደፊት (dynamic impact) አንጻር በጥልቀት ለመመረመር መሆኑን የሚያሳይ ነው።

4.2 በሁለቱ ተደራዳሪዎች መካከል ማደግ ስለሚችል ልዩነቶች

ጋር ጋር ከተጀመረ ከ4 ዓመት በግብር እንኳን በአሁኑ ወቅት በሁለቱ

ከዓለም የተወዳዳሪነት መለኪያ የ2005/06 ውጤት ላይ ለማየት እንደሚቻለው በአጠቃላይ የኢኮኖሚ ጠቅላይ መለኪያ መሰረት ከ117 ሀገሮች መካከል ኢትዮጵያ 116ኛ ላይ ትገኛለች። ይህም የሚያሳየው ሀገሪቷ ምን ያህል ዝቅተኛ የተወዳዳሪነት ደረጃ ላይ እንደሚገኝ ነው። በመሆኑም የሀገሪቷ የኢኮኖሚ አጋርነት ስምምነት መፈረም ምንም የገንዘብ ድጋፍ ቢሰጠው በአጭር ጊዜ ውስጥ ብቃቷን አዳብራ ከአውሮፓ ጋር በእኩል ደረጃ ሊያወዳድራት ይችላል የሚል ግምት የለም። ምክንያቱም የብዙዎቹ የተወዳዳሪነት ብቃት መለኪያ ጠቋሚዎችን ለማሻሻል ረዥም ማደግ ስለሚችል እንደ ትምህርት፣ መሠረተ ልማትና ጅክናሎጂ ዝግጁነት ናቸው።

ከላይ በተመለከተው የተወዳዳሪነት ጠቋሚ መረጃና ሌሎች የተለያዩ ጥናቶች ውጤት አኳያ ሀገሪቷ አሁን ካለችበት ዝቅተኛ የኢንዱስትሪ ልማትና ጠቅተኛ ምርት ስምምነት እንዲሁም የተወዳዳሪነት ደረጃ ሲገኝ EPAsን መፈረሚ ጉዳት ላይ እንደሚጥላት ሳይታለም የተፈታ ነው። በሚሠጣትም አጭር የሽግግር ወቅት ውስጥ የኢኮኖሚ መዋቅሯን አስተካክላ ከአውሮፓ ይቅርና ከሌሎች ተመሳሳይ ግብር ሀገሮች ጋር እኩል የመወዳደር ብቃት ላይ ትደርሳለች ብሎ ማሰብ ያስቸግራል። በመሆኑም ስምምነቱን አለመፈረመ የተሻለ ይሆናል።

ጆህ በእንዲህ እንዳለ በአውሮፓ ህብረትና እና በESA የንግድ ሚኒስትሮች መካከል ሌ.አ. በኖቬምበር 12 ቀን 2007 ብራስልስ ላይ በተገኘው ግብር ስብሰባ ላይ አውሮፓ ህብረት ACP ሀገሮችን የልማት ጥያቄ በመቀበሉ በቀን በግብር መሠረት ከፊል የኢኮኖሚ አጋርነት

6 World Economic Forum, The Global Competitiveness Report: 2005-2006

ስምምነት(light EPAs) በአማራጭነት ቀርቦአል። ይህም ከፊል ስምምነት ሚኒስትራት የገበያ ዕድልና የልማት ትብብርን ሲሆን ሌሎች ቀሪ ጉዳዮችን ግን በ2008 ውስጥ ተደራድሮ ለመጨረስ ነው።

ይህንን ከፊል የኢኮኖሚ አጋርነት ስምምነት መፈረም የማይፈልጉ ሀገሮችን በተመለከተ LDCs የሆኑት EBA መቀም መቀል በንደሚችሉ ሲገለፁ Non-LDCs ግን ወጪ መብቶች፣ GSP በንደሚገቡ ስቀምታል። ይሁን በንጂ ለLDCs ሆነ ለNon-LDCs ተቀመጠው አማራጭ የሚያስገኘው ዓቅም ከሎሚ/ከኮቶኑ ያነሰ ነው። ይህም በኮቶኑ ስምምነት ላይ ማንም ACP ሀገር ቀድሞ ከሚያገኘው በበጎ ዕድል ያነሰ አይሆንም የሚለውን አንቀጽ የሚገረር ነው። በዚህም ወቅት ከዚህ ቀደም በድርድሩ ላይ ተነስተው ከስምምነት ላይ ስላልተደረሰባቸው በርካታ ቁልፍ ጉዳይዎች ላይ ምንም የተባለ ነገር አለም።

ኢትዮጵያ ከፊል ስምምነቱን ተቀብላ ለገገድ እንደማትፈርም ያስታወቀች ስትሆን ሰባት አገሮች አምስቱን የምስራቅ አፍሪካ ማህበረሰብ (EAC) አባል ሀገሮች ጨምሮ ከፊል የኢኮኖሚ አጋርነት ስምምነት(light EPAs) ለመግባት ተስማምተዋል።

5. ኢኮኖሚ አጋርነት ስምምነት አማራጮች

ጃህ ኢኮኖሚ አጋርነት ስምምነት በቀነ-ገደቡ በስምምነት የማይቋቋ ከሆነ ንግድ ሊስተጓጎል ይችላል የሚል ፍራቻ አለ። ንግድ በጃስተንሰል ለማድረግ ምን አማራጮች ይኖራሉ በሚሉ ገርገር የሚከተሉትን አማራጮችን ለመተቆም ተሞክሯል።

1ኛ/ ሎሚ/ኮቶኑ ስምምነትን ማራገፍ

ሎሚ/ኮቶኑ ስምምነትን ማራገፍ ለአውሮፓ ህብረት ፈታኝ ነው። ምክንያቱም እስከ አሁን ድረስ በቀነ- በቡ ሊገረም እንደማይችል ተረጋግጧል Waiver ቀም ብሎ መጠየቅ ነበረበት። ይህ ግን በወቅቱ አልተፈፀመም። ይህን አማራጭ ሌሎች WTO አባል ሀገሮች የሚቀበሉት ስላልሆነ አሁን ባለው የአባል ሀገሮች ሁኔታ Waiver በቀም ማፅናቱ አስቸጋሪ ነው። Waiver ጁቆ ማፅናቱ በራሱ ውስብስብና ረዥም በሚሆንበት ነው። ለመጥቀስ ያክል አሜሪካ AGOAን ለማራገፍ በ2001 ጁቃ ማራገፊያ (Waiver) ስከ አሁን ረስ ምላሽ አላገኘም።

2ኛ/ GSP ሪፍ ጆህ ታሪፍ ሶስት ደረጃዎች አሉት። እነርሱም EBA፣ GSP+ ፍ መብቶች ወ፣ GSP ናቸው።

i) EBA(Everything But Arms) ይህ አማራጭ በጅገት ወደ ለቀሩ አገሮች (LDCs) EBAን መቀም በንዲችሉ ማድረግ ነው። ሆኖም EBA ከሎሚ/ኮቶኑ ዕድል ያነሰ በመሆኑ በሀገሮቹ የሚመረጥ አይደለም። ምክንያቱም በ EBA ስር ለው፣ Rules of origin አሰራርና የመቶኛው ምጣኔ በንደ ሎሚ/ኮቶኑ ለACP ሀገሮች የሚመች ባለመሆኑ።

ii) GSP+(Generalized System of Preference plus)

ጆህ ክልል ሚሰጠው በሆም ቀም የአንባቢ ጥበቃ፣ ስራተኛ መብትና ሌሎች ስምምነቶችን ለፈረመ- ግዲና ኢኮኖሚያቸው ተጋላጭ ለሆኑ ሀገሮች ነው። ዕድሉ ከሁሉም ዕድሎች የተሻለ ነው። ይሁን በንጂ በአሁኑ ጊዜ GSP+ ተጠቃሚ ሀገሮች ዝርዝር ሙሉ በመሆኑ ክልሉ እንደ አዲስ መታየት የሚጀምረው ከአንድ ዓመት በኋላ ነው። የዕድሉ ተጠቃሚ የሚያደርገውን መስፈርት ያየን እንደሆነ ሁሉም የACP ሀገሮች ብቁ ሊሆኑ እንደሚችሉ ነው። እዚህ

ላይ የሚያስፈልገው የአውሮፓዊያን ለተካ ውሳኔ (EU's Political Will) ብቻ ነው።

iii) መብቶች፣ GSP (the Standard Generalized System of Preference) ይህ አማራጭ ወደ አውሮፓ በሚገባው ምርት ላይ ሚሰጠው ሪፍ ምጣኔ በአማካይ በ20 በመቶ ከሌሎች አማራጮች ዝቅ ያለ ነው። መብቶች፣ GSP ከWTO ሪፍ የሚጣጣም ነው። ይሁንና ይህ የድጋፍ አይነት የ ACP Non-LDCs ን ቀድመው በሎሚ/ኮቶኑ ከሚያገኘ ት ድጋፍም ሆነ ሌሎች የላቲን አሜሪካ ሀገሮች GSP+ን ተቅመው ምርቶቻቸውን ወደ አውሮፓ ከሚያስገቡ ሀገሮች አንጻር ተጎጂ ያደርጋቸዋል።

3ኛ/ Light/Phased EPA መገምገም

u) Light EPAs ይህ አማራጭ አንዳንድ ጉዳይዎች ላይ ስምምነቶች ከተደረሰ ለምሳሌ የገበያ ዕድልና ልማትን በሚመለከት ብቻ ላይ ስምምነት ከተደረሰ ሌሎቹን ጉዳዮች በሚቀጥሉት ጊዜያት ተደራድሮ ለመጨረስ የሚያስችል ነው።

ለ) Phased EPAs

ይህ አማራጭ እስከ አሁን ድረስ በመካከላቸው ስምምነት የተደረሰባቸው ጉዳይዎችን ላይ በመገራገም በተቀሩት ላይ ሪፍ ሪፍ ወደ ፊት ለመቀጠል የሚስችል ነው።

6. ኢኮኖሚ አጋርነት ስምምነትና የምስራቃዊና ደቡባዊ አፋሪካ ሪፍ ጠባ (COMESA) ህልውና

ሀገሮች ለተለያዩ ዓላማዎች የነፃ ገበያ ቀጠና አባልነትን ይቀላቀላሉ። እነርሱም ሰፊ የገበያ ዕድል አግኝቶ ንግዳቸውን ለማስፋፋትና የኢኮኖሚ ዕድገት ለማስመዝገብ፣ ገገድ ቀዳ ተኛ ኢንቨስትመንትን ወደ ሀገር ወ፣ ሰፊ ለመሳብ፣ ለድንበር

ECONOMIC PARTNERSHIP AGREEMENT (EPAs); THE CASE OF ETHIOPIA

Amin Abdella

I. Introduction

It has now been quite a while since the world became global village as a result of the amazing development of the world's transport and communications technologies. In such a situation where countries are creating partnerships all over the world, the idea of isolation and closed-door policy has become impossible and the inevitable way to go is to join the rest of the world's community through economic integration.

Currently, our country is in the process of going through three different trade negotiations. These are: the World Trade Organization, the Common Market for Eastern and Southern Africa Free Trade Area and the Economic Partnership Agreement. Of these three, the major one is the EPA, with its objective of creating a free trade area (FTA) between the European Union and the ACP countries.

For the past three decades there were different bilateral Agreements guiding the trade relationships between the European Union (EU) on the one hand, and the African, Caribbean and Pacific countries (ACP) on the other. The major aim of the Agreements was to provide a better opportunity for the ACP countries to have access to the markets of the EU. The Agreements were the Lomé Agreement (1975-2000) and the Cotonou Agreement (2000-January 2008).

According to the Lomé Agreement the African, Caribbean and Pacific countries are granted non-reciprocal trade preferences on the basis of which they their products will have access to EU markets. While the industrial products of the ACP countries are imported into EU markets free of customs duties and quota limitations, agricultural products are allowed in accordance with the agricultural policy of the EU.

The aim of this brief paper is to explore and present for discussion the status of the negotiations under the EPA between the EU and the ACP countries, aimed at creating a free trade area, and the prospects for Ethiopia in signing the Agreement.

II. Historical Overview of the EPA and Issues of Compatibility with the WTO

2.1 Historical overview

The economic relation between the African, Caribbean and Pacific countries, on the one hand, and the European Union was established in 1957 in accordance with the Rome Convention. The relationship started with the aim of aiding the economic and social development of the ACP countries. The idea was to enable the ACP countries to enter into trade relations with the EU countries on a non-reciprocal and special and differential treatment basis, with the view to helping them achieve economic growth.

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Accordingly, as existing documents indicate, 96.5% of the export products entering European markets from the ACP countries are free from customs duties and quota barriers. But the 1996 European Green Document has indicated that the 6.7% share the ACP countries had in the European markets in 1976 had plummeted to 2.8% by 1994, finally concluding that the Lomé trade agreement, considered in general terms, had proved frustrating.⁹

The World Bank Report has indicated that, unless the free trade areas (FTAs) agreement between the developed and the developing countries is of a reciprocal nature, developing countries will end up with the short end of the stick. The report submits as proof of this the non-reciprocal preferential treatment accorded to the ACP countries, as embodied in the Lomé Agreement, has not proved effective to date.¹⁰

The idea of the Economic Partnership Agreement was conceived when it was realized that the trade agreement, which

was signed between the European Union and the ACP countries, giving the latter preferential treatment and a better market access would expire by December 2007, making it imperative to sign another agreement that would be compatible with the WTO rules.

The WTO provision that allows for unilateral trade preference is known as the "Enabling" article. The provision stipulates that according differential trade opportunity to the countries in question would be possible only by separately taking their particular levels of development into consideration. This means that a country that wants to give the opportunity should either do so to all developing countries or all least developed countries (LDCs), not by discriminating between countries and regions. However, the Lomé Agreement gives preferential treatment to the only ACP countries. It is this preferential treatment provision that made the Lomé Agreement incompatible with the WTO Enabling provision and made the proposed change necessary.

There is another point that made the need for change imperative. First, other developing countries that were denied the same preferential treatment that the EU accorded to the ACP countries put into doubt the legality of the

unilateral trade preference as seen against the WTO trade regime; secondly, this issue of illegality led to a request by the parties concerned for waiver on the expiry date of the unilateral trade preference provision, which necessitated the extension of the period only until December 31, 2007.

As the date for the voidance of the waiver became imminent, the trade relation between the EU community and the ACP countries had but two obvious alternatives if it must be compatible with the WTO trade regime. The first alternative is for the EU to make the unilateral trade preference accord with the WTO Enabling provision, and provide the same opportunity either for all developing countries or for all Least Developed Countries. But opting for this alternative will undermine the opportunity given to the ACP countries and expose their export market to danger. The second alternative is the creation of free trade areas (FTAs) between the European Union community and the ACP countries. It is this alternative that the EU opted for and decided to go ahead with the signing of the Economic Partnership Agreement.

2.2. Compatibility of Economic Partnership Agreement with WTO's trade regime.

¹ World Bank, *Global Economic Prospects*, 2004, p. 215.

² Hirsch, *The Logic of North-South Economic Integration: Inegration theories and legal mechanisms across the north-south divide*, 32(1) *legal issues of economic integration* (2005).

The European Union and 55 of the 77 ACP countries are members of the World Trade Organization. For this reason every trade agreement signed by the Organization's member countries should be compatible with the Organization's trade regime.

According to this trade regime of the WTO, while the principle of unilateral trade preference violates the WTO's MFN treatment provision, which stipulates that there shouldn't be differentiation and discrimination between countries, the non-reciprocity principle violates the special rights accorded under the WTO's Free Trade Areas Agreement.

Because it has been impossible to proceed in violation of these provisions of the WTO, it has become necessary to make the trade agreement negotiated between the European Union and the ACP countries compatible with the WTO agreements.

The process of making the Economic Partnership Agreements compatible with the WTO trade agreements, the former must meet the requirements of Article 24 of the GATT. Since, however, the said provision has not been formalized it is still being

reviewed under the current Doha Round negotiation. While the provision allows for preferential regional agreement among the developing countries, the revision was found necessary in order to expand the scope of the provision so as incorporate terms for the creation of free trade areas among the developing countries. Moreover the provision allows for the provision of special support to the developing countries. The fact that uncompleted trade negotiations under the WTO agreements have been delayed beyond the expectations of prospective members has its own negative impact on the progress and timely conclusion of the EPAs.

The December 31, 2007 deadline set down by the Cotonou Agreement had in mind the possibility that the WTO provision pertaining to the creation of free trade areas would be revised by the Doha Round & negotiations prior to the conclusion of the EPAs, this didn't happen.

Although the European Union and the ACP countries have agreed on the need for revising the provision, because the Doha Round Negotiations have not been concluded, the ACP countries are forced to be governed by the existing terms of the EPAs.

Making compatible the trade relation of the two group (EU & ACP) with WTO rules hated on reciprocity favoring ACP countries is a gradual process. This means: first, the ACP countries will be allowed a long transitional period; secondly, both sides are expected to remove tariff-related barriers and similar other laws that may prove obstacles to trade.

The Economic Partnership Agreement is essentially a transitional agreement leading to the creation of free trade areas. Consequently the creation of the FTA must have an overall plan and an acceptable and sustainable time frame within which it can be realized.

According to Article 24 of the GATT, such a time frame should not exceed 10 years. If the time frame extends beyond the specified period it will gain acceptance on the basis only of an explanation as to the special nature of the situation in which the plan is to be implemented.

It is the view of the ACP countries that the determination of the length of the transitional period must take into consideration the commercial and financial situation of the developing countries. Whatever the case, there is a general consensus that the length of the

transitional periods should not be less than 18 years.

Another criterion is that when the time comes for the free trade areas agreement, regulations and procedures that may pose barriers to tariff and tariff-related transactions must be removed from substantially all the trade. According to EU position on this matter, while the 90% of the trade transaction between the two parties must be free, the ratio of this arrangement could be different for both. This means that if the EU opens 100%, the ACP countries are expected to concede only 80% because the average comes to 90%. This will in turn bring the Economic Partnership Agreement in accord with the World Trade organization trade regime.

3. Negotiation Process and Stakeholder Participation

Because the ACP countries have realized that they cannot individually enter into negotiations with the European community, they are, in order to protect their interests, in the process of organizing themselves into various groups (or trade areas) and working towards adopting mutual positions in order to conduct the negotiations in a collective manner. Towards this end these ACP countries have categorized themselves into six regional groups.

Of the six regional groupings Ethiopia is grouped into the Eastern and Southern African (ESA)¹¹ negotiation group, which comprises 16 member countries, and is in the negotiation process.

According to the negotiations protocol, each country is required to set up a National Development and Trade Policy Forum (NDTPF) prior to the start of the negotiation process. Such a forum will comprise committee members representing the government, the private sector and civil society. Ethiopia has officially set up its own National Forum as of July 22, 2004.¹²

The main task of this National Forum is preparing a document explaining each country's position regarding the EPA. This position paper is based on the finding of the National Study on the Impact and Sustainability of the EPA for Ethiopia, which Ethiopia has already completed.

Once this has been accomplished, the next step is for the NDTPF groups of the respective countries to present their respective country's position

to the ESA's forum and conduct the negotiation process at the regional level. After the document of the negotiation among the ESA countries has been developed and refined it will serve as ESA's collective position paper and be submitted to the European Union as a starting point for the negotiation with the EU. It is with this document in hand that the ESA ambassadors at Brussels and the ministers of commerce of the respective countries begin to conduct their negotiations with EU.

The negotiations go through three phases: namely, identifying priority issues; negotiating on the identified priority issues; and agreeing on, or finalizing, the negotiations. During the first phase, that is the phase of identification of priority issues, the EU community and the ACP countries have identified six major issues, namely: market access; agriculture; fish industries; economic cooperation; trade in services; and trade-related issues. While negotiations have been conducted on these issues for the last four years, no final agreement has been reached yet.

3.1 Awareness, participation and readiness among the private sector/civil society

³ In this ESA group are: Burundi, Comoros, the Democratic Republic of Congo, Djibouti, Eritrea, Ethiopia, Kenya, Madagascar, Malawi, Mauritius, Syscelles, Sudan, Zambia, Zimbabwe.

⁴ MOTI, 2007. The National Study on the Impact and Sustainability of EPA for Ethiopia (Draft final).

Since the private sector of the ACP countries finds itself in the forefront in terms of being affected by the positive outcomes or negative impacts of the negotiations, it is imperative that it follow the proceedings of the negotiations and the agreements reached with keen interest.

Although the private sector is represented in the document preparation committee as a member, the extent and significance of its participation, or its impact [on the negotiation process] is not clear.

Experiences of other countries show that the participation of the private sector is highly significant. When it comes to African countries, however, the scenario is different: that is, while there are private sector groups who urge their respective governments to sign the agreements quickly, as they believe they would benefit from the agreements, while, on the other hand, there are groups who believe they would end up losers and, therefore, lobby against the signing of the agreements.

Let us take Kenya as an example: anxious that the delay in signing the EPAs would result in the cessation of their enterprise, or fearing the increase in tariff that they would run into in the EU markets,

Kenya's flower exporters are seen running about urging their government to quickly sign the EPAs. Conversely, because 65% of the manufacturing enterprises find themselves losers, they are voicing their protests against the signing of the agreements.¹³ Similarly, because other small-scale and unorganized producers and poor sectors of society are voiceless, civil society organizations are seen protesting on their behalf.

When it comes to Ethiopia, we do not see any such movement. This may be either because of the assumption that Ethiopia is not obligated to sign the agreements, or it may be because of lack of awareness about the impacts of agreements. Whatever the reason, there has been no any such movement as seen in other countries, whether on the part of the private sector or civil society organizations

Because such agreements, by and large is trade agreements, the business community must look forward to its own participation and preparation before the agreements are signed and go into effect. Such

⁵ OXFAM. A matter of political will: How the European Union can maintain market access for African, Caribbean and Pacific countries in the absence of economic partnership agreements, briefing note, April 2007.

participation goes beyond just being represented by name; it requires a submission of a report, supported by concrete data, on the benefits and disadvantages the agreements would bring to, or against, the private sector, or else the sector's representation in the committee will not bring the desired result.

Civil society organizations, too, must engage in movements on behalf of the disadvantaged sectors of the society. Since they are voiceless and unaware of the consequences of the agreement.

When it comes to what is brewing on the European side, what we see is that, because they are in too much of a hurry to see their interests materialize, they are putting pressure on the ACP countries to sign the agreements with no need for the decision of their peoples' representatives. As a demonstration of this fact one can refer to EU Commissioner Mandelson's address of March 2007 to the joint Ministerial Trade Committee.¹⁴ This idea of decision making without the involvement of peoples' representatives contravenes the European Union's policy of upholding democracy and

⁶ Commissioner Mandelson, Joint Ministerial Trade Committee, March 2007.

making governments' decision making process democratic.

4. The Risks and Advantages of Signing the Economic Partnership Agreement

The expiration date for the non-reciprocal agreement is getting closer. Is the Economic Partnership Agreement to be signed or not? What would the fate of the ACP countries whose economies have not been improved by the non-reciprocal agreement be if they were to sign the free trade agreement? What advantages and disadvantages would follow if it were to be signed? What damages would be incurred and what opportunities missed if the ACP countries were to opt for not signing it? Such questions have been raised and different opinions are being entertained.

4.1 As it is well known, in the 1980s the World Bank and the International Monetary Fund (IMF) had proposed to African countries a Structural Adjustment Program (SAP), the majority of which had started to implement it. Among the measures proposed by the Program, the major one was liberalizing trade barriers. However, these adjustment programs, fall far from bringing about improvement in the overall economy of the African countries, rather led

those countries that implemented the program to further poverty.

Data from the United Nations indicated that the level of the economic and social development of those African countries that implemented the SAP showed a decline from that it had prior to the Program.¹⁵ It is to be recalled that, as a result of the aggravation of poverty in those countries which implemented the SAP, the Program was abandoned, in place of which the poverty reduction strategic program (PRSPs) currently underway was adopted. Ethiopia, too, is engaged in the same process. While this was only a recent phenomena and still fresh in our memory, why are the countries in question all in a rush to fully liberalize their economies?

While it appears that the Economic Partnership Agreement was proposed with integrating the ACP countries into the world economy, bringing about sustainable development, and poverty reduction as its core aims, a close look at the contents of the Agreement does not indicate the possibility of realizing the professed aims.

¹⁵ Economic and Social Council, Realization of economic, social [and?] cultural rights: 2nd progress report, 18 July 1991 E/CN.4/sub2/1991/17

In addition to this, the EU is putting pressure on the ACP countries to enter into negotiations matters related to trade in goods and services. Such pressure has implications for the economic and social development of the ACP countries. The exerting of such pressure on the ACP countries demonstrates that the European countries are out to prove that they can push around and manipulate, at will, the policies that the ACP countries have designed to speed up their development, while at the same time making efforts to create new opportunities for European exporters of goods and services.

It is clear that the emergence at this point of the EPA opportunity, other than changing the non-reciprocal trade relationship the ACP countries have with the European community to one based on reciprocity, cannot create new market opportunities for the said countries. This is so because about 95% of the products of the ACP countries had marketing opportunities to begin with. The problem lay not with access to the European markets but with producing and actually marketing those products.

Most scholars state that, as long as the capacity of the ACP countries is strengthened to the

maximum possible, the newly proposed free trade agreement between the ACP countries and the European community cannot, in the present circumstances, bring about development for the ACP countries. The capacity we are speaking of here includes not only the capacity to plan and implement Economic Partnership Agreement but also the capacity to produce and trade.

It is assumed that EPAs help expand market access and speed up development, while at the same time attracting direct foreign investment. But all these otherwise positive aspects of the EPAs are constrained by different conditions that must be met to start with.

In order to see merits and demerits of the agreement, a number of studies have been conducted. However, because of the following weaknesses in the methods of those studies undertaken on EPAs, lack of data, and the problems enumerated below, it is difficult to take the findings of the studies as reliable:

1. The studies have focused only on trade;
2. The studies have focused only on the impacts of the decrease in government revenue;
3. The issues have not been given in-depth consideration

from the perspectives of competitiveness, creation of job opportunities, and economic growth;

4. The studies adopted qualitative rather than quantitative method of analysis.

These constitute the major weaknesses of the studies.

The major findings of these studies are:

1. Economic Partnership Agreements increase the flow of transaction;
2. Economic Partnership Agreements facilitate trade creation among the signatory countries rather than trade diversion from one signatory country to another/others
3. The collective agricultural policy of the EU has proposed to reduce the price of the agricultural products of the APC countries by 50-70%, which will aggravate the poverty of these countries' farmers; the impact of this is to reduce the farmers to suppliers of raw materials for European industries;
4. Economic Partnership Agreements will reduce the government revenue of ACP countries. According to the estimate of the United Nations Economic Commission for Africa (UNECA), the EPAs that are

going to be implemented in all the Sub-Saharan African Countries will cost those countries an annual loss of 1.52 billion Euros in tariffs. This reduction in income from tariffs will negatively affect the capacity of African governments to provide their citizens with the basic social services that they need, thereby hampering the efforts they make to extricate themselves from poverty; and

5. The EPAs will benefit the consumers of the ACP countries, while they harm industrial producers.

The study undertaken in Ethiopia shares the methodological weaknesses and the findings enumerated above, indicating that it is difficult to accept the conclusions of the studies pointed out above. To cite but one example: the fact that the study points out that, because Ethiopia's industrial producers import their investment machinery duty free, they would be beneficiaries of the EPA, shows that the study has not looked into the dynamic impact of the Agreement's harmfulness in depth.

4.2 Controversies between the Two Negotiating Parties

Even 4 years after the start of the negotiations, intense

disagreements between the two parties [i.e. the EU and the ACP countries] are observed. This will create tension and despair between the negotiating groups. The main points of disagreement relate to the following issues:

- Although agreement has been reached on the importance of development, there still is some controversy as to how development is to be achieved;
- The question of the decrease in government revenue in connection with the removal of tariff barriers;
- The length or duration of transition periods;
- The size of the aid to enable the ACP countries to adjust their economic structures and to improve their competitiveness
- The list of sensitive products; and
- Problem of linking trade liberalization with development goals and rules of origin of products/services.

4.3 Conditions affecting Ethiopia and other countries to sign or not to sign the agreements

The SAP that the World Bank had developed for the developing countries has been very much a subject of numerous criticisms as

looking human face. However, the Program was implemented, in defiance of all the criticism, resulting in deep crisis for the countries supposed to benefit from it. Similarly, in spite of the contention, by several studies supported by concrete data, that the EPAs would hurt the poor countries, the EU has continued to give deaf ears to the warning. This appears, just as in the case of the SAP, to be a strategy of wait-and-see until the damages the EPAs would come into full view, too late. While the obvious wisdom of taking precaution before any damage has been caused is the better alternative, it just doesn't make any sense to wait until damages have actually surfaced.

As it has been made evident in the Global Competitiveness Report of 2005/06, Ethiopia ranks 116th among 117 countries by the general economic competitiveness indicator. This clearly shows how low the country's level of competitiveness is.¹⁶ Consequently, no matter how much financial support the country is provided with, there is no reason to assume that her signing of the Economic Partnership Agreements would

enable her to build up its capacity in a short period of time and be able to compete with Europe on an equal and reciprocal basis. The reason for this is that, it takes a long time for the majority of the countries concerned to improve upon education, infrastructure development and technological readiness, the very factors or indicators that go into computing their competitiveness capacity.

Given, therefore, the present low competitiveness and the findings of various other studies, the country's current level of low industrial development and productivity, it simply goes without saying that Ethiopia's signing of the EPAs would only cause her more harm than otherwise. Again, given the shorter time span for the country to make it through the transition period, it is difficult to assume or expect that the country would be able to adjust its economic structure and be able to attain the same level of competitiveness as the other developing countries, let alone compete on an equal basis with Europe. Given all this, it behooves one to advise against Ethiopia's signing of the Agreement.

With this scenario in mind, there was a joint meeting between the European Union and the Trade

⁸ World Economic Forum, *The Global Competitiveness Report 2005-2006*. (World Bank)

Ministers of the ESA countries in November 2007 at Brussels. At this joint meeting, the European Union had agreed to the development demands of the ACP countries, and proposed an alternative light EPA to be signed in accordance with the deadline set. This light EPA incorporates only market access and development cooperation, it has been agreed to complete negotiations on the other remaining issues in 2008.

During the joint meeting, While those Least Developed countries (LDCs) not interested in signing this light Economic Partnership Agreement can continue using the Everything But Arms (EBA) alternative, it has been pointed out that the Non-Least Developed Countries (non-LDCs), can opt for the Standard Generalize System of Preference (GSP) alternative. However, whether for LDCs or Non-LDCs, the alternatives provided for in this scheme are less than those provided for in the Lomé/Cotonou Convention/Agreement. And this goes contrary to the provision in the Cotonou Agreement, which stipulates that market access ACP countries get shall not be less than what they used to get previously on this critical occasion, nothing has been said on the meeting about those key

unresolved issues raised during the previous negotiations.

At the meeting while Ethiopia has made it clear that it will not, at this particular juncture, sign the proposed on the deadline light EPA, seven countries, including the five EAC member countries, have agreed to do so.

5. Alternatives to the Economic Partnership Agreement

There is anxiety that, if the current Economic Partnership Agreement is not concluded by the deadline set for it, the trade disruption could happen. The alternatives suggested include:-

1st alternative: extending the Lomé/Cotonou Convention/Agreement

The extension of the Lomé/Cotonou Convention/Agreement is quite a testing challenge for Europe. Because, it should have been recognized that the Agreement could not possibly be concluded by the deadline and, accordingly, request for waiver should have been filed. But this was not done on time. Because this alternative is not acceptable to other WTO member countries, even asking for a waiver now with the current position of the member countries, it would be difficult for the waiver to be granted. The very process of getting a waiver is itself complex and time consuming. To

cite but one example, the waiver requested in 2001 for the AGOA has got no response until now.

2nd alternative: Generalized System of Preference (GSP) tariff

This tariff has three levels, namely: EBA, GSP+, and Standard GSP.

i) EBA (Everything But Arms)

As another alternative is to allow Least Developed Countries (LDCs) to continue using the EBA. Because the opportunities this alternative provides are less than those provided by the Lomé/Cotonou Convention/Agreement, the countries in question will not embrace it, because the rules of origin protocol and the percentage ratio if offers is not as suitable to the ACP countries as those provided by the Lomé/Cotonou Convention/Agreement.

ii) GSP+ (Generalized System of Preference Plus)

This opportunity is offered to those developing and economically vulnerable countries that have signed the international reader protection, workers' rights and other agreements. However, because the list of the countries that benefit from the GSP+ alternative is full, it is only after one year that one would be able to find out the

novelty of the opportunity provided by this clause. Regarding the criteria to be met in order to use this alternative, it appears that all ACP countries are eligible. All that is needed here is the EU's political will.

iii) Standard GSP (the Standard Generalized System of Preference]

Under this alternative, the rate of the tariff imposed on products imported into Europe is 20% higher than that provided by other alternatives. The support provided in this case is in accord with the WTO trade regime. However, when compared to the support those countries that benefit from the Lomé/Cotonou in advance of the ACP Non-LDCs or, for that matter, the support other Latin American countries get through the GSP+ alternative to import export their products to Europe, the ACP countries stand at a relative disadvantage position.

3rd alternative: signing Light/Phased EPA

a) Light EPAs

This alternative enables negotiating countries to postpone other issues to other rounds of negotiation once agreement has been reached on some major issues, such as market access and development cooperation.

b) Phased EPAs

This alternative allows for signing agreements on issues that have already been resolved, while at the same time keeps the negotiation open to deliberate on other remaining issues.

6. The Economic Partnership Agreement and Common Market for Eastern and Southern Africa (COMESA)'s

Countries join the Free Trade Area membership for various reasons. Among these reasons are: to enhance trade and thus to achieve higher levels of economic growth; to attract foreign direct investment; border control; transit; control of labor movement; fulfilling political objectives; due to the increasing cost of non-participation.¹⁷

While there are various studies on Free Trade Areas (FTAs), they nevertheless do not clearly indicate the benefits gained or the losses incurred by member countries. Because of the lowering or removal of trade barriers, consumers enjoy advantages, while the importing country loses tariff revenue. But it is not clear whether the direct

gain for consumers is larger or smaller than the tariff revenue loss by the importing country, [in particular if the government has to increase taxes to make up for the loss in revenue]. The World Bank's simulation study of the effects of South-South free trade area has found that member countries got no overwhelming gains from such arrangements. The reason for this is the opportunity for the members for intra-trade relationship is narrow, while their production structure and natural resources are of smaller scope.

The Common Market for Eastern and Southern Africa (COMESA), which falls under the South-South region was established in 1981 and has 19 member countries, 13 of which are the Free Trade Area (FTA) members. It is expected that all the countries of COMESA will become members of the FTA. Ethiopia has conducted a study to look into the implications of being a member in the FTA. The results of the study already indicates that, let alone in a free trade arrangement, even with the existing tariff protection in place, more than half of the country's manufacturing industries cannot stand up to the competition.¹⁸

⁹ Augustin Carstens, "Making Regional Economic Integration Work." 20th Annual General Meeting and Conference of the Pakistan Society of Development Economists. January 12, 2005, Islamabad, Pakistan.

¹⁰ Afro Consult and Trading (2002): A Study on COMESA-FTA.

One of the objectives of the EPAs is to strengthen such economic regions as COMESA. In deed it is with such economic regions that the European Union wants to sign the EPAs. However, COMESA member countries are in the process of negotiating with the EU, not as one group under COMESA but as organized under ESA, which has no legal entity. Angola, Egypt, Libya and Swaziland are not involved in the negotiation process, while Namibia left COMESA on the eve of the establishment of the ESA group and started negotiating in another group. Such complicated situations have created problems for the effort to maintain and strengthen the regional bloc thereby poses a challenge to the survival of COMESA.

If the EPAs fail to be signed by the already organized regional economic blocs having legal entity, the European Union will be forced to make adjustments in the financial support it provides for the strengthening of regional economic blocs in order to build their capacity. As this needs another extended period to accomplish, the objective of the EPAs to strengthen regional economic areas, such as COMESA, cannot be realized immediately.

7. Vision

Although Ethiopia has refrained from signing the Economic Partnership Agreements, as well as other free trade agreements, it will inevitably find itself in the middle of fierce competition in the long run. Hence there comes the need to get prepared and ready.

Given the current objective reality of Ethiopia, in relation to the level of development other countries have attained, to envision, within the next 20 years, an Ethiopia with equal economic competitiveness smacks of nothing more than blind optimism. The reason is simple. Competition or competitiveness takes into account initial condition and it is essentially relative, so that when Ethiopia make fast strides to get to whatever goals we set ourselves, the rest of the world will certainly not wait for us standing where it is. Yet, without sounding too pessimistic, my vision, in twenty years' time from now to see, the country's economy emerge from the low economic level competitiveness. Though I would not dare say that the country's manufacturing industries will become the major actors in the global market, if decisive policy measures are taken, the countries manufacturing industries will reach at a level of

withstanding the competition posed by cheap import.

This vision is based however, on the assumption that the following measures would be taken within the next 20 years:

1. Restructured measures to build the capacity of manufacturing industries shall be taken and analyze from a comparative advantage perspective;
2. Taking into consideration the current objective conditions, as well as future prospects, the process of opening up the country's trade gateways will be given focus and carefully explored, related to those strategic products that especially need tariff protection;
3. Concerted effort will be made in the area of transport infrastructure and other related infrastructure development, which currently has proved a serious constraint to the enhancement of the country's competitiveness.
4. There will emerge a skilled and capable human resource that will be able to supply quality products and make technology transfer a reality;
5. The country will be able to learn from the experiences of those countries that have

been able to register a high level of economic growth recently and adopt those experiences compatible with our country's objective conditions;

6. The government will develop an improved investment policy that will enhance the confidence both of local and international investors, a policy that will serve as a framework for meaningful investment, while at the same time it implement the policy. The government will play the role of coordinating the investment.

References

- Carstens, Agustin. 2005. "Making Regional Economic Integration Work at the 20ieth Annual General Meeting and Conference of the Pakistan Society of Development Economists." January 12, 2005, Islamabad, Pakistan.
- Bila, San. 2007. Concluding EPA Negotiations: Legal and institutional issues. May 10, 2007.
- The Cotonou Partnership Agreement, 23 June 2000.
- Melaku Geboye Desta. 2006. EC-ACP Economic Partnership Agreements and WTO Compatibility: An experiment in North-South interregional agreements.
- MOTI. 2004. *National Study on the Impact and Sustainability of the EPA in Ethiopia*. Draft final report.
- OXFAM. 2007. A Matter of Political Will: How the European Union can maintain market access fro African, Caribbean and Pacific countries in the absence of economic partnership agreements. Briefing note, April 2007.
- Policy Briefing Paper #2. June 2007: Economic Partnership Agreement: What every parliamentarian needs to know.
- Report on Negotiations for Economic Partnership Agreements, 30 August 2007.
- World Bank (2006) World Economic Forum, 2005-2006: The Global Competitiveness Report.

በአቶ ሀብታሙ አበራ እና አቶ አሚን አብደላ ተዘጋጅቶ በቀረበው ጽሑፍ ላይ የቀረበ አስተያየት አቶ ማሞ እስመለዓለም ምህረቱ አስተያየት

በመጀመሪያ የኢትዮጵያ ኢኮኖሚ ባለሙያዎች ማህበር በዚህ ወቅታዊ የፖሊሲ ጉዳይ ላይ የግል አስተያየት እንድሰጥ ስለጋበዘኝ በጣም አመሰግናለሁ።

በግሌ ስለ የአለም ንግድ ድርጅት አባልነት ድርድርና ስለሚያስከትለው የፖሊሲ ሪፎርም ጉዳይ ሳስብ፣ ብዙ ሰዎች አባል በመሆን ስለሚያስከትለው ጥቅምና ጉዳት አስመልክቶ የሚያነሱትን ክርክር ስለማ እንዲሁም የአባልነት ሂደቱን ውጣ ውረድ ስከታተል፣ የቀድሞው አሜሪካ የኮንግረስ አፈ ጉባኤ ኔውት ጊንግሪች “the tyranny of the present” ሲሉ የተናገሩትን ያስታውሰኛል። በሌላ አነጋገር ብዙን ጊዜ ብዙዎቻችን በእለታዊ ሁኔታዎች፣ ዛሬ ሃሳባችንና ጊዜያችንን ተሻምተው በሚያዙ ፈታኝ ሁኔታዎች በመወጠር በአጭር ጊዜ ባይሆንም በረጅም ጊዜ ሊያሳስቡን በሚገቡ የፖሊሲ እርምጃዎችና አቅጣጫዎች ላይ በቂ አጽኦት አለመስጠት ከሞላ ጎደል የተለመደ ነው። ብዙ ጊዜ እንደሚባለውም “the past is organized and has lobbyists, the future never does” የሰው ተፈጥሮ ሆኖ ብዙ ጊዜ ስለ ትላንትና ስለ ዛሬ ሁኔታዎች ብቻ ስናስብ ስለነገው ሁኔታ የማናወሰበት አጋጣሚ አለ።

በእኔ እምነት የአለም ንግድ ድርጅት የሚያስፈጽማቸው አለም አቀፍ የንግድ ህጎች ድክመት ያለባቸው መሆኑ አሌ የማይባል ሀቅ ነው። የሀጎቹ ፍትሃዊነትና በልማት ወደ ጎሳ የቀሩ አገሮችን ጥቅም ወሳኝ በሆነ ደረጃ

የማስጠበቃቸው ሁኔታ ጥያቄ ውስጥ ሲገባ ይችላል ይሆናል። ይህ ችግር እንደተጠበቀ ሆኖ ፣ የአለም ንግድ ድርጅት የድርድር ሂደት ኢኮኖሚያችንን በገንቢ ሁኔታ የሚያግዙ ፖሊሲዎችን ለማሰብ፣ ለማውጣት እና ለማስፈጸም መድረክ (Platform) ይፈጥራል የሚል ሃሳብ አለኝ። ይህን ሃሳብ ወደ ጎሳ እመለስበታለሁ።

በአቶ ሀብታሙ ታደሰ የዓለም ንግድ ድርጅት ምንነት የኢትዮጵያ የአባልነት እንቅስቃሴና የወደፊት ልማት ተስፋ አስመልክቶ የቀረበው ጽሑፍ የዓለም ንግድ ድርጅት ታሪካዊ አመሰራረትና አወቃቀር፣ የድረጅቱ አብይ ተግባራት፣ የድርጅቱ ዋና ዋና ስምምነቶችና መሠረታዊ መርሆች በስፋት የተብራራ ስለሆነ አልመለስበትም።

አቶ ሀብታሙ በጽሑፋቸው እንዳብራሩት የዓለም ንግድ ድርጅት አባልነት ድርድር ብዙ የህግ ግዴታዎች እና ሰፊ የፖሊሲ እርምጃዎች የሚያስከትል ሂደት ነው። ምናልባት ይህ ሂደት የምስራቅ አውሮፓ አገሮች የአውሮፓ ህብረትን ለመቀላቀል ከሚያደርጉት ድርድር ጋር ተመሳሳይነት አለው። በብዙ ዓለም አቀፍ ድርጅቶች ለምሳሌ የወርልድ ባንክ እና የተባበሩት መንግስታት ድርጅት አባልነት ጥያቄ ውስብስብ የፖለቲካ ችግር ከሌለ በስተቀር አገሮች ለ-0ላዊነታቸውን እሳካረጋገጡ ድረስ አገሮች በቀላሉ ሊያሳኩት የሚችል ነገር ነው።

በአንጻሩ የአለም ንግድ ድርጅት የአባልነት ድርድር የአባልነት ጥያቄ አቀራቢው አገር ንግድ ነክ ሀጎችንና

ፖሊሲዎች የአለም ንግድ ድርጅት ከሚያስተዳድራቸው ስምምነቶች ጋር መጣጣም ግድ ስለሚልና ከዚህም አልፎ የዕቃና የአገልግሎትን ንግድ አስመልክቶ ተጨማሪ በድርድር የሚወሰን ግዴታዎች ሊያስከትል ስለሚችል የአባልነት ሁኔታውን ረጅምና ውጣ ውረድ የበዛበት ያደርገዋል።

የአባልነት ደርድሩን የሚገዛው የህግ ማዕቀፍ የማራኬሽ ስምምነት አንቀጽ 12 ልል መሆንና አለመብራራት ደግሞ የድርድሩ ሁኔታ ወደ አንድ ወገን ያጋደለ፣ ጥያቄ የመጠየቅ መብትን ለአባል አገሮች በመስጠት ንግድ ነክ ህግና ፖሊሲዎችን አባልነት ጠያቂ አገሮች እንዲያስተካክሉ ግዴታ ይጥላል።

ይህ የአንቀጽ 12 ድንጋጌ አንድ አገር አባል ለመሆን ሊያሟላቸው የሚገባቸውን ነገሮች (Criteria) ሳያስቀምጥ አገሮች በድርድር በሚወሰን መንገድ (terms to be agreed) አባል ሊሆን እንደሚችሉ ያስቀምጣል። ይህም አባል አገሮች አባል ለመሆን በሚፈልጉ አገሮች ላይ ቅጥ ያጣ፣ አግባብ ያልሆነ እንዲሁም አንዳንዴ ኢፍታዊ ጥያቄዎችን እንዲያቀርቡና ግዴታዎችን እንዲገቡ ለመጠየቅ ገደብ የለሽ እድል (carte blanche) ይሰጣቸዋል። ይህ ግልጽ ያጣ ሂደት የአባልነት ወይይቱን የአለም ንግድን ህግና ስምምነትን ከመቀበልና ከመፈጸም ጥያቄ (Rule compliance context) ወደ ድርድር ሁኔታ (Negotiation context) ይለውጠዋል።

ይህንን በመረዳት ይመስላል በቅርብ ጊዜ የአለም ንግድ ድርጅት አባሎች በተለይ

በልማት ወደ ጎሳ የቀሩ አገሮች የሚያደርጉ የአባልነት ድርድር የተቀላጠፈ እንዲሆን የሚረዱ ሃሳቦች ቀርበው እንዲጸድቁ የተደረገው።

በዓለም ንግድ ድርጅት አባልነት ድርድር ወቅት ተደራዳሪ አገራት የሚገቡት ግዴታዎችን በሶስት ክፍሎ መመልከት ይችላል። የመጀመሪያው የአለም ንግድ ድርጅት በሚስተዳድራቸው ህጎችን ስምምነቶችን ለመፈጸም የሚገባ ግዴታ፣ ሁለተኛው በድርድር የሚወሰነውና የአገልግሎት እና የዕቃዎች ንግድ አስመልክቶ የሚገባ ግዴታ እንዲሁም ሶስተኛው ደግሞ የአለም ንግድ ድርጅት ከሚያስተዳድራቸው ህጎች ወስጥ አስገዳጅ ያልሆኑ ህጎች (Plurilateral Agreement) እና ሌሎች ተጨማሪ ጉዳዮችን አስመልክቶ ሊገባ የሚችል ግዴታ (Accession Protocol Commitment) ነው።

በእኔ እምነት የዓለም ንግድ አባልነትን ጨምሮ የንግድ ድርድሮች መነሻቸው አገራዊ ጥቅም እና ግባቸው ደግሞ ፈጣን የኢኮኖሚ እድገትን ለማምጣት ማገዝ መሆን አለበት። የንግድ ስምምነት ተደራዳሪዎች ድርሻ መንግስት ያወጣቸውን ፖሊሲዎችና ስትራቴጂዎች ግምት ውስጥ በማስገባት እነዚህን ፖሊሲዎችን በተግባር ማስፈጸም ነው። የኢትዮጵያ ፌደራላዊ ዲሞክራሲያዊ ሪፖብሊክ የውጭ ጉዳይና የደህንነት ፖሊሲና ስትራቴጂ የሚከተለውን ይላል።

“በአገራችን ልማትና ዲሞክራሲን ከሌለው አለም ተነጥለን፣ በተራሮቻችን ዙሪያ መሸገን፣ በሮቻችን ዘግተን ከቶ ልናረጋግጠው አንችልም። በሙሉ ልብ አለም አቀፋዊው ትስስር ውስጥ

ከተስፋኝነትና ተመጽዎችነት ተላቀን ወደ አምራችነት፣ በአምራችነት ዙሪያም የስራ ድርሻችንን በቀጣይነት የማሻሻል አለማ ይዘን ከተነሳን ብቻ ነው የአገራዊ ጥቅማችንና ህልውናችን መነሻና መድረሻ የሆኑትን ልማትና ዲሞክራሲን እውን ማድረግ የምንችለው። ግሎባላይዜሽን የሚፈጥረውን ዕድል በሙሉ አሟጦ በመጠቀም፣ ግሎባላይዜሽን የሚደቀንብንን እንቅፋት በመቀነስ፣ በግሎባላይዜሽን ማዕቀፍ ውስጥ ንቁ ተዋናይ በመሆን ብቻ ነው። ጥቅማችንና ድህነታችንን ማረጋገጥ የምንችለው። ልማትንና ዲሞክራሲን በግሎባላይዜሽን ማዕቀፍ ዕውን ማድረግ፣ የውጭ ጉዳይና የደህንነት ፖሊሲዎችን አንድ መሰረታዊ መነሻ መሆን ያበትም በዚህ ምክንያት ነው።” ገጽ 17 ስለዚህ በአቶ ሀብታሙ ጽሑፍ የኢትዮጵያ መንግስት ፖሊሲዎችና ስትራቴጂዎች የድርድሩ መነሻ መሆናቸው መገላት አለበት ባይ ነኝ። ሌላው በአቶ ሀብታሙ ታደሰ ጽሑፍ ላይ ጉልቶ መውጣት አለበት ብዬ የማስበው ጉዳይ አባልነት ጥቅም አስመልክቶ የተነሳው ነገር ነው። ይህን ነጥብ አጠንክሮ ማንሳት በጉዳዩ ላይ ለምናደርገው ውይይት መነሻ ይሆናል ብዬ አስባለሁ።

በእርግጥም አንዳንድ የድርጅቱ ህጎችና ስምምነቶች (ለምሳሌ የአእምሮአዊ ንብረትን አስመልክቶ ያለውን ስምምነት ይጠቅሳል) በማደግ ላይ ካሉ አገሮች ይልቅ ያደጉ አገሮች ጥቅም በይበልጥ የሚያስጠብቁ መሆናቸው ታይቶ፣ ከነጻ ንግድና ኢንቨስትመንት የሚገኙ ጥቅሞች በአገራት መካከል በፍታሀዊ መልኩ አለመዳረሱን ተመልክቶ፣ እንዲሁም ከላይ እንዳየነው የአባልነት ድርድሩን የሚገቡ ህጎች ልልና ኢፍታሃዊ ከሆኑ አባል ለመሆን

መደራደሩ አስፈላጊ የሚያደርገው አላማኝ ምክንያት ሊኖር ይችላል ወይ ብሎ መጠየቅ አግባብ ይመስለኛል።

ውይይት ለመፈንጠቅ ያህል በጽሑፍ አቅራቢዎች ቢጠቀሱም የሚከተሉትን ተጨማሪ ሃሳቦች ባጭሩ ለማቅረብ እሞክራለሁ።

በኔ እምነት መጀመሪያ ግልጽ ሆኖ መውጣት ያለበት ነጥብ ከአለም ንግድ ድርጅት አባልነት የሚገኘው ጥቅም እንደያገሩ የኢኮኖሚ ጥንካሬ ከአገር አገር የሚለያይ መሆኑ ነው። ሁለተኛው ነጥብ ደግሞ አባል መሆን የአንድ አገር ልማት ፖሊሲዎችን ለማሳካት መሣሪያ እንጂ በራሱ ግብ አለመሆኑ ነው።

በአቶ ሀብታሙ እንደተገለጸው የመጀመሪያው የአባልነት ጥቅም የውጭ የገበያ እድልን ለማስፋትና የተረጋገጠ ለማድረግ እድል መስጠቱ ነው። ለምሳሌ በቻይና በአንድ ጥናት መሰረት ከአለም ንግድ ድርጅት አባልነት በጎሳ የጨርቃጨርቅና አልባላት የውጭ ንግድ በአስር አመታት በ375% ውስጥ አድጓል። በኢትዮጵያ ነባራዊ ሁኔታ ይህ ይሆናል ብሎ ለመናገር ያዳግታል። በተለይም ወርቀት አቅራቢው በደንብ እንዳብራሩት በአሁኑ ሰዓት አገራችን ከቀረጥ ነጻ የሆነ በኮታ ያልተገደበ የተለያየ የገበያ ዕድል ሰላላት፣ በአባልነት ምክንያት የሚፈጠር አዲስ የገበያ ዕድል ሊይኖር የችላል። ነገር ግን ይህን የአለም ንግድ ድርጅት ይህን የገበያ ዕድል የተረጋገጠና ዘላቂ፣ አገሮች በተለያየ ምክንያት ሊቀይሩት የሚችሉት እንዳይሆን ያደርገዋል። የመጨረሻ ውጤቱ አይታወቅም እንጂ የአሁኑ የዶሃ ዙር የንግድ ድርድር ከቀረጥ እና ከኮታ ነጻ የሆነ የገበያ እድል ያደጉ

አገሮችና ሌሎች ዝግጁ የሆኑ በመልማት ላይ ያሉ አገሮች በልማት ወደ ኋላ ለቀሩ አገሮች እንዲሰጡ ማስገደዱ አንዱ አይነተኛው ጥቅም ነው።

ሁለተኛው ለኔ በጣም ወሳኝ የአባልነት ምክንያት አድርጌ የምወስደው የድርድሩን ሂደት አስፈላጊ የሆኑ የፖሊሲ እርምጃዎችን ለመወሰድ እንደ መድረክ (Platform) ማገልገሉ ነው ። ከአገልግሎት ንግድ ዘርፍ አንስቶ እስከ ግልጽ የንግድ ውድድር ስርዓት እስከማስፈን የግል ዘርፉን ለማጠንከር የሚረዱ የፖሊሲ እርምጃዎችን ለማስብና ለመወሰንና ለመፈጸም የድርድር ሂደቱ ሊረዳ ይችላል። ምናልባት እዚህ ላይ ሊነሳ የሚችለው ተገቢ ጥያቄ እነዚህን አስፈላጊ ፖሊሲ እርምጃዎች አባል መሆን ሳያስፈልግ መውሰድ አይቻልም ወይ የሚል ነው። ለዚህ መልስ በግል (Unilateral) ከሚወስድ የፖሊሲ እርምጃ ይልቅ በአለም ንግድ ድርጅት አባልነት ሂደት የሚወሰድ የፖሊሲ እርምጃ የበለጠ ተአማኒነት ይኖረዋል። በተጨማሪም ይህ ሂደት መንግስት ጥበቃ የሚሹ አካላት (Protectionist pressures) የሚደርስበትን ክልክ ያለፈ ጫና ለመከላከል ምክንያት ይፈጥራል። እነዚህ የፖሊሲ እርምጃዎች ወደ ዓለም አቀፍ ስምምነት ስለሚቀየሩ ዘላቂና በቀላሉ የማይቀየሩ ያደርጋቸዋል።

ይህ በጽሑፍ አቅራቢው እንደተገለጸው ለአገር ውስጥም ሆነ ለውጭ ኢንቨስተሮች ትልቅ የፖሊሲ አቅጣጫ ማረጋገጫ ስለሚሆን ጠንካራ ኢንቨስትመንትን ለማበረታታት ከፍተኛ ሚና ይኖረዋል።

ብዙ ጊዜ እንደሚባለው ለአንድ አገር የውጪ ንግድ ዕድገት በሌሎች አገሮች ካሉ የንግድ ክልከላዎች ይልቅ አገር ውስጥ ያሉ ለንግድ አመቺ ያልሆኑ የንግድ ፖሊሲዎችና አሰራሮች የበለጠ ማነቆ ይሆናሉ።

በእኔ እይታ አገሮች በአሁኑ ሰዓት በኢኮኖሚና ንግድ ሁኔታ (Climate) አመቺነት፣ በመንግስት አስተዳደር ተቋማት ጥራት፣ በኢኮኖሚ ነጻነት (economic freedom) እድገት፣ እንዲሁም በፍትህ ስርዓቱ ጥንካሬ በከፍተኛ ሁኔታ ይወዳደራሉ። የዓለም ንግድ ድርጅት አባልነት እነዚህ መስፍርቶች ሁሉ ይንጸባረቁበታል። ከአለም የንግድ ስርዓት ውጪ በሆኑ አገር ውስጥ እነዚህ አስፈላጊ ነገሮች አሉ ብሎ ሌሎች አገራትን ለማሳመንና ጠንካራ ኢንቨስትመንትን መሳብ የማይቻል ባይሆንም ፈታኝ ነው። ሌላው አቶ ሃብታሙ በደንብ ያብራሩት የአባልነት ጥቅም ግጭቶችን ለመፈታት መድረክ ማመቻቸቱና ወደፊት የአለም ንግድ እንቅስቃሴ የሚገዙ ህጎች እና ስምምነቶችን የሚወጡበት መድረኮች ላይ መቀመጫ ማግኘቱ ነው።

ሌላው ጥቅም ልክ ቻይና እና ቪትናም እንዳደረጉት ገጽታን ለመቀየር አንድ መንገድ መሆኑ ነው።

በመጨረሻ ላላው የምፈልገው እነዚህ ጥቅሞችን ለማግኘት የስርዓቱን ገደቦች (Constraint) መቀበል ግድ ማለቱ ነው። እንደ ሌሎች ነገሮች የአለም ንግድ አባልነት ድርደር ሰጥቶ በመቀበል እና ጥቅሞችን በማቻቻል ላይ የተመሰረተ ነው። በአጭሩ የ “zero sum game” አይደለም።

አመሰግናለሁ።



የውይይት ታዳሚዎች አስተያየት፣ ዓቅቤ እና የተሰጠ ተፈጻሚ ማራማታ

የዕለቱ የውይይት መሪ ዶ/ር ጌትነት አለሙ ዋናውን ተናጋሪ እና ሁለቱን ተቺዎች በማመስገን ተሳታፊዎች አስተያየትና ጥያቄያቸውን እንዲያቀርቡ ውይይቱን ክፍት አድርገዋል። በዚህ መሠረት በመጸመሪያ ርዕይ ጥያቄዎችና አስተያየቶች ቀርበዋል።

የመጀመሪያ አስተያየት ሰጪ፡- አስቀድሜ ዋናው ተናጋሪ እና ተቺዎቹ ከአንድ አካባቢ የመጡ ስለመሰለኝ ለወደፊቱ የተለያዩ አስተያየቶችን ለማግኘት እንዲቻል ተቺዎቹ ከተለያዩ ቦታ እንዲጋበዙ አስተያየት ለመስጠት ጠበቀዋል። በመቀጠል የአለም የንግድ ድርጅት (WTO) አባል መሆን ከንግድ ጋር በተያያዘ የውጭ ምንዛሪን ለማስገኘት እና አዳዲስ ቴክኖሎጂዎችን ወደ አገር ውስጥ ለማስገባት ከፍተኛ ቀረጫ ተጠቃሚ እንዳለው አረዳለሁ። ሆኖም ይህን አይሆንም የሚለውን ጉዳይ ትቼ ኢትዮጵያ የአለም የንግድ ድርጅት (WTO) አባል አልሆንም ማለት ትችላለች ወይ? አሁን ካለን አቅም አንጻር ሌላውን አካባቢ በምንመለከትበት እና ግሎባላይዜሽን ባለበት ሁኔታ ለየተጠመዘዘ እንዲህ አድርገን በሚባልበት አለም ውስጥ ኢትዮጵያ የአለም የንግድ ድርጅት አባል አልሆንም ማለት ትችላለች ወይ?

ሌላው የአለም የንግድ ድርጅት ሕግ አለው ሆኖም ይህን ሕግ ተግባራዊ ለማድረግ የሚያስችል መሣሪያ አለ ወይ? የሚል ጥያቄ አለኝ። ይህን ለማለት ያስደፈረኝ ጉልበት ያለው የአለም አቀፍ ሕግን ጠቅሞ የፈለገውን ሲጠቅም እያየን በመሆኑ ነው።

ሁለተኛ አስተያየት ሰጪ፡- የአለም የንግድ ድርጅት አባል መሆን አስተማማኝ የገበያ ዕድል ለማግኘት ያስችላል ተብሏል። ሆኖም አዳኝ አገሮች ይበልጥ ተወዳዳሪ የሚሆኑት በግብርና ምርት ላይ ሆኖ ሳለ

ያደጉት አገሮች በግብርና ምርት ላይ የጣሉትን ገደብ ለማንሳት ፍቃደኛ አይደሉም ምንም እንኳን በየዓመቱ ግብር ቢጠቅሙም። በተፈጻሚ ስምምነት ያገኙ ሕጎችም ተፈጻሚ ሲሆኑ አይታይም። ከዚህ አንጻር አቅራቢዎቹ ያተኮሩት በተደረጉ ድርድሮች የወጡ ሕጎች ላይ እንጂ ስለተፈጻሚነታቸው ትኩረት አልሰጡትም።

ሌላው የአለም የንግድ ድርጅት አባል መሆን ፖሊሲዎቻችንን እንድናሻሽል ይረዳል ተብሏል። በሌላ በኩል ያደጉትም ሆነ ያላደጉት አገሮች ሊያሳድጋቸው የሚያስችላቸውን መንገድ የመምረጥ ለ-አላዊ መብት እንዳላቸው ጁታወቃል። ሆኖም የአለም የንግድ ድርጅት አባል በመሆናችን ይህ አይፈቀድም ለምሳሌ ለኢንዱስትሪዎች ከሌላ መስጠት አይቻልም የሚል ማሳራቻ ከመድረኩ ተነግሯል። ለእኔ ይህ ትክክል አይደለም። ከሌላ መከላከል ካለበት እንደማይጠቅመን መንግስት አምናበትና አሳምኖ መሆን ይገባል የሚል እምነት አለኝ።

በመጨረሻ በግብርና ምርቶችን አስመልክቶ የአደጉ አገሮች ተፈጥሮአዊ ባልሆነ መንገድ (inorganic) ምርት የሚያመርቱ ሲሆኑ በማደግ ላይ ያሉት ግን ተፈጥሮአዊ በሆነ መንገድ ተግባር የሆኑ ምርቶችን ነው የሚመረቱት። ሆኖም በአውሮፓና በአሜሪካ ጠቅላላ እነዚህ ምርቶች አምራቾቻቸውን ከገበያ እንዳያስወጣ ከሌላ ያደርጋሉ። ስለዚህ ኢትዮጵያ ዕድሉን አግኝታ የአለም የንግድ ድርጅት አባል ብትሆን እንዴት ነው እነዚህን ገደቦች የመነሳታቸው ዕድል ምን ያህል ነው?

ሶስተኛ አስተያየት ሰጪ፡- አስቀድሜ የኢትዮጵያ ኢኮኖሚክስ ባለሙያዎች ማህበር ለግሎ ዘርፍ አንገብጋቢ በሆነው ጉዳይ ላይ የውይይት

መጠሪያ በማጠቃለያ በፅሁፍ ለማመስገን እወዳለሁ። አገራችንን ከሌሎች የአፍሪካ አገሮች የሚለያት በነዚህ ጉዳዮች ላይ ሰፊ ያለ ውይይት ያለማድረጋችን ነው። በሁለተኛ ደረጃ በምሁራን አካባቢ ይህ አርዕስት ትኩረት አግኝቶ ውይይት ሲደረግ የመጀመሪያው ጁመስለኛል ምንም እንኳን በግሎ ዘርፍ የተወሰኑ መከራዎች ቢኖሩም!! ስለዚህ መሀራን በዚህ ጉዳይ ላይ ለሕብረተሰቡ ግንዛቤ ማስጨበጥ አለባቸው የሚል ዕምነት አለኝ።

እኔ ጥያቄ የአለም የንግድ ድርጅት አባልነት ጉዳይ በአብዛኛው የአገራችን ጥቅም ለማስጠበቅ ነው ጁባለል። በተለጁ ጁበልዓ ተጠቃሚዎቹ የበለፀጉት አገሮች እንደሆኑ ነው የሚነገረው። ሆኖም የአለም የንግድ ድርጅት የሚኒስትሮች ጉባኤ ሲካሄድ በአደጉ አገሮች የሕብረተሰብ ተቃዋሚ ይገጥመዋል። ለምሳሌ የአሜሪካ ሲያትል ስብሰባ የሕብረተሰብ ተቃዋሚ ጭምታል። በሆንኩንም እንደዚሁ የሕብረተሰብ ተቃዋሚ ነበር። ስለዚህ ተጠቃሚ የሆኑ የበለፀጉ አገሮች ሕብረተሰብ ለምንድነው ተቃዋሚ የሚያሰሙት ለዚህ መልስ ባገኝ ደስ ይለኛል።

አራተኛ አስተያየት ሰጪ፡- አሁን ያለንበት አለም ጠቅላላ ተለኝቶ ነው። ግን እየተነጋገርን ያለነው ባሉ የአለም አቀፍ ሕጎች ላይ ነው። ሆኖም ከአለም አቀፍ ሕግ ውጪ በንግድ ላይ ገደቦች የመጡ ነው። ለምሳሌ፡- ታዳጊ አገሮች የሚልኩት የግብርና ምርት በአውሮፕላን ተቋቋሞ ሲሄድ አገሩን በጭስ ስለሚበክል ይህን ከመጠቀም አገር ውስጥ ተመራጭ Inorganic ምርትን መጠቀም ይሻላል የሚል ሃሳብ አለ። ስለዚህ ኢንፎርሜሽን ለመከላከል በሚል ሰብ በአደጉ አገሮች ዜጎች በሚጣል የንግድ ገደብ እና ሌሎች መሰል ድርጊቶች እንዴት ነው

በርዕዓ በፅሁፍና ዘርፍ ላይ በርካታ አጨቃጫቂ ጉዳዮች አሉ። የበለፀጉ አገሮች ለዘርፍ እጅግ በጣም ከፍተኛ ግንባታ ስራዎች ላይ ሆኖም ለግንባታ ግንባታ መልስ ለማግኘት በድርድሩ ላይ ተሳታፊ መሆኑን ይጠይቃል ከመራቅ ይልቅ። ያም ሆኖ የድጎማው ጉዳትና ጥቅም ከአገር አገር ይለያያል። ለምሳሌ የምግብ ምርት ወደ አገራቸው የሚያስገቡ አገሮች (Net Importers) ግንባታው ተቃራኒ ነው። ምክንያቱም የአውሮፓ አገራት የሚያደርጉት ድጎማ በአለም አቀፍ ንግድ ላይ የምግብ ሰብል ዋጋን ስለሚቀንሰው ነው። በሌላ ወገን የምግብ ምርት ወደ ውጭ የሚልኩ አገሮች ተጎዷ ይሆናሉ።

በሌላ በኩል የከለላ ጉዳይ በርን የመክፈት ወይም የመዘጋት ጉዳይ አይደለም። የድርድር ጉዳይ ነው። የአለም የንግድ ድርጅት አባል መሆን በአንድ ጊዜ ታሪፍን አውርጦ በርካታ ክቃች ወደ አገር ውስጥ እንዲገቡ ማለት ማለት አይደለም። ታሪፍ ሳይቀነስ በድርድር አባል መሆን ይቻላል። ለምሳሌ ካምፖዲያ ለአለም የንግድ ድርጅት አባልነት ከመደራደር በፊት የምግብና ምርቶች ላይ የነበራት ግንባታ 15 በመቶ ነበር ከድርድሩ በኋላ 40 በመቶ አድርጓለች።

ስለዚህም አስተያየት ሰጪ፣ ማህበሩ ይህን ትልቅ ጉዳይ ዘግይቶ ለውይይት መቅረቡ በተለይ አውሮፓ ህብረት ጋር ለሚደረገው ግንባታ (EPA) አንስተኛ ትኩረት መስጠቱ ስህተት ነው ማለት። ሰብሳቢው ግንባታ ያለቀለት ጉዳይ ነው በማለት የውይይቱ ትኩረት በአለም የንግድ ድርጅት አባልነት ሂደት ላይ እንደያተኩር ማድረጋቸውም ስህተት ነው። በአውሮፓ ህብረት ጋር የሚደረገው ድርድር አላለቀም የተጠናቀቀው የድርድር ጊዜው ነው። በመሆኑም ግንባታ እ.ኤ.አ እስከ 2008 መሬ ረሻ ለማካሄድ ስምምነት ተደርሷል። ፅሁፍ አቅራቢው ጥሩ

ለመዳሰስ ሞክረዋል። ሆኖም የተጠቀሙበት መረጃ አንዳንድ ጊዜ ያለፈበት ይመስላል። ስለሆነም ከአውሮፓ ህብረት ጋር ስለሚደረገው ውይይት ግንዛቤ መጠበቅ እንዲችል ማህበሩ ሌላ ተመሳሳይ የውይይት መድረክ እንዲያዘጋጅ አሳስባለው።

ስለተኛው አስተያየት ሰጪ፣ ኢትዮጵያ የአለም ንግድ ድርጅት አባል ለመሆን ጥያቄ አቅርባለች ተብሏል። በግንባታ ምን ያህል ዝግጅት አድርገናል? ከሌሎች አገሮች ምን ትምህርት ቀስመናል? በ21ኛው ክፍለ ዘመን ከአለም ርቀን መቆየት አለብን ማለት አንችልም። ሆኖም ስንገባ የውስጥ ልማት በስፋት ማካሄድ አለብን። ግን በአሁኑ ወቅት ትርፍ ምርት ያለን ቡና ብቻ ነው። ዛሬ ስጋ የምንሸጠው ከጉሮሮአችን ቀንሰን ነው። ሰሊጥ፣ ቦሎቄ ወጥተን አንደዚሁ ከራሳችን አየቀነሰን ነው። ስለዚህ የዘመናዊ እርሻ ሳናስፋፋ ወደ አንድስትሪ ሳንሸጋገር ወደ አለም የንግድ ድርጅት መግባት ትክክል አይመስለኝም። ሂደቱ ምን ያህል ጊዜ ይፈጅል ከአሁን በኋላ?

ስምንተኛው አስተያየት ሰጪ፣ የኢትዮጵያ ኢኮኖሚክስ ባለሙያዎች ማህበር ጉዳዩን ማንሳቱ ጥሩ ነው ግን ለምን በአሁኑ ጊዜ አነሳው? በሁለተኛ የቀረቡ ጥያቄዎችና አስተያየቶች ማህበሩ ሊሰጠው ሲቀረፅ ፖሊሲ አውጭውን ሃሳብ በመስጠት ማገዝ ይጠበቅበት ነበር? ስለዚህ በፖሊሲ ቀረፃ ጊዜ ለምን ይህን መሰል ውይይት አስተዘጋጀም? የአሁኑ ውይይት ዘግይቷል የሚል ሃሳብ አለኝ። ሌላው የዛሬው ተናጋሪ ች ከፖሊሲ ቀራጩ ክፍል ለምን መጡ። ከዛ ውጪ ያሉ ነፃ አስተያየቶች ሊሰጡ የሚችሉ ተቺዎች ለምን አልተጋበዙም።

የአለም የንግድ ተቋም በርካታ ሕጎች አሉት ግን እንደ ኢትዮጵያ ያሉ አገሮች በሕገ ለመጠቀም ዕውቀት አላቸው ወይ? የፋይናንስ አቅም ስላላቸው ወይ? ለምሳሌ በአንድ

ጉዳይ ላይ ለመከራከር ጠበቃ መግዛት እንዳለብን ይታወቃል። በቅርቡ የአለም ባንክ እንደነዚህ ላሉ ጉዳዮች ግንባታ የአለም የንግድ ድርጅቶችን ድጋፍ እንዲጠይቁ ሃሳብ አቅርቧል።

ሌላው የበለፀጉ ግንባታ ህዝቦች ለምን የአለም የንግድ ተቋምን ጁቃውማሉ ተብሎ ለተነሳ ጥያቄ አቶ ሃብታሙ ጥቅማቸውን ለማሰብ ብለው መልሰዋል። ሆኖም በበለፀጉ ግንባታ ከሰባአዊ መብት አንጻር የአለም የንግድ ተቋም ግንባታ ግንባታ የሚያስከብር ስላልሆነ የሰባአዊ መብት ተሞጋቾ ድርጅቶች ህብረተሰቡን ስለተባበሩ ጥቃቃቃ ሰልጦ ግንባታ ስለዚህ አቶ ሃብታሙ ባሉት ምክንያት ብቻ ሳይሆን በዚህም ምክንያት ጭምር እንደሆነ ለመግለፅ ፈልጎ ነው።

ሌላው የአለም ንግድ ተቋም ግንባታውን ጥቅም አስመልክቶ የዓለም ባንክ በየአመቱ የሚያወጣው ሪፖርት አለ። በሪፖርቱ ከሥርዓቱ ተጠቃሚና የማይጠቀሙ ግንባታ ግንባታ ያወጣሉ። ከአፍሪካ አገሮች ውስጥ ደቡብ አፍሪካ ከዚህ በፊት ዙምባብዬ እና ግንባታ አፍሪካ ግንባታ ናቸው ተጠቃሚ የሆኑት። ግንባታ የአፍሪካ ግንባታ ተጠቃሚ አይደሉም። ከዚህ አንጻር ኢትዮጵያ ተጠቃሚ ልትሆን እንደማትችል ፅልፍ ነው። ግን የአለም የንግድ ድርጅት አባል ሆነችም አልሆነችም ያው ስለሆነ አቶ ሃብታሙ እንዳሉት ግንባታ ወደፊት በረዥም ጊዜ ተጠቃሚ ልትሆን ትችላለች የሚል ሃሳብ አለ። ይህም ሆኖ የማይነሳው ሃሳብ የአቅርቦት ችግር ነው። ኢትዮጵያ እንዴት የአለም ተቋም ትሁን እንጂ እንዴት የአቅርቦት ችግሯን ትፍፍ የሚል ሃሳብ ሲነሳ ስላልሰማሁ ለግንባታ ትኩረት ቢሰጥ ጠቃሚ ነው ማለት።

ዘጠነኛው አስተያየት ሰጪ፣ አገራችን የአለም የንግድ ድርጅትን ለመቀላቀል በሂደት ላይ እንዳለች ተገንዝበናል። እንዲሁም ግንባታ አባል መሆናችን የሚያስገኘው

ጥቅምና ጉዳት ተነግሮናል። ሆኖም የተባለውን ጥቅም ለማግኘት እና ጉዳቱን ለመቀነስ እያደረግን ስላለው ዝግጅት ብዙም የተባለ ነገር የለም። ትኩረት የተሰጠው አይመስልም። ዓቅም አለ ስለተባለ እንጠቀማለን ማለት አይደለም ለምሳሌ በAGWA ያለንበትን ሁኔታ ማየት ይቻላል። ሌላው በአለም ግንድ ድርጅት መግባት ሂደት ላይ የሚገኙ ጥቅሞችና ጉዳቶች ላይ ለሕብረተሰቡ የግንዛቤ ማስጨበጫ ሥራች በስፋት በተካሄዱ እንዳልሆነ ነው የተረዳሁት። በተቋም ደረጃ ሥራች በተሠሩ እንዳሉ ተገንዝቤአለሁ ግን ጉዳዩ የተቋም ብቻ ሳይሆን የመላው ሕዝብም ስለሆነ ለግንዛቤ ማስጨበጫ ሥራች ትኩረት እንዲሰጥ አሳስባለሁ።

የዕለቱ የውይይት መሪ ዶ/ር ጌትነት አለሙ ዕሁፍ አቅራቢው ጽሑፋቸውን ይበልጥ ለማሻሻል እንዲችሉ የአገሪቱን የታክስና የኢኮኖሚ መዋቅር ችግር ላይ ማብራሪያ በመስጠት ከዓለም የንግድ ድርጅት አባልነት ጋር አያይዘው ሃሳብ ሰጥተዋል። በዚህ መሠረት በአሁኑ ወቅት የመንግስት ገቢ 50 በመቶ ያህል የሚሆነው ከውጭ ግንድ ከገቢ ዕቃች ገቢ የሚሰበስብ መሆኑ እና የአገር ውስጥ የግብር ግብር ስፋት መሆኑን ይልቁንም ለመንግስት የግብር ገቢ ከፍተኛ አስተዋፅኦ የሚጠበቅበት የግብርናው ዘርፍ ከያዘው የሕዝብ ብዛት አንጻር ይህን ያህል ግብር የሚባል አስተዋፅኦ እያደረገ አለመሆኑን ገልፀዋል።

እንደዚህ አይነት ደካማ የኢኮኖሚና በግብር ገቢ መዋቅር ተሸክመን የአለም የንግድ ድርጅት አባልነት በሚያመጣውን ተፅዕኖ እንዴት ነው መቋቋም የሚቻለው የሚል አስተያየት አቅርበዋል። በመቀጠልም በሁለተኛው፣ ግብር ለቀረቡ ዓቅቶችና አስተያየቶች ተጨማሪ ማብራሪያ ተናጋሪዎች እንዲሰጡ ተጠይቀዋል።

አቶ ገብረመስቀል ገብረገብ ተጨማሪ ማብራሪያ የአለም የንግድ ድርጅት አባልነት ድርድር በምን

መልሰን ሲካሄድ እንደሚችል ለመግለፅ ያህል የአለም የንግድ አባልነት ሂደት ሁሉንም የኢኮኖሚ ዘርፎች የሚመለከት ስለሆነ የተለያዩ ዘርፎችን የማስተባበር ሂደቱን እንዴት መምራት እንደሚቻል የሚመለከቱ ሥራዎች ሲሰሩ ነው ብለዋል። በግብርና በሚካሄዱ ድርድር ስናይ ድርድሩ በግብርና በሌሎች ባለሙያዎች ነው። ግንድና ኢንዱስትሪ ሚኒስትር የማስተባበር ሥራን ነው የሚሠራው። የሌሎች አገሮች ልምድም እንደዚህ ነው። በዚህ መሠረት የአለም የንግድ ድርጅት አባልነት ሂደትን ለማስኬድ ከሁሉም መሥሪያ ቤቶች የተውጣጡ የቴክኒክ ኮሚቴ እንዲቋቋም ተደርጓል። ለግንዛቤ ማስፈሰስ ሥራችና ስልጠናዎች ለኮሚቴ አባላት እንዲሰጥ ተጠይቋል።

የሌሎች ሃገሮችን ልምድ ለመቅሰም እንዲቻልም በቅርቡ የአለም የንግድ ድርጅት አባል ከሆኑት ካምፓሊያና ማሶኒያ እንዲሁም በሂደት ላይ ካላቸው ኬፕቮርዲ ልምድ ለመቅሰም በሚያስችል መድረክ ተዘጋጅቷል።

በAGWA የተሰጠንን ዕድል መጠቀም እንዳልቻልን ተጠይቋል። ጁህ የሆነው በአቅርቦት ላይ ያለውን ችግራችንን ወይም የቤት ሥራችንን መሥራት ባለመቻላችን ነው። የአለም የንግድ ድርጅት አባል ለመሆን የምናደርገው ጥረት ያለብን የአቅርቦት ችግር ለመፍታት ያስችለናል የሚል እምነት አለኝ። ይህ ሲባል የአለም የንግድ ሥርአት የሚጠይቀውን መስፈርት ማሟላት ስላለብን ሂደቱ ያግዘናል ለማለት ነው።

ሌላው የአለም የንግድ ድርጅት አባል መሆን ማለት ግብር ወዲያውኑ ይቀነሳል የሚል ድምዳሜ ላይ መድረስ የለብንም። በግብርና ሂደት የታሪፍ ጣራውን ለመወሰን ብቻ ነው የሚሞክረው።

የአቶ አሚን አብደላ ተጨማሪ ማብራሪያ

ባለፈው በናይሮቢ ከተማ ላይ ከአውሮፓ ማህበረሰብ በሚደረገው ግብርና (EPA) ግብር በተካሄደ ወርጮ ላይ ስንሳተፍ የተለየ ወገኖች የተለያዩ አቋም ይዘው ሲከራከሩ ነው ያየነው። የአባልና የፍራፍሬ ላኪ ድርጅቶች ድርድሩ ተጠናቆ ቶሎ እንዲፈረም ሲፈልጉ መንግስታዊ ያልሆኑ ድርጅቶች በተበታተነ ሁኔታ በማምረት ላይ ያለውን ገበሬ ስለሚገቡ እንዳይፈረም ይሟገታሉ። ይህ ሁኔታ በግብርና አገር ስለሌለ ርዕሱ በዛሬው ዕለት ለውይይት እንዲቀርብ ተደርጓል።

ከተሳትፎ አንጻር ስናይ በንግድና ኢንዱስትሪ ሚኒስቴር ሥር በተቋቋመው ኮሚቴ ውስጥ መንግስታዊና መንግስታዊ ያልሆኑ ድርጅቶች በአባልነት ይገኛሉ። ግን ሁሉም ከስብሰባ ተሳትፎ ባሻገር ምንም ሲሰሩ አይገኙም። ለምሳሌ ቻምበር የግሉን ዘርፍ የሚመለከቱ ጉዳዮችን አስጠንቶ በአገራዊ ሰነድ ውስጥ እንዲካተት ለማድረግ ጥረት ሲያደርግ አይገኝም። በተመሳሳይ መልኩ ተገቢ ሊሆን ይችላል ተብሎ በሚጠቀሙ የአምራቾች ኢንዱስትሪ ማህበርም ምንም እንቅስቃሴ ሲያደርግ አይታይም በዚህ ምክንያት ጭምር ነው ጉዳዩ የዛሬ የውይይት አጀንዳ እንዲሆን ተጠይቋል።

በመጨረሻ የዕለቱ የውይይት መሪ ዶ/ር ጌትነት አለሙ አቅራቢዎቹን እንዲሁም መላውን ተሳታፊ በማመስገን ውይይቱን በይፋ ጠቅሷል።

The 'Tragedy' of the Free-Market: Thinking Beyond the Simplistic 'Supply-Demand' Equation-The Ethiopian Case

A Theoretical Discussion

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EDITORS NOTE

THE ETHIOPIAN ECONOMIC ASSOCIATION HAS ENCOURAGED ACADEMIA, RESEARCHERS AND MEMBERS OF EEA TO SHARE THEIR VIEWS TO THE PUBLIC ON SOCIO-ECONOMIC ISSUES OF THE COUNTRY IN DIFFERENT WAYS, BY ORGANIZING DIFFERENT FORUMS AND BY PROVIDING SPACE IN ITS PUBLICATIONS. IN LIGHT OF THIS, EEA IS PLEASED TO PRESENT DR. TAYE NEGUSSIE'S ARTICLE TO READERS ON THE BULLETIN OF THE ETHIOPIAN ECONOMIC ASSOCIATION (ECONOMIC FOCUS). EEA WOULD ALSO LIKE TO ENCOURAGE READERS TO DEBATE ON THIS ARTICLE OR SEND THEIR OWN ARTICLES ON DIFFERENT ISSUES TO THE EDITOR OF THE MAGAZINE.

Currently, the global sky-rocketing price on the food commodities and the resultant excessive harm it is exacting now to the majority of people living in the developing countries is likely to put the superstition in the 'magic' of the market force highly in doubt. For instance, in the Ethiopian case, one may wonder where the finishing line lies in the race of 'price contest' on the so-called 'free-market' game. The dramatic escalation of prices on a daily-basis, sometimes hourly-basis in almost every conceivable products, commodities and services has left many in bewilderment¹⁹. The

problem is so pervasive that the financial pinch can readily be felt whenever you reach your pocket even to foot a bill for a cup of coffee, tea or a shoe-shine. What signifies this 'tragedy' of free-market, the term I venture to call, is the fact that on top of a dramatic sky-rocketing of prices which uncharacteristically affected both the middle-class and the poor at the same time, there has also been unimaginable inconsistencies of prices in the same market place. The reason I call the phenomenon, the tragedy of the 'free-market' is only to draw an analogy with what Hardin²⁰ (1982) calls, the 'tragedy of the

commons'. As he observes the susceptibility of an open access resources to over-exploitation in

the notion of the 'tragedy of the commons', by the same token I also do observe, in the absence of the requisite institutional and physical infrastructure (at least in the Ethiopian context²¹) the same type of susceptibility in abusing the 'free-market system', hence I call the 'tragedy of free-market'. As things stand now, some market actors evidently seem to be engaged in the practice of exploiting the prevailing instable market condition to their advantage.

Despite some effort on the part of the government to lessen the impact of market instability especially on the poorest segment of the residences of

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² It should be noted that currently the hike especially in the prices of food commodities evidently happens to be a world-wide phenomenon. Many agree as main reasons for this to be the rapid expansion of bio-fuel; the soaring-oil prices and the attendant chain of reactions; bad-weather (that hit major exporting countries); the sharp drop in the value of dollar; the rapid economic growth in China and

India etc. Understandably, the Ethiopian situation can not be an exception in this regard. Nonetheless, taking into account its relatively lower degree of involvement in the global market system (excepting the oil market), whether the Ethiopian situation is fully explainable in light of the aforementioned circumstances is open to debate.

³ In fact, I do not subscribe entirely to his theory of the 'tragedy of the commons'.

⁴ One need only to be reminded the recent 1000% increase on the retail price of salt in a matter of hours supposedly because of some speculation regarding the supply of salt. Thankfully, however, the government was quick enough in unprecedented manner to put the situation under control.

some urban centers such as by providing wheat at cheaper price and taking some administrative measures, nonetheless the problem shows no sign of abating. Consequently, therefore, a growing dissatisfaction seems to be prevailing among the general public. The dissatisfaction until very recently has indeed been silent. I suspect the main reason behind the silence was an alleged fear of 'politicizing' the market. Now the silence appears to have been broken by the recent Prime Minister's 2000 E.C. bi-annual report to the House of Representatives and the operation of the market seems to be subject to questions. But in my view, what lies at the root of the problem is the unquestioned adoption of the Anglo-Saxon Neo-liberal free-market model in its entirety to a totally different economic, social and cultural context.

In the social sciences we often employ the services of some well-established theoretical frameworks to point out some potential problems in real circumstances and provide direction for new investigative studies. Consequently, in order to cast some light on the situation of the current market instability, it would therefore be of paramount importance to consider the following theoretical questions: How can we make sense of the confusion that currently prevails in the market? What is really behind the unprecedented price hike in the market? Is it a natural

outcome of the 'invisible hands' of the market forces? Can the simplistic 'supply-demand' equation theory offer us some plausible explanation to the situation?

This article does not set out to answer all of these questions. Its scope, instruments and insights do not match that of a full fledged in-depth national study that we may have to undertake so as to provide some definite answers. Instead, it is mainly to challenge theoretically²² the most predominant and conventional rational actor model (the neo-liberal economic model) explanation of the current market instability only as a temporary and inevitable consequence of the normal functioning of the market forces as regulated by supply and demand equation. In doing so, it aims to underscore the significant role played by some social forces which would otherwise be regarded as "residual" factors by neo-liberal economists in influencing market transaction. On a pragmatic level, it will attempt to highlight the magnitude and complexity of the current price hikes in the market and tries to provide direction for future investigative studies and policy actions.

There has been a long and an on-going debate between

⁵ As Abraham (2006:19) convincingly argued in the 'reconstructed logic', theory can serve as a device for interpreting, criticizing, unifying or modifying established laws to explain momentous social issues.

economists and sociologists regarding human behavior in the market place. The most dominant view in economics is the rational actor model which regards individuals as rational, (albeit boundedly so), and profit maximizers. Economic sociologists however refute this assumption. Drawing on various anthropological, social-psychological, psychoanalytic, linguistic and sociological research findings, they believe that individual actions can also be affected by cognitive bias, limited powers of reasoning, non-conscious and ambivalent feelings, role expectations, norms, and cultural frames, schematic classifications, and myths (Granovetter 2002; DiMaggio 2002; Reskin 2002). Economic sociologists recognize that social forces often affect reasoning that challenge a strict rationality assumption. Individual actions are shaped not only by the individual actor's motives but also by larger social, cultural and institutional structures (Granovetter 2002). In the framework of human as a rational being, the pattern of human's response is a more or less standard product, where as in truth the response may be subject to tremendous variation.

Economists generally believe that in a 'pure' market economy what determines prices and allocation of resources is the *operation of the market forces*, i.e., the 'law' of supply and demand (the relationship of

supply to demand)²³. The idea of *doux commerce*, stemming from the time of Montesquieu asserts that rational action and exchange transform people into gentlemen who automatically follow the rules of the game and are trustworthy despite incentives to the contrary (Guillen et al. 2002). But, the question that may arise here is, who makes the alleged rules of the game, and are these 'gentle men' simply passive followers of the alleged rule?

This reductionist conception of the market has been challenged within the discipline itself. In his *General Theory of Employment, Interest, and Money*, John Maynard Keynes (1936 as quoted in Guillen et al. 2002) argued that "animal spirits" (or the emotional feeling-states) could shape economic behavior above and beyond what a purely cognitive, rational model might explain. According to Keynes, the working of the magic of "animal spirits" could be exhibited in situations when consumers borrow more than they should;

buy more than they need; when investors display "irrational exuberance" (Shiller 2000, as quoted in DiMaggio 2002) and push price-earning ratios to historic highs; and when corporations borrow, and banks lend, more money than is wise.

Economic sociologists have also demonstrated the working of similar types of economic behavior in the market in their theories of "collective mood". Guillen and his colleagues (2002) argue that an exaggerated collective mood happens as a response to situations in which there is a genuine uncertainty of information regarding the behavior of others with whom one is interdependent. DiMaggio (1994) identifies two types of collective moods. The first is what he calls *Pluralistic Ignorance*, characterized by overestimating an interacting partner's tendencies to certain kinds of behavior which signifies an absence of information flow between different groups, in conjunction with a distorted representation of reality. The second type of collective mood which is somewhat opposite to pluralistic ignorance is *Bandwagon Effect*, which describes the tendencies of market actors to rush into conforming to whatever direction the group as a whole seems to be heading. Given the current market reality in Ethiopia, I assume these theoretical frameworks may partially explain the situation on the ground.

In the following section, I attempt to identify some of the problematic assumptions in the conventional rational model regarding the market which is bound to distort the real picture of its functioning. These problematic assumptions will be analyzed in light of the emerging theoretical tools in the social sciences which seem to be capable of revealing the inadequacy of the 'free market' model. In my view, this analysis may have some practical utility in indicating some potential policy areas for government actions in addressing the current market failures.

1. Voluntary Transaction

One of the core principles in economics is the proposition that *both parties to an economic transaction is bi-laterally voluntary and informed*. I should say, across every branch of the discipline, economists instinctively subscribe to this proposition. But, the main question we should ask here is, what exactly does it mean for a transaction to be "voluntary", or not. In demonstrating the invalidness of this assumption, economic sociologists refer how problematic even straight forward case of "voluntary" is in legal theory. Are all transactions voluntary? When you buy some basic items in the market within the available price framework, is it really 'voluntary'? Do you have any other option and how wide is that option? Is it a universal principle applicable to all circumstances at all times? I

⁶ Theoretically when supply exceeds demand, sellers must lower prices to stimulate sales; conversely, when demand exceeds supply, buyers bid prices up as they compete to buy goods. The terms *supply* and *demand* do not mean the amount of goods and services actually sold and bought; in any sale, the amount sold is equal to the amount bought, and such supply and demand, therefore, always equalizes. In economic theory, supply is the amount available for sale, and demand, sometimes called effective demand is the amount purchasers are willing to buy at a specified price (Encarta Encyclopedia, 2006 edition).

leave the matter to you to consider what this concept of “voluntary” really means in your personal transaction in the market.

The main problem with this assumption is that it doesn't distinguish the context in which people get engaged in particular transaction. Some transactions may happen because of necessity, out of essential need; when there is no substitute but to get engaged in that transaction. For instance, when a buyer purchases some basic goods or commodities, the person does so because it is a necessity. He or she can not substitute or defer the purchase of the goods or the commodity. In fact, he or she might explore some alternatives to maximize his or her personal benefit in the course of transaction. But, still the alternatives are not open-ended; it all depends on the range of choices available for the transaction in terms of quality, quantity or price. However, if the transaction is not on some essential or basic need, which could be substituted or deferred, the transaction may be said voluntary. Thus, we should exercise some caution in saying transactions are voluntary for all transactions are shaped by the context in which economic life is embedded.

2. Power Relationship

Another problematic guiding framework in the economist's theory of market is the theory which postulates that in the

functioning of a true free market *transacting parties do not hold power over each other*. In this line of argument, every transactor has sufficient alternative parties to transact with so that any one party can not determine the terms of the transaction alone. In my judgment, this is an outright denial of the reality of monopoly power in the market which is as crystal clear as day light. In actual fact, the market institution like any other institution is replete with varying levels of differential power distribution. Max Weber (1968 [1921]) discusses power, as a position based on “constellation of interests”, such as a monopoly position in the economy. In my informal conversation with some actors in the market, I come to learn that more often than not it is the manipulation of this power (through hoarding, information manipulation, speculation etc.), which I call the ‘visible hands’ that often sets the terms of exchange in the market rather than the ‘invisible hands’ of the market forces as purported by mainstream economists.

3. The Supply-demand equation

As pointed out earlier, the unequivocal position regarding the operation of market among neo-liberals is that the determining force for price setting and allocation of resources is the interplay of market forces driven by the law of supply and demand. In this proposition, they attempt to paint the supposed

‘law’ a divine, a super-human character and accord a ‘magic power’. They seek to ‘impersonalize’ the real human beings, (who are actually behind the supposed laws) who possess some emotion, social connections, some habits, beliefs, values and norms like the rest of us. In this regard, White (1981) developed an alternative influential model of markets as a ‘self-reproducing role structure’, organized by firms that monitor one another to decide how much to produce and the quality level of their product, thereby finding profitable niches that enable them to stay in business. Thus, according to this line of argument there is no as such a pure type of competitive market in the real world. Different businesses, in order to sustain themselves in the market places, tend to shift to other types of non-market forms, such as deliberately creating their own arrangements or hierarchies (Gullein et al. 2002).

4. The Context of Market

A related issue of controversy between economists and sociologists is the question of contexts regarding markets—whether markets are context-free, or “embedded” in some context. The rational actor view of action in the market regards markets as ‘context-free’ i.e. markets as being organized only under the principle of ‘economic efficiency’. But many of the best sociological studies undermine this view by showing that the organization of market seems to be subject to multiple motives

and forms of collective governance across local and national cultures. For example, Albert (1991) demonstrated how a different logic of market action works in the Rheinisch model in Germany. Similarly, Gerlach (1992) revealed another forms of market organization in the Japanese model; Hamilton and Biggart (1988) also brought to light the Taiwanese and Korean models. This clearly shows the hollowness of the context-free market arguments. Indeed, cultural differences (that means differences in practices, beliefs, and understanding) do matter and may cause market actors to act differently in different context. This interpretation suggests the difficulty of figuring out one “best principle” for organizing markets, and, hence, the possibility of market organization in a way that better suits the national context.

5. Conclusion

In light of the evidences demonstrating the prevalence of various practices and principles of market actors and organizations in different circumstances, I believe, we should critically examine the conventional explanation of the working of the market forces only through the simplistic and reductionist supply-demand equation; and not to take at face value what is usually regarded to be the universality of the free market principles. In the context of our country, given apparently the low level of education, civic mindedness, collective responsibility, and the sense of

unity and integrity among the majority of the population, there is sufficient reason on the part of the government and the public at large, to closely scrutinize the operation of the market.

As I attempted to point out earlier, the current market instability has rendered some market actors to be free-riders, which I called the ‘tragedy’ of the free-market. And one of the reasons for this state of affairs may be the incapability of the ardent advocates of the principle (neo-liberalists in the policy circle, and their spiritual fathers, the rational actor model theoretician in the academic one) to correctly comprehend how the market functions in real life. More specifically, they invariably seek to understand both the function and malfunction of the free-market only in terms of the mechanical working of the simple supply-demand equation. The theoretical review made in this rather short paper, however, demonstrates that apart from the conventional market forces there are other important social forces and processes that come into play in the actual functioning of the market. Nonetheless, the conventional rational actor model view of the market fails to take into account or underestimates their roles by relegating them as “residual factors” in a rather normal operation of market.

My main argument in this brief theoretical analysis is that in order to comprehend the abnormality of the market in

Ethiopia today, our understanding of the market should go beyond the simplistic supply-demand equation. An important view in this regard is the perspective which characterizes the market as social arenas where a mixture of economic, psychological and social factors and processes come into play in market transaction. I feel this framework would serve as an important intellectual tool in better understanding and resolving the various problems exhibited in the operation of the market.

As I showed in the introduction section, the present analysis has not based itself on an account of empirical and systematic inquiry of the dramatic developments of events in the market place which we are witnessing across Ethiopia today; nor does it pretend to provide a prescription of some panacea to get out of the current quagmire. The analysis has been made mainly in light of an accumulated literature in the area, in combination with personal observation and experience. The main message here is to urge the government to go beyond some administrative measures and question the very wisdom of applying the Anglo-Saxon free-market model in its entirety to the existing socio-cultural and economic context in Ethiopia. At least it would be naïve to leave it untouched on the understanding that the market automatically corrects its wrongs by itself or let the market forces work their

'magic'. Of course, the inadequacy and negative repercussion of the so-called free-market systems as advocated by Breton-woods institution has been long in circulation.

To conclude, I feel it is high time to ask for a responsible, appropriate and well-informed intervention to remedy the wrongs of the market before it results in an all-out catastrophic disaster in the society. In order to do so, however, the first and foremost important step, in my view, should be to conduct a genuine and responsible wide public debate on the issue, and undertake a multi-disciplinary, country-level thorough investigation so as to identify the nature and depth of the problem and accordingly forward some fundamental short-term²⁴ and long-term solutions.

References

Abraham, Francis. 2006. *Contemporary Sociology: An Introduction to Concepts and Theories*. Oxford University Press.

⁷ For instance, putting some price caps on at least some basic commodities in line with the one in the transport sector (for instance, regulated transport fare & the rotation taxis take in transporting passenger-albeit informally enforced) and possibly some other sectors. Doing so would at least render some legal backing (which would otherwise lack in the context of free-market) for the administrative measures that the government has currently embarked upon.

Albert, Maurice. 1991. *Capitalism Versus Capitalism*. Paris: Editons Du Seuil.

DiMaggio, Paul. 2002. *Endogenizing "Animal Spirits": Toward a Sociology of Collective Response to Uncertainty and Risk*. In Guillen, Mauro F., Randall Collins, Paula England, and Marshal Meyer. 2002. Editors. *The New Economic Sociology: Developments in an Emerging Filed*. Russel Sage Foundation. New York.

Encarta Encyclopedia, 2006 edition.

Gerlach, Michael. 1992. *Alliance Capitalism*. Los Angeles: University of California Press.

Granovetter, Mark. 2002. *A Theoretical Agenda for Economic Sociology*. In In Guillen, Mauro F., Randall Collins, Paula England, and Marshal Meyer. 2002. Editors. *The New Economic Sociology: Developments in an Emerging Filed*. Russel Sage Foundation. New York.

Guillen, Mauro F., Randall Collins, Paula England, and Marshal Meyer. 2002. Editors. *The Revival of Economic Sociology* pp. 1-34. In *The New Economic Sociology: Developments in an Emerging Filed*. Russel Sage Foundation. New York.

Hamilton, Gary, and Nicole Biggart. 1988. *Market Culture and Authority: A Comparative Analysis of Management and Organization in the Far East*. American Journal of Sociology 94: S52-94.

Hardin, R. 1982. *Collective Action*. Baltimore, MD: John Hopkins University Press.

Reskin, Barbara F. 2002. *Rethinking Employment Discrimination and Its Remedies*. In Guillen, Mauro F., Randall Collins, Paula England, and Marshal Meyer. 2002. Editors. *The New Economic Sociology: Developments in an Emerging Filed*. Russel Sage Foundation. New York.

Weber, Max. 1968 [1921]. *Economy and Society*. New York: Bedminster Press.

White, Harrison. 1981. "Where do Markets Come From?" American Journal of Sociology 70(2): 137-58

White, Harrison. 1992. *Identity and Control. A Structural Theory of Social Action*. 1992. Princeton, N.J.: Princeton University Press.



