

УО «Алматы Менеджмент Университет»



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УПРАВЛЯТЬ СОБОЙ – УПРАВЛЯТЬ БИЗНЕСОМ – УПРАВЛЯТЬ ВРЕМЕНЕМ

Сборник статей магистрантов
Магистранттарының мақалаларының жинағы
Collection of articles by Master Program students

Выпуск 6

Алматы, 2016

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THE WTO VS. THE CUSTOMS UNION

Abstract

Kazakhstan has been trying to enter the World Trade Organization for the last 19 years, and on July 27, 2015 in Geneva, President Nursultan Nazarbayev and CEO of the WTO, Roberto Azevedo signed the protocol of accession into the WTO. Obviously, there is a lot of hard work to be done in the next several years, but how will this entry affect on the economical and social situation? Moreover, Kazakhstan has joined the Customs Union in 2010 in order to remove all customs borders between the member states but still there is a lot of undergoing processes that need to be fixed.

Keywords: The World Trade Organization, the Customs Union, economic integration, advantages and disadvantages of accession, crisis, the World Bank, uniform customs territory

We consider that the entry of Kazakhstan into the WTO was the absolute nonsense. In this scientific article we will give the facts, comments of persons and own arguments confirming it. What is the WTO? The WTO or the World Trade Organization is the international organization, which was created in 1995 for liberalization of international trade and coordinating of trade and political relationship of member countries. The WTO is an assignee of the General agreement on tariffs and trade (GATT) which was signed in 1947 and within nearly 50 years carried out functions of the international organization.

Purposes and principles of the WTO. The most important task of the WTO is to establish the uniform principles of international trade, and not the achievement of any purposes or results. According to the declaration, the activity of the WTO, as well as the activity of GATT before, is based on the following principles:

1) Equal rights of all participants. All participants of the WTO have to provide to all other participants the mode of the maximum assistance in trade. The mode of the maximum assistance in trade means that preferences which are provided to one of participants of the WTO automatically extend on all other participants of the organization [1];

2) Reciprocity. All concessions in ease of bilateral trade restrictions are obliged to be mutual.

3) Transparency. Participants of the WTO are obliged to fully publish own trade rules and to have bodies which are responsible for providing these data to other participants of the WTO.

Generally, what is the WTO is clear. The WTO is that organization which coordinates trade activity between member states, guarantees the equal rights of participants and transparency of commercial transactions. The basic in this definition is the phrase «equal rights». Speaking in other words, if we sell goods to one state at one price, we are obliged to sell to other countries the same goods at exactly the same price. Now we will try to consider pros and cons of the accession to this organization.

Advantages of accession into the WTO. According to an assessment of the World bank, the profit on the entry of Kazakhstan into the WTO for three years will make about 3,3% of GDP a year, and after ten years, owing to positive impact on investment climate of the country the profit can increase to 11% of GDP. Authorized economic operators have to gain from accession to WTO owing to use of the facilitated customs procedures. Specifically for Kazakhstan this benefit will make 18 billion dollars, and within all the WTO in general economic operators benefit every year 900 billion dollars. Kazakhstan will annually take these settlement benefits. In other words, these benefits will not be one-off, thus it will benefit all regions of the country [2].

Elimination of hindrances for the Kazakhstan export after accession into the WTO will lead to creation of 40 thousand new workplaces. In addition, obvious benefit for consumers from elimination of trade barriers after the entry of Kazakhstan into the WTO is a depreciation of cost of living to depreciation of both imported and domestic goods. As a result, not only imported goods and services will fall in price, but also domestic goods, and, first of all those at which production imported details are applied. However, reduction in cost of goods will be counterbalanced, most likely, by inflation. However, they probably will be less owing to accumulation of volumes of foreign trade, taxable base and a collecting of duties. In other words, after accession to the WTO we receive GDP growth for 3.3% a year, about 40 thousand new workplaces, decrease of duty on production goods. These are those not numerous advantages which will not overcome disadvantages at all.

Shortcomings of accession into the WTO. The entry of Kazakhstan into the WTO means irrevocable loss of financial and economic, political, scientific and technical, industrial, grocery and pharmacological independence:

1) Kazakhstan will lose control over natural resources, and also a number of strategically significant sectors of economy, including oil and gas sector, chemistry and petro chemistry, metallurgy, the knowledge-intensive productions and mechanical engineering;

2) The financial system of Kazakhstan and the banking sector will completely pass under control of the international banks and the world speculative capital, and the domestic economy will work in general for support of a dollar pyramid of debts;

3) Unregulated inflow of inexpensive low-skill labor will cause decline of local labor market, reduction of wages, impoverishment of millions of residents of Kazakhstan and jump of the hidden unemployment from 18% to 28-30%;

4) Decrease of the average import duty from 11,6% to 5,3% by 2018 will completely ruin such branches as machine-tool construction, instrument making, investment and heavy mechanical engineering, will destroy agrarian sector, therefore Kazakhstan will turn into a sales market of goods of the world monopolies and raw «appendage» of the West;

5) The share of import goods in the food, pharmacology, electronics and household appliances will increase from 55-75% existing today to 85-95% that designates colonization of Kazakhstan and conducts to loss of thousands of workplaces and decline of economy in general;

6) Refusal of patronizing policy and the address help will result in bankruptcy of the knowledge-intensive productions and, first of all, aviation branch that will destroy hopes for an upgrade, it will break production and technological communications and liquidate scientific and technical potential;

7) Adjustment of internal gas prices and energy carriers to Central European level will cause triple increase of utility tariffs, the prices of transport and power-intensive goods within six years and will increase the level of social inflation from 15% to 22-25%;

8) Owing to decline of manufacturing industry and agrarian sector, the level of material differentiation of the population will rise with existing today 16,7 till 24-27 times, and the number working with the income less living wage will increase from 11% to 16-20%;

9) Kazakhstan was compelled to refuse the smallest support of economy in anticipation of a new phase of the world crisis while the USA and the EU strengthen protectionism and the growth of competition for sales markets and also natural and financial resources;

10) According to the report of the World Bank, Kazakhstan will be able to benefit from accession to the WTO, at best, due to the chemical industry, metallurgy, a telecom and production of mineral fertilizers while mechanical engineering, manufacturing industry, aerospace branch and agrarian sector will feel powerful competitive pressure and will have to reduce production;

11) Basically, norms of the WTO do not regulate the trade of commodities and raw materials (including oil, gas, metals) whose share in merchandise exports in Kazakhstan is about 92%. Even the Managing Director of the International Monetary Fund Christine Lagarde has dropped a strong hint of a doubt about the feasibility of Kazakhstan's entry into the WTO;

12) The GATS appendix assumes full privatization of the budgetary sphere that will lead to increase in prices for medical services and education, destruction of institute of social support that will make them inaccessible to 60% of the population with the income less than 75 000 tenge;

13) Kazakhstan is about to lose opportunity to control a stream of the GMO production which can do irreplaceable harm to health of citizens and force out domestic landowners from the counters.

The extent of the caused damage:

1) According to data of the World Bank, the benefit of foreign players will be 10 times higher than domestic ones. Experts of the World Bank declare that «direct foreign capital investments, most likely, will cause falling of production in the companies which are in property of citizens of Kazakhstan»;

2) Calculations of Institute of economic forecasting of the Russian Academy of Sciences prove that from accession to the WTO Kazakhstan will lose 1% of GDP;

3) According to calculations of certain analysts, hasty accession into the WTO will cause increase in number of the unemployed to 3 million.

Results of accession into the WTO of other states. In the countries which were included into the WTO poverty growth is noted. Despite promises, which were made to developing countries before their accession into the WTO, their share in world trade not only did not increase, but in certain cases, also, decreased.

The outstanding western economist Friedrich List output the following law: «Global and general introduction of the principle of free trade, limit reduction of duties and assistance of the maximum market liberalization actually strengthens that society which with success goes for a long time on a market way, however, along with it exhausts, economically and politically destabilizes society which had other economic history and enters the market relations with the other more developed states while its own domestic market stays at the initial stage of the development».

In every country after accession into the WTO there was no prompt growth of economy, technological break or increase of rates of desired modernization [3].

Here we considered shortcomings of accession into the WTO. As it was earlier told, there are much more disadvantages, than advantages, and they cannot even be compared. Therefore, the entry of Kazakhstan into the WTO will have more negative consequences.

The Customs Union (CU) represents the contract of two or more countries (a type of the interstate contract) on cancellation of the customs duties at implementation of trade activity between them. The Customs Union is a type of collective protectionism from the third countries. In addition, the Customs Union assumes creation of «the uniform customs territory».

As a rule, member states of the Customs Union conclude the agreement on formation of interstate bodies which regulate carrying out mutually agreed foreign trade political activity. Usually, it includes carrying out periodic meetings of ministers which perform management of the relevant departments leaning on the activity of continuously working interstate Secretariat. Actually, the form of interstate association is meant, which assumes formation of supranational bodies. In this terms, the Customs Union represents considerably more advanced integration form, than, for example, free trade zone.

Advantages and shortcomings of the Customs Union. The states entering the Customs Union are – Russia, Kazakhstan and Belarus – from 01.01. 2015 ascended to a new step of integration: they form the uniform customs territory. The Customs code of the Customs Union enters into force. The first phase of creation of the Customs Union which began on 01.01.2010 is ended.

The Customs union was conceived by three member states of EurAsEC, as association in which all customs duties concerning each other will be cancelled. Between member countries of the Union all internal borders that will facilitate business work, and also movement of goods and the capital will be cancelled. Formation of the Customs Union will give the chance to Russia, Kazakhstan and Belarus by 2016 to come for increase of GDP in 15%. The enormous market is forming, the total amount of which reserves of oil will make 90 billion barrels. GDP total volume – \$2 trillion, the general commodity turnover – \$900 billion, the volume of agricultural production – \$112 billion.

Thanks to the Customs Union, member countries face additional huge prospects. It stimulates formation of joint production cooperation. Russia, Kazakhstan and Belarus will have an opportunity to freely conduct trade activity, as a result, new workplaces will be organized, and the competition in the markets of these countries will increase. An opportunity to use transit potential more productive will appear. The enterprises will receive more favorable conditions for an entry into the world market.

Today all this is in plans, and each step to this prospect is given with great difficulty. Besides, today it is still rather difficult to tell precisely in what conditions member states can come to be, what advantages and disadvantages they will receive, what changes will happen in each country and what will remain invariable.

Since 01.01.2010 the common customs tariff regulates supranational body – the Commission of the Customs union. She is authorized to resolve all issues in the sphere of customs and tariff policy, in particular to approve rates of duties. For decision-making it is required to receive two thirds of votes. Russia has about 60% of voices, Kazakhstan and Belarus – about 20% of voices (in proportion to completing of the budget of the Customs Union).

The most notable event for Kazakhstan at this stage of creation of the Customs Union was January's establishment of overestimated (up to Russian level) rates of the customs duties on import of cars by legal entities. Perhaps, it is the only commodity group concerning which it is possible to tell that change of customs tariffs considerably touched interests of the population. The Deputy Prime Minister of Belarus Andrey Kobyakov considers that: «For us this decision bears a set of the negative moments, however along with it brings indisputable economic benefits of both current, and perspective character».

Kazakhstan agreed to it only because Russia supported its initiative on increasing of rates of the customs duties on truck tractors, combines and trucks, and also electric motors and the machine equipment. This fact has a huge value for protection of mechanical engineering of Belarus where all types of goods the listed above are issued. New rules of import of cars for people in the Customs Union have not been established today yet. They will be regulated by the special intergovernmental contract coordination of which has not been ended yet.

Member countries of the Customs Union made one more important decision. On March 25 the Commission of the Customs Union defined the mechanism of receipt and the section in budgets of three countries of the import customs duties (and also other duties, taxes and fees which have equivalent action). As a result of the sum of the import customs duties for each member country share thus: the Republic of Kazakhstan – 7,33%, the Republic of Belarus – 4,7%, the Russian Federation – 87,97%.

Throughout all this time Kazakhstan was conducting negotiations with Russia concerning settlement on collection of the customs duties on oil and products of its processing. It was supposed that till 01.07.2010 this issue would be resolved. And, nevertheless, it didn't happen. Belarus achieved only 6,3 million tons of duty-free Russian oil. The remained part from the total annual volume of deliveries making 21,5 million tons is assessed with the customs duty. In any case, Belarus agreed to this step and

on 27.01.2010 signed the protocol with the Russian Federation to the contract of 2007 which regulated terms of delivery of the Russian oil and distribution between two states of export duties on oil and products of its processing [4].

Today Kazakhstan and Russia have not found a common ground concerning a question of the export customs duties on oil and products of its processing. At the meeting of prime ministers of member countries of the Customs Union which took place in St. Petersburg on May 21 the parties actually did not manage to reach consensus at the solution of these especially delicate questions. Thus, Kazakhstan, whose representatives were not present at the second meeting of prime ministers, which took place on May 28, confirmed the further aspiration to continuation of activities for creation of the Customs Union. Belarus does not cease to demand cancellation of the customs duties on oil and its products in limits of the Customs Union of the three states and counts on adoption of the mutually advantageous decision, because such conditions for Kazakhstan are deprived for all meanings.

According to an assessment of Sergey Kostyuk, who is the analyst of information and analytical centre of Forex Club, oil question is the main hindrance in an embodiment in life of the Customs Union. As this association from the very beginning assumed equal conditions of implementation of trade activity for all its participants, the decision on introduction of the export customs duty on oil and oil products is quite contradictory, he considers.

Customs authorities of Kazakhstan are already ready to this date. They are ready to carry out the functions charged to them according to conditions on introduction in validity of the Customs code of the Customs union.

This document, which was signed by presidents of three member states in Minsk 27.11 in 2009, was created with all standards of the Kyoto convention on harmonization and simplification of customs procedures. Members of this convention are almost all leading countries of the world, in particular, and the states which are a part of the European Union.

In general, the basic principles stated in the code and the order of customs regulation, according to the contents, differ a little from ones used in Kazakhstan. Insignificant innovations are counterbalanced by a transition period of their establishment. It will give the chance to subjects of managing to adapt to new conditions of customs regulation. At the same time development of standard and legal base in creation of the Customs code caused need for revision of separate standards of the domestic customs legislation, and also demanded organizational and the software of information exchange. Huge work on preparation of customs infrastructure on external limit of the Customs Union is done. Customs service's warrant that business, businessmen, and also subjects of managing won't feel the negative moments upon transition to the new legislation of the Customs union. As the vice-chairman of the State customs committee fairly noticed: «The subjects participating in external trade activity of Kazakhstan won't feel a negative in connection with transition to the Customs code of the Customs union. Moreover, they have to feel simplification of some administrative procedures which are connected with conducting foreign trade. Because the basic for them at the moment is that control on border is abolished». If control on border is abolished, businessmen won't waste time waiting for its performance. It will significantly cut their expenses. Therefore, it is meant that goods will move without barriers and without customs control.

It should be noted also one more advantage of the Customs union to Kazakhstan. Real work of the Customs union is expected, including the foreign capital investors wishing to come to Kazakhstan and to organize here the joint companies. For example, on assembly of cars. In this case they receive a wide sales market of the production, and standardization of the customs duties on cars will give the chance to make these goods competitive.

Therefore, the uniform customs territory of three countries starts working, though some questions still remain [5].

Today experts continue to carry out the analysis of advantages and shortcomings of the Customs Union for each member country. Today most of the experts consider that the dominant position in structure of the union after all is taken by the Russian Federation. Against such ally, both Kazakhstan and Belarus have involuntarily to stand aside. For example, Kazakhstani analysts believe that now it will be quite difficult for Kazakhstan to protect its economic interests. There will be also problems which arise as a consequence of redistribution of the relations of property and the power more sharply.

Therefore, not everything is so simple in this union. However, that is a huge step on the way to progress and Kazakhstan has to go on this way.

Today the entry of Kazakhstan into the WTO can be regarded as consent of the country to suicide.

At the moment, protection and the help in restoration of domestic market is necessary for Kazakhstan.

We believe that the entry of Kazakhstan into the WTO on its tragic consequences can be compared to collapse of the USSR in 1991 and, most likely, it will eclipse that negative result which «reforms» of 1991-1998 had.

The WTO membership, undoubtedly, will cause decline of the whole industries, agriculture, the unemployment growth, decrease in a standard of living of the population, as well as the birth rate.

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