

The records concerning GATT/WTO in the Historical Archives of European Union (HAEU)

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Abstract

The paper illustrates the archival resources for GATT history which are available in the HAEU. The retrievable files concern the development of the position of the European Communities that played a key role in the negotiations from its admission in 1958. Moreover, the paper indicates a way for the historical reconstruction of the Tokyo Round (1973-1979) and the Uruguay Round (1986-1995). The records available in the HAEU provide information on the Community stance whilst taking into account its position as one of the leading actors in the GATT and later in the WTO. Besides the obvious references retrievable both in the digitised collection of GATT/WTO papers and in the national archives, patient analysis of files stored in the HAEU in the Commission series and private archives such as Max Kohnstamm, Klaus Meyer and Helmut von Verschuer and other useful records, can lead the researcher to track down the genesis of not only the European actions in the agricultural and commercial issues, but to get a fundamental insight on this worldwide economic mechanism.

The resources for GATT history

The present World Trade Organization (WTO) was founded in 1995 and its headquarters established in Geneva, Switzerland. It inherited and institutionalized the tasks of the former General Agreement on Tariffs and Trade (GATT) which was a non-permanent intergovernmental body which after World War II dealt with worldwide economics in the framework of reconstruction and development.

Meetings and talks were held in various locations and also during bilateral or multilateral meetings between single components and single members of the GATT. Since the very beginning, Switzerland offered to the countries involved the services and offices of its federal administrations. This far-sighting asset ensured the possibility of conserving the history of this organisation.

If we turn back the clock, we are reminded that the initial rounds like Annecy (1949) and Torquay (1951), were relatively succinct whilst afterwards the negotiations could last a long time and cover many sessions just like for Geneva (1955-1959). Later on, the rounds took their names from US politicians who headed the negotiations, as is the case of US Treasury Secretary of State Dillon (1960-1962) and US Presidents like Kennedy (1963-1967), and Nixon (1973-1979). This cycle of negotiations were renamed the Tokyo Round when Nixon was dismissed. The last round prior to the WTO foundation in 1995 was the Uruguay Round (1986-1994). Then, the era of WTO began (GATT Years, 2015).

As previously mentioned, from the archival point of view the Geneva permanent location guaranteed the continuity of recording and provided a reference basis for the ordinary collection of official papers and their organization.

In the summer of 1999, Stanford University financed a project of digitisation of the official series of GATT papers. The project later included bibliographical records, thereby increasing the value of the authentic digital library in the field. This electronic patrimony allows researchers to investigate the WTO archives which are not open to the public.

Currently, about 60,000 digitised frames cover generically the history of GATT and the initial era of the WTO from 1948 up to 1999, but largely in an incomplete manner for pre-1960 issues; to be more specific, the 38 indexed series relating to specialized and sectorial Committees, the main Council and to general series. But access to important series of files relating to the United Nations Council permits a good analysis of the period from 1940-1959 and quite good for the remaining years up to 1999 (GATT Digital Library, 2015).

Unavoidably, the files of national archives of negotiating countries, especially United States, and Great Britain supplied relevant support to the history. Since the very beginning, GATT itself produced a lot of printed material. The decisions and basic texts of the rounds, the rules introduced by the GATT meetings became rapidly printed material. The historians and reporters of the GATT concentrate primarily on these documentary collections (Flory 1968, p. 291-296). Frequently, books about GATT were outlined by administrative protagonists, technical negotiators and even trade advisors. They often avoided specific references (Golt 2003, pp. IX-X).

The possibility to access the Stanford files changed the perspective of historiography, allowing fresher investigation on the crucial decisions and deliberating steps which led to the agreements. Beside proper archival files diffused on the web a search often necessitated inevitably the institutional files of the GATT's key actors. Moreover, the availability of a lot of very recent files put the GATT at the forefront of making its records available for research. The archival rule of 30 years seems largely surpassed. But, apart from this collection of official issues that remains at the basis, the study of the behind the scene political negotiations remains a subject largely unexplored not only because of the lack of support from national archives but also due to the lack of key organisations, such as the European Union. Nonetheless, the GATT archives supported a scholar study about GATT origins (Irvin, Mavroidis, Sykes 2010, p. 77).

However, research progressed further, Lucia Coppolaro's published a book in 2013 on the negotiations of the Kennedy Round which saw the emergence of the European Economic Community (EEC) as a driving force and which contrasted with the US, which had previously played the leading role in the GATT, changed again the historiographical trend (Coppolaro 2013 a, p. 3). The punctual and proficient exploitation of numerous HAEU institutional fonds like that of the decision-making, Council of Ministers and that of the Commission as a source of proposals i.e. the Commission transformed-Coppolaro's book into a historiographical "must", being the first scientific research benefiting of such archival resources.

To have used such material led Coppolaro's analysis to a complete view of the phases of the negotiations which brought the EEC to its first Unitarian political act (Coppolaro 2013 a, p. 205) . To have connected such material with "usual" information obtained by the study of National Administrative Records Administration (NARA) files, French Ministries' papers and Public Record Office (PRO) material helped to evaluate the information with more consideration and greater elaboration of the various positions. Before Coppolaro, other researchers studying the same topics, used mainly GATT records, but did not just limit themselves to those, but enlarged the analysis to NARA, PRO and national archives files, for instance of The Netherlands (Alkema 1996, p. 305) or, later, introduced first references to the Council of Ministers and Commission fonds (Ludlow 2007, pp. 355 and 363).

The retrieval of GATT references on HAEU web

But, on broader sense, what are the sources available at the HAEU? This archive allows the researchers a deeper analysis on the political and commercial role of an important subject: the

European Communities (which entered into the GATT in 1958) obviously nowadays it's the European Union which represents its members within the WTO.

Descriptions and inventories of the HAEU fonds are visible in the HAEU database hosted on the site of the European University Institute (EUI) of Florence, Italy in (<http://www.eui.eu>). Once on this page the users select the HAEU sub-page in the banner.

In general, a search of the HAEU database can be launched through a single archival holding or by browsing through keywords which are present in the descriptive fields of all presently searchable 125 fonds recorded in HAEU website. The first step consists in selecting search mode, then to query. First answers could be refined through the number of files occurring in each fonds and further through suggested periods. Another specific fact to be considered is that queried keywords appear in the description of a fonds/series or simply in a file.

A first initial query of the HAEU database reveals 2721 responses to the keyword GATT. The results refer to a query addressed to the entire database which contains basically descriptions of files made in French and English, and to a lesser level in Italian, German and Dutch. The inputs regarding institutions and most private deposits have been made in French, instead the descriptions of contents for European and/or international bodies have been drawn up in English, such as the European Space Agency (ESA), the Organisation for European Economic Cooperation (OEEC) and Assembly of Western European Union (WEU).

Since a French acronym AGTT was never used, the word "GATT" is available in fonds described in both French and English. Once you have queried the database for information, most of the responses are retrieved from institutional archival holdings: Commission (two fonds, one labelled CEAB and the other one BAC), Council of Ministers (two fonds, the CM/1 refers to the European Coal and Steel Community and the CM/2 to the other two Communities set up in 1958, namely EEC and Euratom ; CM/3 is a special collection concerning the negotiations of the Treaties of Rome 1957) and the European Parliament (the fonds PEO relates to years before 1979 first direct elections, PE1 refers to the legislative period 1979-1984). However, this initial selection has to be evaluated critically in order to get access to relevant files and not to rather unfruitful even ephemeral papers.

The difficulties in archival sources for European institutions reflect the uneasy history of the European communities. At the time when it was created, the European community did not know exactly whether its future would have been permanent. When in 1979-1980, the Commission began to think about its own archives, few resources were devoted to them and then the work was not scientific in terms of what we mean in archival science. The appraisal of the documents lacked the necessary selection of irrelevant files and duplicates. The series were only initially arranged according only to the principle of provenance. Due to the increase of files produced in 1980s and 1990s, the archival services of institutions encountered a difficult management of the process. The series had the code which reflected the system of arrangement sent from the intermediate archives for final treatment and were sent as such to the Historical Archives firstly to Brussels and then to Florence, but from the archival point of view, they were more groups of intermediate-phase files rather than authentic historical-based series collections.

Similar difficulties involved the papers of the Council of Ministers and the European Parliament. Unfortunately until now, the three main institutions had continued to follow their own autonomous record management systems. The appointing of the HAEU as the central European Union archives in Florence has only improved very slightly the situation.

Once the background to the situation has been clarified, it appears easy to understand that the 723 files related to post-1958 Commission regarding GATT do not share equal importance. The way for achieving better answers from more informative files is to use the button selecting the screen of reference related to the series and not files. Since there are no series specifically entitled “Relations with the GATT” in BAC, it might be possible to find some information on GATT in series concerning “relations with international organisations” or similar.

In any case, the quality of files and related good information is highly variable. The Commission archival holdings offer something-similar to a systematic spectrum of papers, when for systematic files is intended the composition of a quasi-global founded knowledge of the political actions pursued by the European communities, for the period from 1952 up to 1967. This general perspective is the fruit of a patient and diligent search on the ins and outs of the fonds. The approach to select the responses refined for series rather than those relating to files better reveals also in the case of records from the European Parliament and the Council of Ministers.

However, while the files retrievable in the Parliament’s inventory offers basic notification of facts known also in secondary sources, and the search has to be completed in public parliamentary debates, the general response concerning the files of Council of Ministers relates effectively to the competent series of international relations and, inside these, relations with GATT as sub-series. There are minutes of preparatory meetings, copies of official GATT papers, notes about harmonisation between GATT agreements and articles of Community Treaties. We can consider these as systematic series, and in fact for every year from 1958 up to 1974 (up to 1970 through a proper classification scheme, for 1971-1974 the series has to be reconstructed analysing the provisional inventories made by CM archives) the researcher can encounter the same typology of documents and similar kind of relevant information. In fact, files of the Council of Ministers supported the drafting of relevant scholar articles (Ludlow 2007, pp. 353-362 / Coppolaro 2006 b, pp. 355-356).

But, the number of interesting papers increases with private archival holdings. The answers to keyword queries are largely fewer but the quality of well-worked files – from the archival point of view – is conversely much better. Here the search is good with file refining. There doesn’t exist for the private fonds the institutional delay of 30 years for access to the files, instead access can be determined between the depositor and the Archives. Some of the relevant files were digitised, so often the files regarding GATT belonging to the fonds of Emile Noel (code EN), Secretary General of Commission from 1958 to 1985, Edoardo Martino (code EM), first person responsible for the Commission’s external relations department from 1967 to 1970, Klaus Meyer (code KM), Deputy Ambassador for Germany and then Deputy Director in the Commission services, are available online. Together with Max Kohnstamm papers (code MK) and two collections referring to the father of Europe, Jean Monnet (codes JMDS and JMAS), all these fonds were extensively used (Coppolaro 2013 a, p. 12).

The above personalities were key protagonists of European Communities policies and GATT was a sensitive matter in their political and diplomatic activities, consequently these deposits allow the students to have information about the Communities’ policy on GATT in 1960s and 1970s. A similar search could be carried out querying the database responses about the various phases which have characterized GATT activities : to ask for Annecy, Torquay and Geneva Rounds, or more significantly for Dillon or Kennedy or Nixon/Tokyo or even for Uruguay Round lead to get, more or less, the same references as those retrieved when inserting “GATT” into the database. The most covered period is from 1958 to 1967, but noteworthy results could be collected for the period 1968 to 1981.

Oral history in HAEU for GATT

The HAEU policy initiated by former Director Klaus Jaitner, developed and potentiated by his successor Jean Marie Palayret and currently pursued by present Director Dieter Schlenker had as its core objective to collect in one point (the HAEU) fonds which inter-related and inter-crossed. This fundamental option guided all the acquisitions made by HAEU for private, corporate bodies and institutional fonds.

At international level, commercial relations of European Communities crossed paths with other organisations, just as for instance the UN body for commerce and development (UNCTAD). The HAEU fonds are strictly inter-connected which allows the researcher to obtain useful insights also into European relations with that body. The search has to be carried out in a double way, asking both key words “UNCTAD”, but its French correspondent “CNUCED”.

It must be mentioned that through HAEU resources, the researcher could access files of two useful collections held in Florence, namely the National Archives and Records Administration (NARA) and Secretariat General du Comité interministériel pour les questions des coopérations économiques (SGICEEE), inserting as usual relevant keywords. Moreover, it might be useful also to look at the digital files on commercial matters of the OEEC fonds (1948-1961).

But, probably a more important support for a search might be extracted by in the Oral History collection retrievable through the website of HAEU. This patrimony of interviews with leading protagonists of European integration on various levels (politicians, experts, journalists, trade unionists, public managers) helps also the historian of GATT, because a lot of interviewed people were connected with GATT. It is possible to also choose only an oral history search. In fact, the related refining gives 56 responses. To be mentioned, among others, the interview with Raymond Vernon which gives insights on the earlier period (late 1940s), the testimony of Commissioner Ralf Dahrendorf for 1970-1974 period and those released by Peter Sutherland, who was both Commissioner (1985-1989) and later Chairman of GATT from 1993 to 1995, just before the WTO creation. At the moment, the private archives of Sutherland are unavailable in public archives and the HAEU. However, since HAEU has obtained his Commissionership papers the way for getting the remaining archival patrimony is still open.

To sum up, through HAEU archival collections, the researcher can exploit various theoretical search projects which might investigate for instance national (member countries) and European relations with GATT or roles played in the Rounds, press reactions to the GATT steps and phases that by using the huge collection of press cuttings prepared by the EP evaluating service and other approaches.

Stimulating the research on the Tokyo Round

This paper proposes a way of carrying out a search in simulating a possible historical approach. Let us start with Tokyo Round negotiations. Just from the first selection of Commission (BAC) files, the user notices the presence of a homogeneous group of documents referring to the Kitahara Group. The analysis of one file taken at random from this group gives knowledge of the fact that prior to the initiation of the official negotiations for the Nixon Round, the GATT sent to the offices of EEC a questionnaire so as to be informed on the legal, political and economic changes produced by the entering of Great Britain, Denmark, Ireland and Norway (the referendum which sanctioned Norway's refusal had not been held at this stage) in the EEC and whether and in what terms the status of EEC had been altered. The questionnaire was sent after the session of the so called Kitahara Working Group that a body built up by GATT for this exploratory purpose. In asking the database the keyword “Kitahara” it is possible to isolate a group of files and precisely in the BAC 17/1993, from code

number 13 to 19. In particular the number 15 contains the copy of the minutes of Kitahara group's first meeting. The GATT file is coded L/3688. Unfortunately, there are not all the final replies given by the EEC to the GATT. Furthermore, the BAC 48/1984 number 393 contains the EEC answers to GATT in occasion of an earlier questionnaire from 1971.

In searching the database using the keyword "Nixon Round" and "Tokyo Round" it is possible select a possible homogeneous "series" containing files whose titles indicate a sequel of volumes with same descriptive title, namely *Negotiations tarifaires multilaterals dans le cadre du GATT*. The first six volumes belong to BAC 28/1980 in the files 633, 634, 635, 642, 643, 644. Successive volumes belong to BAC 48/1984, from 230 to 239. Albeit present in two different BACs, the files follow effectively a chronological order. The six files of BAC 28/1980 contain the first elaborations of EEC position in 1973-1974 with particular reference to the impact of GATT rules in the decolonized countries of Commonwealth. Furthermore, the private fonds Edoardo Martino (EM) contains useful information on relationships between these countries and EEC. In the group of files referring to BAC 48/1984 there are a lot of GATT official papers of Multilateral Trade Negotiations (MTN), which are at the moment are unavailable through Stanford's website. The file 233 contains outspoken observations about possible US reactions to EEC issues. As in file 236 there are letters sent to the Commission by European companies which were in commercial relationships with Northern American corporate bodies. They expressed concern about possible variations. The fundamental file 237 contains document coded COM(79)514 the final report elaborated by the Commission to the Council. The files 238 and 239 stress the importance of bilateral US/European relationship. The file 239 along with 240, which do not belong to the same series as that mentioned beforehand, analyse the follow-up to the Tokyo Round agreement.

This is good material for digging up history. Probably, a scholar article fit with the sources. Another good series could be represented by: *Accord general sur les tarifs douaniers et le commerce (GATT)* and belong to BAC 48/1984 with 10 files. Those from 219 up to 223 treat questions connected with access to GATT of various countries. Those from 249 up to 251 deal with same matters, but interestingly file 249 focuses in depth on the bilateral US/European relationship. The 240 and 241 refers to the so called Committee 113, namely the body which emanated from Article 113 of Treaties of Rome. One should take into consideration that along with article 111, article 113 gave more flexibility and space of manoeuvre to the Commission (Communautés européennes 1962, p. 93).

A proposal for approaching Uruguay Round

In the focus of the Uruguay Round, as usually, bibliographical tools have been published ~~just~~ mainly in parallel with negotiations and exploiting GATT records often by accessing ~~to~~ personal papers and testimonies (Stewart 1993, pp. VII-VIII) albeit unreferenced.

The suggestion for research regarding the exploitation of HAEU resources for Uruguay Round is basically of another kind. The archival rule of 30 years which applies to institutional holdings is crucial. Responding to general query "GATT", only four BAC files relate to 1980s. The search and a rough guide to it have to be done in another way. In fact, the approach is studied by means of the private fonds of Heinrich von Verschuer (code HVV), one of the first members of Germany's representation in the negotiations of 1954-1956 and then, once he entered the Community services, he was part of the delegation of the European Commission who prepared the salient points defended by European member countries and took part in the Uruguay Round negotiations in the fundamental meeting held in Punta del Este (Argentina) in 1986.

His files from 45 to 49 trace the background of negotiations with particular attention to the sugar market. The files from 50 to 53 are dense, presenting the proposals for amendments by European

Communities, the consultations among community services. The file 59 presents the successful modifications proposed by EEC in answering to initial US stance. The fundamental file 61 illustrates the Council's position. Files 64 and 65 give details of the trouble which the EEC had to overcome for in replying to Swiss and Columbian objections.

To sum up, files from 45 to 65 are mandatory reading for a first approach to the Uruguay Round analysis from the EEC perspective. Verschuer followed the questions also after the expiration of his duties. The file 66 proposes perspective on Doha Round, the 68 and 69 the follow-up of Uruguay Round and the Mid-Term Review. Furthermore, Verschuer released two interviews whose transcriptions are available in the Oral History collection retrievable through the website of the HAEU.

Finally, some files of the previously mentioned Klaus Mayer's fonds (code KM) offer useful information. But, to conclude, the role of Verschuer in providing worthwhile information should not be overlooked.

Conclusions

The HAEU offers very few files regarding the post-1995 WTO era apart from those connected with the fonds of Ligue Européenne de Coopération Economique (LECE) and the private fonds of Angel Viñas, with some vague references. Like with the GATT, there are also interviews dealing with WTO matters.

Needless to say, the historian could query the database using keywords like "commerce", "trade" but also "agriculture", "industrie/industry" and other similar terms moving the research towards a complete background in which the European Communities dealt with GATT matters. Recent bibliographical studies (Haydemann 2014, p. 295) demonstrate that the debate is still on-going in judging the WTO's achievements in the new millennium, as the 30 year rule for access applies so the researcher must depend on official communications and printed material. However, historians must bear in mind the difference, by discussing how these results had often appeared. The second deeper approach is possible only by carrying out research in the archives like the HAEU.

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