

# rule maker とrule takerの差

—「WTOは死んだ」という議論の  
どこが間違いか—

2025年12月  
矢野博巳

# 「今」とはどういう時代か？…国際ルールの大転換期

- ▶ 国際交渉がうまくいかない理由。
- ▶ トランプ政権のやっていることの多くは一過性ではない。
- ▶ 米国が言つてないこと。
- ▶ 「国際ルール」は神のルールではない。歴史上何度も書き直されている。

例1: GATT2条(関税譲許)の起源は？

例2: AB危機の背景

See, for example, Opinion: Trump's Trade Representative: *Why We Remade the Global Order*, New York Times (US) Aug. 7, 2025  
By Jamieson Greer (Cf. "the Turnberry system")

# 「経済安全保障」という概念

- ▶ 経済施策を一体的に講ずることによる安全保障の確保の推進に関する法律(経済安全保障推進法)は、  
Act on the Promotion of Ensuring **National Security** through Integrated Implementation of Economic Measures  
と訳されている
- ▶ “Economic national security”という英語は、日本国外ではあまり使わない (See, for example, National Security Strategy of the United States of America , November 2025)

# National security の意味・外延

AIによる回答(2025年11月29日 Google)

“**National security** refers to the measures a country employs to **protect its citizens, economy, and institutions from both internal and external threats**. While traditionally centered on military defense, the concept now includes non-military aspects.”

# Executive Order 14257 of April 2, 2025 (re. reciprocal duties)

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the **International Emergency Economic Powers Act ...**, the **National Emergencies Act ...** I, DONALD J. TRUMP, President of the United States of America, find ...

# Executive Order 14257 of April 2, 2025 (cont'd)

“... find that **underlying conditions**, including a lack of reciprocity in our bilateral trade relationships, disparate tariff rates and non-tariff barriers, and U.S. trading partners’ economic policies that suppress domestic wages and consumption, as indicated by large and persistent annual U.S. goods trade deficits, constitute an unusual and extraordinary threat to the **national security** and economy of the United States.”

# International Emergency Economic Powers Act (excerpt)

## TITLE II—INTERNATIONAL EMERGENCY ECONOMIC POWERS

SEC. 202.4 (a) Any authority granted to the President by section 203 may be exercised to deal with any **unusual and extraordinary threat**, which has its source in whole or substantial part outside the United States, **to the national security, foreign policy, or economy of the United States**, if the President declares a **national emergency** with respect to such threat.

(b) The authorities granted to the President by section 203 may only be exercised to deal with an unusual and extraordinary threat with respect to which a national emergency has been declared **for purposes of this title** and may not be exercised for any other purpose. Any exercise of such authorities to deal with any new threat shall be based on a new declaration of national emergency which must be with respect to such threat.

(<https://www.govinfo.gov/content/pkg/COMPS-1079/pdf/COMPS-1079.pdf>)

# National Security Strategy of the United States of America November 2025 (excerpt)

“America’s pioneering spirit is a key pillar of our continued economic dominance and military superiority; it must be preserved.”

“In the long term, maintaining American economic and technological preeminence is the surest way to deter and prevent a large-scale military conflict.”

“Economic Security – because economic security is fundamental to national security, we will work to further strengthen the American economy, with emphases on: [...]”

<https://www.whitehouse.gov/wp-content/uploads/2025/12/2025-National-Security-Strategy.pdf>

# G. Kennan's Strategy of Containment (1947)

- ▶ “The main element of any United States policy toward the Soviet Union must be that of a long-term, patient but firm and vigilant containment of Russian expansive tendencies.” To that end, he called for countering “Soviet pressure against the free institutions of the Western world” through the “adroit and vigilant application of counter-force at a series of constantly shifting geographical and political points, corresponding to the shifts and maneuvers of Soviet policy.”

## GATT Article XXI:b (Security Exceptions)

Nothing in this Agreement shall be construed:

to prevent any contracting party from taking any action which it considers necessary for the protection of its essential security interests

- ▶ (i) relating to fissionable materials (核分裂性物質) or the materials from which they are derived;
- ▶ (ii) relating to the traffic in arms, ammunition and implements of war and to such traffic in other goods and materials as is carried on directly or indirectly for the purpose of supplying a military establishment;
- ▶ (iii) taken in time of war or other emergency in international relations;

# U.S. Statement by Ambassador Dennis Shea at the WTO Heads of Delegation Meeting (excerpt)

12/14/2020

“I have been hearing recently that what ails the WTO is a “lack of trust” among its members. I respectfully disagree with this diagnosis.

[...]

As I see it, the core problem at the WTO is not a lack of trust but a **lack of like-mindedness**. We simply disagree on some fundamental issues. These divides make progress here at the WTO exceedingly difficult and threaten the institution itself.”

# What is a "market economy"?

Every Member has its unique economic system and no one should have a monopoly in determining what a market economy is and is not. China does not think any Member would allow others to dictate how Members should run their own economies or models not because it was good for it but because it was good for them. China's market economy system is evolving and improving constantly.

China welcomes comments, suggestions and even criticisms from the international community on how to deepen its reforms. China will adopt those suggestions that could contribute to its economic growth and would say "thank you but no thank you" to those that will undermine it. For what is within the jurisdiction of the WTO, China should adhere to those rules as it has done in the past.

For what is outside of the scope of the WTO, Members have full right to make their own decisions. As a large trading nation, China would responsibly consider the externalities of its economic policies.

(Statement by the Ambassador of China at the General Council meeting held on 9–10 December 2019, under agenda item "Challenges Posed to the WTO by Non-Market Policies and Practices". The tense of the verbs in the quote above have been changed into direct speech-mode for better readability.

See WT/GC/M/181 at paras.12.12 ff.)

# WTOにおける補助金の定義

## Article 1 Definition of a Subsidy

1.1 For the purpose of this Agreement, a subsidy shall be deemed to exist if: ... there is a financial contribution **by a government or any public body within the territory of a Member** (referred to in this Agreement as "government")...

# ルールを作る

「ルール」についての某スイス高級時計メーカーの興味深い標語

# 日本の進路は？

- ▶ "WTO is dead" という論と日本‥  
「WTO」の3つの側面を無意識に  
混同しないこと
- ▶ 日本はルール・メーカーなのか？ ルー  
ル・ティカーなのか？
- ▶ 「霸権国家」の意味。

For example: Opinion: *After the Trade War*, Foreign Affairs (US), August 11, 2025