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It is a well known phenomenon in international conferences that the last slot of the day, the fourth panel, is the Bermuda Triangle for speakers and for the audience, to which the only remedy is succinctness and directness. I have no difficulty contributing to the succinctness part because it happens that I am surrounded by three certifiable experts on the subject matter to which the panel is addressed and I can assure you that I will not and could not claim for myself any similar degree of expertise.

What I will talk about is really the economic and the political context of the second of these issues as described by Jacques first in the listing on the schedule, which is to say: State emergency measures, economic stimulus programmes, and the perceived upsurge and protectionist reflexes on the part of States around the world as these pertain to WTO rules.

There is no question that world trade is in a crisis currently which reflects and is a consequence of the global economic crisis. The statistics lay this out very strikingly. According to a recent WTO estimate the volume of world trade in 2009 will be down by 9% in relation to 2008, although by the time we get to the end of the year 2009 it is very likely that that figure of 9% will have been substantially exceeded and the reduction in the volume of trade will be even more substantial.

In the United States, to take one example, the figures currently show for the first quarter of 2009 a reduction in US exports by fully 30% in relation to the last three months of 2008 and a reduction in imports to the tune of 34% in relation to the fourth quarter of 2008. These are really drastic reductions in the flows of trade. The same is true for the Euro zone, where for the first quarter of 2009 there has been a reduction of 21% in imports in relation to the first quarter of 2008. In Japan, in the case of exports, March 2009, year on year vis-à-vis March 2008, a reduction of 45% in the volume as measured by value in exports.

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As I indicated, these figures are a consequence and not obviously a cause of the global economic crisis; but the question presented now is whether countries around the world in the face of a situation quite so dire will give way to the impulse to put in place protectionist measures in defence of employment in each of these jurisdictions around the world, which protectionist measures might arguably result in a violation of WTO rules.

I will tell you right away that my own view is that that is unlikely to be the case, and here are the reasons for my sense in that regard. It is true that there have been put into place in the last five months by countries around the world various measures which could be characterised as protectionist. The WTO itself has determined that there have been 85 measures restrictive of trade that have been implemented by 23 countries in the last five months. By measures restrictive of trade we are talking about tariff increases, certain import licensing requirements, anti-dumping actions, imposition of countervailing duties and so forth.

According to the World Bank in a report issued in March of this year, 78 trade-restrictive measures have been proposed by governments since the onset of the financial crisis of which 47 have actually been implemented, and out of those 47, 17 have been put into place by member countries of the G20 which, as I am sure you all know, collectively undertook to refrain from the implementation of such measures just a few months ago.

Anti-dumping proceedings have increased, and the mood of the various economic stimulation programmes has also been perceived to be protectionist. An example is the so-called Buy-American provisions of the American Recovery and Reinvestment Act which passed Congress in February. The Buy-American provisions require State and local governments which are recipients of federal funds designed to stimulate employment to provide a preference to American manufactured iron and steel and manufactured goods generally in public works projects. We are talking about funds here in excess of US$280 billion of public works projects all of which, pursuant to these Buy-American provisions, are subject to what on their face would appear to be protectionist provisions favouring American manufactured goods.

Another glaring example would be the US$48 billion in bail-outs for the automotive industry. The automotive industries in quite a number of industrialised countries, not merely the United States, but Argentina, Brazil, Britain, Canada, China, France, Germany, Italy and Sweden, all have put into place bail-out programmes for their respective domestic automotive industries, and those programmes have plainly protectionist provisions to them.

Now, in the face of all of this alarm it has been suggested that this amounts to an upsurge in the tide of protectionism that is reminiscent of what happened in the early 1930s with the notorious Smoot-Hawley Tariff Act in the United States and equivalent