

Important Note: All of the following questions must be answered in English. Answers otherwise will not be graded.

(所有題目請以英文作答，中文作答不予計分) ※ 注意：請於試卷內之「非選擇題作答區」標明題號依序作答。

Question 1:

Country A, Country J, and Country T are Members of the World Trade Organization (WTO). Country T is a developing economy with an advanced bicycle-manufacturing industry, while Country J is a developed country specializing in next-generation electric bicycles. Country A was formerly a major bicycle producer, but its domestic industry declined as production moved overseas due to rising labor costs. In Country A, both traditional and electric bicycles are widely used as modes of transportation for commuting.

In 2024, Mr. Pmurt was elected President of Country A and pledged to revive the domestic bicycle industry. Country A subsequently adopted policy incentives to attract foreign bicycle manufacturers and enacted the “Clean, Fair and Beautiful Bikes Act” (the “Act”). The Act requires that all bicycles, including traditional and electric bicycles, sold in Country A, regardless of origin, must not involve forced labor or environmentally harmful materials. For domestically produced bicycles, manufacturers must obtain certification from Country A’s Ministry of Labor demonstrating compliance with the Act. For imported bicycles, the Customs Act directs Country A’s customs authorities to conduct three-week investigations of bicycles originating from countries considered to present high risks of labor or environmental violations. Bicycles found to violate the Act are returned to their countries of origin at the exporters’ expense.

After the Act entered into force, bicycles imported from Country T were frequently investigated based on media reports alleging child labor, excessive overtime, and the use of environmentally harmful paints. In contrast, electric bicycles imported from Country J were rarely inspected and generally cleared customs without difficulty. Country T complained that the relevant laws and measures adopted by Country A adversely affected the sale and competitiveness of Country T’s bicycles in Country A’s market. Following unsuccessful consultations, on January 15, 2025, Country T requested the establishment of a panel before the WTO Dispute Settlement Body.

Please analyze whether Country A has violated any obligations under WTO law. If so, discuss whether and how Country A could justify its measures under WTO law. (50%)

Question 2:

Geopolitical confrontation has politicized international trade, leading to the weaponization of trade for political purposes in recent years. For instance, in September 2025, Taiwan announced it would restrict semiconductor exports to South Africa, which was widely considered a response to South Africa’s downgrade of its diplomatic relations with Taiwan, particularly the relocation of the Taipei Liaison Office, Taiwan’s *de facto* embassy in South Africa, from Pretoria, the administrative capital, to Johannesburg. For another instance, in November 2025, China suspended imports of Japanese seafood, widely seen as a response to Japanese Prime Minister Takashi’s comments about Taiwan. These cases are just two of numerous trade weaponization cases in recent years, in which a country adopts trade-restrictive measures against a specific country for non-trade, yet political or diplomatic purposes.

Please answer the following questions, with reasons and explanations:

- (1) Please analyze the potential arguments for these adopting countries to defend the GATT-consistency of their trade weaponization measures, including elements related to GATT Art. I:1, XX, and XXI. Please also analyze the expected limits of these arguments. (25%)
- (2) Based on your answers in (1), please analyze the potential arguments that Taiwan may adopt to defend the GATT-consistency of its semiconductor export restrictions and distinguish Taiwan’s case from China’s case. (25%)

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