



ULBS

Universitatea "Lucian Blaga" din Sibiu

Interdisciplinary Doctoral School
Doctoral field: Economics

DOCTORAL THESIS

**U.E. - CHINA TRADE RELATIONS:
THE ECONOMIC IMPACT OF THE ANTI-
DUMPING TAX ON THE IMPORT OF TABLE
CERAMIC PRODUCTS**

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I want to thank,

Phd Professor Ileana Tache for the support and guidance provided throughout this journey!

Mr. Teodor Florin Boldeanu for his constant support!

Teona and Corina, my family, without whose support I would not have gotten here!

The way ceramics were obtained ignited the imagination of people from ancient times:

earth, water, air and fire.

This gave ceramics that mystical air, the art of obtaining ceramics being assimilated to creation since ancient times:

Enkidu

is present in Akkadian and Babylonian mythology through the ancient Mesopotamian poem "The Epic of Gilgamesh" (translated by Șerbănescu & Alexandru, 2004), in which it was created from clay and the saliva of the goddess Aruru

Adam

comes from the Hebrew adamiah (clay or red earth) and it was created by the deity from a piece of clay (Genesis):

"And the Lord God took the dust of the earth, and made man, and breathed into his nostrils the breath of life; and man became a living creature."

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ABBREVIATIONS

EFTA = European Free Trade Association (Iceland, Liechtenstein, Norway and Switzerland)

GCC = Gulf Cooperation Council

EC = European Commission

China = People's Republic of China

EUROSTAT = The European Commission's body dealing with European Union statistics with the main responsibilities of providing statistical information as well as promoting the harmonization of statistical methods in the Member States and the candidates for accession, as well as in the EFTA countries.

GAAT = The General Agreement on Tariffs and Trade

SME = Small and medium enterprises

MES = Market Economy Status

OCI = International Trade Organization (ITO)

OLAF = European Fraud Prevention Agency

WTO = World Trade Organization (WTO)

OMV = World Customs Organization (former Customs Cooperation Council)

PNAO = National Action for Employment

SA = Harmonized Commodity Description and Coding System (HS)

USA = United States of America

TARIC = Integrated Tariff of the European Community

TAXUD = General Directorate of Taxation and Customs Union

EU = European Union

UEE = Eurasian Economic Union

UVAS = South African Customs Union



INTRODUCTION

Since 1978, when Deng Xiaoping took over, China has embarked on significant economic reforms. Compared to the previous period, especially after the 1990s, China has benefited from the trends of the global globalization economy (Brandt et al., 2014; Branstetter & Lardy, 2008). These have led to the transformation of the economy from a centrally planned to a mixed one, a candidate for market economy status. Currently, the European Union, the United States and the People's Republic of China share the top three places in the world economy (Directorate General for Trade, 2015).

At the same time, due to the successive waves of enlargement, the EU has been the world's largest exporter for a long time. According to EUROSTAT, 2014 was the first year in which China's exports exceeded EU exports (Directorate-General for Communication, 2016), ranking third in this respect by the USA. This struggle for global supremacy can have implications in various aspects: jobs, the well-being of the population, a higher standard of living. However, export growth is not always based on fair competition, sometimes market rules being breached. Such actions are against the principles of the free market.

When a country's economy is commercially flooded with products by another country, it can lead to unfair competition and cause major injury to producers in the importing country. In order to prevent losses caused by dumping, the importing country may impose certain measures, such as anti-dumping duties. In recent years, these anti-dumping actions have become the most commonly used trade barrier. Anti-dumping duties are of a protectionist nature and may have a major impact on the quantity imported and the import price. They are imposed on the basis of the damage reported by domestic firms, being a measure used to control competition in domestic markets. This can lead to losses for both exporting and importing countries, but also to a negative influence on consumers due to less competitive markets and higher prices (Bown & McCulloch, 2015).

Motivation for choosing the research topic

The motivation for choosing this topic is given by the direct personal involvement in this industry and its importance at European and global level. The production of household ceramics is the oldest occupation, ceramic relics being discovered from about 25-27,000 years old (Vandiver et al., 1989). For example, China was the first to manufacture porcelain products during the Tang Dynasty, 618-907, with the specificity of a very high firing temperature which, due to its feldspar composition, gave the products a degree of translucency. European potters began to produce it only after many hundreds of years, but the composition was different and the burning temperature was lower, which led to opaque products.

At the same time, a few decades ago, the production of household ceramics was going through a flourishing period not only at national level but also at European level, even being an energy-consuming industry. However, given that, to date (2021) the People's Republic of China has not yet been granted market economy status, dumping and anti-dumping are key issues in European economic policy and largely define the economic relations between the People's Republic of China and the European Union and affecting the production of ceramics.

Gas price liberalization policies as well as environmental protection measures have placed this industry at a disadvantage vis-à-vis global competitors, especially Asian and BRICS countries. In particular, given that China is currently the EU's main trading partner, it is interesting how it reacts, especially as we are also facing dumping policies. Market capture is not concerted only at European level but is gradual and even at the level of product category, being preferred those that are suitable for mass production or large series. At the same time, other phenomena took place: starting from the big differences to two chapters of cost, energy / gas and labor, several European producers opened production units in China; distribution chains (large retailers) have changed the direction of supply (Andersson, Caroline & Karadimou, Vaia, 2012; Gasiorek et al., 2013) but without changing prices in favor of consumers but more to increase operating

margins (Payaro & Papa , 2015). The effects are visible in the loss of jobs, in the closure of production units, in the loss of know-how.

The purpose of this doctoral thesis is to analyze the economic impact of the implementation of the anti-dumping duty on imports of tableware from China, as well as its effects on the production of tableware from the EU and Romania.

Specifying research hypotheses

This doctoral thesis was based on a hypothesis that the implementation of anti-dumping measures have arrived late, the effect of dumping on industry and jobs being irreversible or difficult to recover.

In order to achieve the overall objective, several specific objectives have been set, which are listed below:

- clarification of the concepts used in the thesis;
- clarification of current regulations, European legislation and international agreements
- analysis of ceramic types and coding at EU and global level;
- analysis of anti-dumping, anti-subsidy and safeguard measures;
- analysis of the evolution of jobs in the EU and Romania;
- analysis of mass pottery production in the EU and Romania;
- analysis of exports and imports of table ceramic products in the EU and Romania

Research methodology

This doctoral thesis is a quantitative and qualitative multi-year empirical study. For this, statistical data were collected and processed from primary and secondary sources. In order to try to find models and intercorrelations, the data were explored in detail, using the inductive approach, but also the deductive approach, by analyzing particular cases. The research methods that have been used in this doctoral thesis are (Bryman, 2005;

Oprean et al., 2006):

- **bibliographic documentation:** identification of scientific articles and reports, treaties and specialized books;
- **documentary, textual and contextual analysis;** analysis of information and arguments found in the literature;
- **consultation of official sources:** access to permanent files and databases (EUROSTAT, INSSE, WTO, etc.);
- **comparative analysis:** for highlighting and theoretically explaining the conceptual differences extracted from the literature;
- **critical analysis:** together with the comparative analysis, it allows the review of the critical elements, helping to clarify and an argumentation of the formulated ideas, as well as to better structure the general lines of the thesis;
- **historical method:** it was used to highlight the evolution of regional development, the role and functions of regions development and to highlight the history of protection measures and trade barriers in the EU;
- **logical method:** synthesizing the research results within the conclusions drawn and presented at the end of the analysis.

In support of this research we used modern electronic means of information and storage of information, embodied mainly in databases with statistical information from Romania, EU and international, but also in dictionaries, encyclopedias and other materials available in electronic format.

The scientific context of the research topic

This doctoral thesis provides an overview of the EU's anti-dumping, anti-subsidy and safeguarding activities. It also provides a definition of anti-dumping and a description of the EU investigation process when an anti-dumping complaint is lodged. The case study for this study was carried out on table ceramic products, for which the Council of the European Union imposed definitive anti-dumping duties from 13 May 2013 for 5 years, after a provisional period of 6 months. The analysis will show the possible short-term

effects of the anti-dumping measures on imports, quantity and price at different stages of their implementation. This analysis is made for Romania in terms of the turnover of companies involved in this field, but also for jobs. The study will also provide an analysis of how anti-dumping actions affect production and diversity in the EU's internal trade, analyzing production and trade within the EU.

One of the important themes addressed in the literature is the stimulation of exports by China by manipulating the exchange rate (Amiti & Freund, 2007; Marquez & Schindler, 2007; Nicita, 2013; Zhang, 2002), which comes in support not only of growth exports (Yaya & Lu, 2012), but also the increase in the number of jobs (Chen & Dao, 2011) and the increased capacity to use dumping to win markets. In addition to this mode of exchange rate protection, another topic discussed is how to use natural resources to ensure a trade advantage (Moran, 2010; World Trade Organization, 2010).

The functioning of the market economy and the continuous structural changes at global level (Ghibuțiu, 2013) represent a constant concern for the European and global business environment, fact reflected in the literature through a great diversity of research topics, among which we specify:

- **trade barriers:** (Beverelli et al., 2014; Carter & Mohapatra, 2013; Prussia, 2005; Stiglitz, 1997, 2005; Uprasen, 2014)
- **anti-dumping and other trade protection measures:** (Aggarwal, 2004; Bown, 2012; Natalie McNelis, 2004; Niels, 2003; Schiavo et al., 2021; Veugelers & Vandebussche, 1999; Winters et al., 1998; Zhong Sheng, 2004)
- **trade policy:** (Beverelli et al., 2014; Bienen et al., 2014; Bown & Crowley, 2006; Cai & Industry, 2013; European Commission, 2016; Khatibi, 2009; Mankiw & Swagel, 2005; Niels, 2003)

The current stage in the literature

A relatively recent study by the European Parliament (EPP Group (in the European Parliament), 2021) examines key aspects of the economic relations between the European Union and China, including trade and investment. China is and will continue to be an

important trading and investment partner for EU countries and in this context, it seems that the EU needs to explore new options for fruitful economic partnerships with China. According to the same study, trade is the least problematic aspect of the EU-China economic relationship, although there are challenges that need to be addressed in several areas. There is almost no trade in EU-China with services, and the added value of Chinese exports and the competition in third markets is growing. In terms of investment, although EU companies have accumulated more foreign direct investment in China than vice versa, Chinese investment in Europe is growing and has focused heavily on technology. This raises fears of losing the EU's technological advantage, especially when Chinese state-owned companies distort competition through procurement.

Starting from the fact that the EU pursues its trade agenda with China through an economic and sectoral network of dialogues, Hu and Pelkmans (Hu & Pelkmans, 2020) show that these dialogues are important for a broader EU trade policy. These authors give an overview of trade dialogues and identify seven possible functions of them, providing examples of dialogues on: public procurement; reforms of state-owned enterprises; forced technology transfer; protection of intellectual property rights; sustainable forestry; timber trade.

The EPP Group (EPP Group (in the European Parliament), 2021) shows that in 2020, China was the EU's main trading partner. This leaves no doubt that economic and trade relations must be at the heart of EU-China cooperation, but not its only determining factor. However, the benefits are not equivalent to both entities. The two sides do not agree on the values and norms on which the current post-war international order was based. While Europe is based on respect for democratic values, the rule of law and human rights, China is authoritatively ruled by a single party. However, this study reveals that we must try to maximize the benefits of economic interdependence and that we must also address existing imbalances. European companies show a visible concern about a visible deterioration of the business climate as well as increasingly fierce competition, we might say unfair from Chinese companies. This was doubled by the more tense approach of Chinese diplomacy to some EU Member States. European

universities, researchers, journalists and civil society actors face pressure, censorship and threats when working in China. This is especially the case when the Chinese authorities conclude that official doctrines and policies are being challenged, which has a direct effect on the proliferation of European values and a level playing field for businesses and citizens.

Junjie (Junjie & Baechler, 2012) examines three areas of great interest in the EU-China relationship, namely: anti-dumping, technical barriers to trade and protection of intellectual property rights. This author highlighted how the EU is trying to protect its own industries. However, the article is considered to be positive for the current state of EU-China trade. Although he does not aspire to indicate a solution to reduce or eliminate trade frictions, the author investigates the causes and current dynamics of these frictions and suggests factors that may prevent the exacerbation of these frictions.

An attempt to examine EU-China trade relations is made by Yılmaz (Yılmaz, 2020). It addresses the main economic issues and disputes between the EU and China, asking the following questions: Why is China important to the EU and why is the EU important to China? How can we evaluate the EU Strategy on China? What is the priority strategic approach to trade cooperation for the EU and China? How can the EU counter China's unfair competition? How does the EU and China intend to connect with each other across the continent? Is China welcome to Europe? What are the advantages of EU Member States working together vis-à-vis China? This paper concludes that Europeans should be patient and keep the Chinese government closer to fulfilling the commitments accepted by the two partners. That is why a joint committee should meet regularly to discuss the commitments made, to see that the agreements work smoothly and to discuss any new agreements that may be needed. At the same time, it is clear that there is no other way for China than to open up to foreign companies, abolish discrimination and unfair trade practices, and adapt to international trade regulations and global rules.

We also mention an important press release on the impact of anti-dumping duties on imports of tableware in EU-China trade. This is a press release of the European

Ceramic Industry Association (Cérame-Unie, 2019), The European Federation of Ceramic Tableware and Ornamental Ware (The European Federation of Ceramic Table and Ornamental Ware) welcomes the adoption of EU Regulation 1198/2019 implementing a definitive anti-dumping duty for a further period of five years on imports of tableware and kitchenware originating in China, following a thorough review of the expiry of the measures. The review investigation found a clear risk of recurrence of dumping losses and showed persistent and significant distortions on the Chinese market in this sector.

The structure of the research

The first part of the doctoral thesis consists of a study of the literature and the complexity of the analyzed topic, to determine the current state of scientific knowledge in the field of ceramics industry. The first part consists of two chapters, the doctoral thesis referring to the trade in ceramics in the EU and protectionist measures from the perspective of the literature. The first chapter addresses trade in ceramics in the EU and related protectionism measures, clarifying the most important theoretical aspects. This will discuss the concepts of trade barriers, dumping, subsidies and safeguarding. A consequence of the imposing of anti-dumping duties would be the protection of the European industry but also a revival of that industry. The effects must be found in the increase of jobs both directly, for the respective field, and indirectly, in the related branches. Also, the volume of trade should not be significantly affected, as import losses should be found in domestic trade. The bibliography covers this topic both at European level and through the WTO, as the opening of investigation procedures requires certain conditions. The studies address the anti-dumping issues from several perspectives: the final consumer or beneficiary, the European and / or Chinese producer and the existing conditionality. Chapter 2 of the first part will highlight the technical aspects at the level of the ceramics industry, more precisely kitchen and tableware ceramics. Here are outlined the types of ceramics (popular, white products) and codifications in the field (Harmonized Commodity Description and Coding System, Statistical Classification of Economic Activities in the EU and Tariff and Statistical Nomenclature and Common

Customs Tariff).

In the second part of the doctoral thesis, the stated research topic is developed and the general objective and the specific ones of the research are specified. This part of the thesis is structured in three chapters, so it highlights the evolution of the ceramics industry in the EU and in Romania before and after the anti-dumping duty. Chapter 3 investigates extensively the evolution of the ceramic industry in the EU and Romania, both before and after the introduction of the anti-dumping duties, addressing China's market economy status. The analysis of the dumping situation takes into account various aspects. The stated purpose of the introduction of anti-dumping measures is to restore the affected industry to a state as close as possible to its original state. Therefore, one of the expected results is the quantitative increase of the production sold in the period after the implementation of the measures. Another indicator that indicates the recovery of the industry is given by the growth of jobs in the industry. From this chapter we found a decrease of the sold production and an affectation of the employment.

In the third part of the thesis, a case study is developed regarding the effects of imposing the anti-dumping duty in Romania. In the first part we analyzed the trade balance of Romania, so we found that for the period 2000 - 2020, there is a deficit, imports exceeding exports in each financial year. The minimum difference between imports and exports was registered at the very beginning of the period, in 2000, being reported a difference of -2.962 million Euro. In the second part we analyzed the international trade in ceramic products in Romania. The present study aims to determine whether, in the case of ceramic products, the trend of Romania's trade balance is followed or whether this category registers a surplus. For this, we concentrated on the evolution of groups 6911 (Crockery, other household or sanitary articles and hygiene or toilet articles, of porcelain) and 6912 (Crockery, other household or sanitary articles and hygiene or toilet articles, ceramic, other than porcelain). The analysis of the data showed that the trade balance was positive overall. In the first part of the analyzed period, 2000 - 2004, even if group 6911 registers a decrease, both group 6912 and the trade balance (FOB / CIF) of ceramic products, are increasing from year to year. In the following

period, however, a decrease in the trade balance can be observed, culminating in 2008. There was an increase in the trade balance in the period 2009-2017 and a small decrease in recent years.

The last part of the doctoral thesis is devoted to the conclusions, the personal contribution and the perspectives for capitalizing on the research results. Through papers and participations in national and international conferences, the results have been disseminated, and this approach will continue after the completion of this thesis. Given the uncertain status we are in, from the perspective of declaring China as a market economy and increasing economic tensions, this topic is expected to be developed in the coming period through articles and publications.

CONCLUSIONS

All the qualitative and quantitative research carried out on dumping and anti-dumping policies, as well as the documentary study, had as common objective the fulfillment of the objectives of the doctoral thesis. Against the background of globalization, many EU ceramics producers, which have traditionally been successful, have suffered in recent years from a cheap influx of ceramics into the EU market from emerging economies, with ambitious global growth strategies, such as China. The granting of market economy status to China is the subject of great controversy, and this status is very important because it underlies the dumping calculations. This was the starting point of the research in this doctoral thesis.

Examining the anti-dumping measures taken by the EU, it was found that they were imposed on the basis of rigorously established procedures, while fulfilling several conditions at the same time, including: the dumped products being imported; there is a quantifiable and significant injury to EU producers producing the same or similar items; the anti-dumping measure required must not run counter to the sovereign interest of the EU or its citizens. Following preliminary investigations, the European Commission decided to impose a provisional *ad valorem* anti-dumping duty on imports of ceramic tableware and kitchenware originating in China. The measures were established at several levels, depending on both the degree of cooperation during the investigation and the level of dumping determined. The imposition of anti-dumping measures was aimed at restoring the internal market which has suffered certain injury as a result of the excess of imports from China. The imposition of anti-dumping measures is in fact a measure to impose a trade barrier exerted by competition outside that market. The imposition of these anti-dumping duties resulted in a decrease in the volume of products imported from China, the decrease being the very result of the imposition of that measure.

EU anti-subsidy policy provides that EU producers may request the intervention of the European Commission, including through the application of certain countervailing measures, through which fair competition within the EU is restored. If the application contains evidence of the subsidy and of the damage caused, the European Commission must open an anti-subsidy investigation. If the investigation proves that the imports concerned have received a subsidy and that injury to EU producers can be determined, then the European Commission has the right to impose certain provisional countervailing measures within 9 months of the initiation of the investigation.

The EU applies a slightly different safeguard procedure than anti-dumping and anti-subsidy, and the decision to apply safeguards must always be weighed very carefully. To date, this method of protection has been used very rarely by the EU.

The characteristics of table ceramic products are central to the fact that they come into contact with food, and as such must comply with strict safety and health requirements, regulated both at European and national level by specific rules, e.g. European Commission regulations. Their characteristics refer to functionality, durability and even aesthetics.

At European level there are several nomenclatures that classify and codify the various products marketed. The most important ones for the study carried out in this doctoral thesis were reviewed.

Analyzing the evolution of the volume of mass ceramics production in the EU in the period 2005-2019 (the year 2005 represents the elimination of restrictions for China after accession to the WTO), we can see the negative trend of production sold, with the exception of Portugal, which followed a positive trend. The anti-dumping measures taken at EU level did not have the expected effectiveness, a fact observed by analyzing the variation of the total production of the EU member states for the period 2012 - 2019. The almost constant, slightly negative trend observed during this period was highlighted. The slight upward trend for the period 2014 - 2017 was again followed by a period of decline, which reflects the inefficiency of the measures taken by the EU. From here we can derive

the reason why the anti-dumping measures were extended in 2019 with another successive period of five years.

As in the case of volume, the value of production sold in 2005 by the EU states decreased to 80.1% compared to the level recorded in 2000. Also, at the end of the analyzed period the value of production sold was 72.6% compared to 2005 and only 58.2% compared to 2000. Analyzing the value of the production sold between 2005 and 2019, we found that the same phenomenon occurs as in the case of the volume of production sold.

The study of the evolution of the price of tableware ceramics in the EU led to different conclusions from those presented previously. There was an increase in the price/unit from an average of 4.77 Euro / kg in 2005, which is also the minimum of the analyzed period, to an average of 6.83 Euro / kg in 2019. It was also noted that in this top, Romania occupies the last place, registering an average multiannual value of 1.47 Euro / kg, with a minimum of 1.06 Euro / kg in 2019 and a maximum of 2.57 Euro / kg in 2010. This indicates the fact that the Romanian profile industry is based on volume, without determining an increase in added value by imposing brand elements.

Another important conclusion of the doctoral thesis is related to the decrease of employment in the ceramics sector in the EU. It has been noted that this has been substantial over the last decade and can be attributed to a combination of production automation and plant closures due to low cost competition and low demand (eg decline in demand for refractory products in the steel sector).

The challenges facing the European Union ceramics industry were also identified, including: competition in low-cost product volumes from emerging economies, especially in tableware ceramics; high energy prices and dependence on raw materials from non-EU producers; lifestyle changes and replacement with other products; trade barriers, such as tariffs or testing and certification systems; attracting and retaining a skilled workforce; trade issues, namely counterfeiting and access to non-EU markets (import tariffs and other trade barriers), etc..

Following the determination of the balance of Romania's trade balance for ceramic products (based on own calculations - there are no statistical data for this indicator in the ISSE database), a positive balance was obtained for the analyzed period (2000-2020), and the trade balance of tableware ceramics is positive.

We believe that the doctoral thesis can be useful for decision-makers interested in how anti-dumping actions affect the production and diversity of the EU's internal trade.

Further research developments

Personal concerns for the topic present in this doctoral thesis do not stop here. The research approach and the results we have reached offer us new research perspectives on dumping and antidumping, especially in the context in which China has not received market economy status.

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