

VANCOUVER MODEL UNITED NATIONS

The 11th Annual Conference · January 20-22, 2012

BACKGROUND GUIDE

World Trade Organization





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Dear Delegates,

My name is Livvy Bedford and I will be serving as your Director in the World Trade Organization during the 2012 VMUN conference. I am currently a Senior at Inglemoor High School in Kenmore, Washington. I have been involved in Model United Nations since I started high school and am currently the President of the MUN club at my school. I strive to maintain an international focus that looks beyond the American framework I've grown up in and I have had nothing but wonderful experiences in MUN. I hope that I can help create a positive experience for everyone in the WTO and that you'll come away from this conference with a better understanding of the country you represent and the issues we'll be focusing on.

I'm very excited to see where the discussion and debate will lead as we explore the issues I've selected. I had a wonderful time researching and writing this background guide and I hope you will all find these issues as interesting as I did. Both topics address very serious questions about how our increasingly globalized world is going to solve the problems that arise as we become more connected. The first topic, which addresses the negatives of food aid, is important in understanding how countries can help each other responsibly and maintain development goals in the midst of crisis. The second topic addresses a fundamental divide between trade objectives and human health. In determining a solution delegates must determine the appropriate boundary between protecting trade and protecting consumers from potential dangers.

I hope that you'll all keep this question in mind while exploring both topics and preparing your position papers. I look forward to hearing the ideas that will inevitably come out of your hard work and I can't wait to meet all of you. If you have any questions regarding the conference feel free to contact me anytime.

Best wishes,

Livvy Bedford
Director, World Trade Organization

Topic A: Food Aid as Dumping

Introduction

An estimated eight hundred and forty million people are currently suffering from malnutrition or starvation.¹ The public tends to assume that the obvious solution would be more food aid distributed to the poorest countries, to feed the hungry from the developed world's surpluses. In actuality, food aid has often done more harm than good. Although food aid has been used to positive effect, it has also been exploited by powerful donor countries interested primarily in furthering their own political and economic goals. Food aid, when exploited, has the potential to distort trade not only in the recipient countries but also in other countries that export food products to the recipient countries. Such trade distortions have the potential to interrupt development and to create food aid dependency. Because food aid abuse causes trade distortions, it falls under the purview of the World Trade Organization, and it is crucial for the WTO find methods of regulating food aid so that it is used solely as a developmental tool, supporting developing countries rather than supporting the commercial interests of developed nations.

Timeline

- 1945 — First session of Food and Agricultural Organization (FAO) is held in Quebec, Canada
- 1954 — Trade and Development Assistance Act (Public Law 480) is signed into law in the US, starting modern food aid
- 1963 — World Food Program begins
- 1967 — Food Aid Convention (FAC) established in 1967 in connection with the Kennedy Round of GATT trade negotiations
- 1974 — World Food Conference is held
- 1986–93 — Uruguay round: agricultural subsidies are a major issue of discussion and efforts to reduce subsidies are included in the resulting agreements, food aid is largely excluded from these agreements²
- 1994 — Trade officials meet in Marrakech, Morocco to finish the Uruguay Round
- 1995 — Agreement on Agriculture comes into force, as part of this agreement the WTO Committee on Agriculture is formed
- 1999 — Food Aid Convention is updated
- 2000 — The number of people suffering from malnutrition and starvation is reported to be 800 million; development goals seek to decrease this number by half by 2015
- 2001 — Doha Round begins: agricultural reform is one of the main items on the debate agenda
- 2002 — Food aid controversies erupt in connection with the Southern African famine, tensions rise between the US and EU

¹ http://www.wto.org/english/forums_e/ngo_e/posp47_dumping_food_aid_e.pdf

² http://news.bbc.co.uk/2/hi/europe/country_profiles/2430089.stm

2004 — The number of starving people in the world rises from the previously reported 800 million to 840 million people despite global efforts to counter malnutrition

2008 — The Doha round of WTO negotiations collapses due to disagreements centred on critical issues

2008 — Attempts to create an agreement that will protect developing countries from import surges falls apart due to disagreements between India and the US³

Historical Analysis

Types of Food Aid

Before looking at the issue in depth, it is important to clarify the different types of food aid currently being employed. (Some technical terms are expanded upon in the glossary at the end of this guide.) Food aid falls under three main branches: program, project, and emergency.

- Program Food Aid: When providing program food aid, donor governments provide *in-kind donations* to recipient countries. Usually, the food is *monetised* by the recipient government so as to provide funding for government activities that may have no connection to food shortages. Program food aid is most likely to occur as a government-to-government transaction. Also, program food aid is sometimes sold to the recipient country using borrowed money lent at below-market rates, instead of being offered in grant form. This type of food aid is highly concessional and often includes the use of *export credits*, a highly controversial aspect of program food aid.⁴
- Project Food Aid: In contrast to program food aid, this type of aid is directed at specific programs within the recipient country with stated development goals. The provided food is sometimes monetised, but often is used as part of the project it is intended for. Project food aid transactions occur between governments, or between governments and NGOs working toward development goals in the recipient country. Examples of projects that utilise this type of food aid include food for work, school feeding programs, and mother-child nutrition centres.⁵
- Emergency or Relief Food Aid: As its name implies, this type of food aid is provided in response to natural disasters or man-made catastrophes that create acute food shortages. This form of aid is often short-term, and is the least likely to cause distortions in trade because there is generally no local production to be undercut at the time.⁶

Approximately sixty percent of food aid is given in the form of “in-kind” donations that mostly come from the US, Canada, Australia, Argentina, and Japan, while the other 40 percent is in the form of “untied” donations that mainly come from the EU.⁷

The Many Problems of Food Aid

In the United States, the introduction of Public Law 480, which authorised the American government to distribute surplus goods to food-insecure countries, formalised the use of food aid as a form of surplus

³ http://news.bbc.co.uk/2/hi/europe/country_profiles/2430089.stm

⁴ <ftp://ftp.fao.org/docrep/fao/004/Y3733E/Y3733E00.pdf>

⁵ <http://www.oxfam.org/en/policy/food-aid-or-hidden-dumping>

⁶ <ftp://ftp.fao.org/docrep/fao/004/Y3733E/Y3733E00.pdf>

⁷ http://www.wto.org/english/forums_e/ngo_e/posp47_dumping_food_aid_e.pdf

disposal.⁸ This underlying goal has pervaded US food aid policy throughout its history. As the example, the 2002 famine in Southern Africa demonstrated the non-humanitarian goals that undermine modern food aid. After the introduction of genetically modified maize in the United States, the US saw a sharp reduction in its maize exports to Europe, leaving it with a large surplus of maize. When calls of famine began to erupt in Southern Africa, the US attempted to dump the genetically modified maize that it could not sell to Europe on the starving African nations. When the African nations refused to accept the genetically modified products, which had not been certified as safe to consume, the US refused to back down and insisted on providing the controversial product.⁹ Of course, this incident only highlights the less-than-humanitarian goals that often pervade food aid.

Globally, there is a direct correspondence between food aid and food surpluses. Unfortunately, this means food aid is most readily available when global food prices are low and developing countries are most likely to be capable of providing for their own food needs. The corollary is also true: when food prices are high, food aid becomes less available even though food-insecure countries are most likely to need aid during these times. This correlation highlights the role of food aid as a donor-centric economic tool, rather than as a humanitarian effort to provide food for the world's starving.¹⁰ It is evident that the economic interests of donor countries often supersede the needs of recipient countries. As a result, food aid becomes, at best, ineffective and inefficient.

Abuses of food aid can also lead to *trade distortion* in the recipient country, exacerbating the cycle of poverty. Highly industrialized farms in the developed world have the capacity to produce food at costs astronomically lower than those incurred by farmers in the developing world. When these crops reach the developing world, local farmers are undersold and unable to compete. Consequently, local farmers suffer a loss of livelihood and are likely to succumb to even greater levels of poverty. Thus, local trade can be destroyed in favor of crops imported from wealthy donor nations.¹¹ Such was the case in Cameroon, where imported frozen chicken sent as food aid completely wiped out the local chicken market. As a result, the government was forced to declare a ban on the import of frozen chicken.¹²

In 2002, it was predicted that Malawi would suffer a 600,000 tonne food deficit. The global community responded by sending the 600,000 tonnes predicted to be necessary. However, Malawi also received an additional 200,000 tonnes from commercial sources.¹³ Rather than facing a food deficit, Malawi was instead drowned in food products, leading to large surpluses and extremely low prices. The estimated loss to the Malawi economy was \$15 million. Such devastating losses point to the need to increase regulations regarding food aid, in order to ensure that aid does not become counterproductive and detrimental to recipient countries' economies.

⁸ *Ibid.*

⁹ http://users.humboldt.edu/nzerbe/research/zerbe_feeding.pdf

¹⁰ <http://www.jstor.org/stable/3993795>

¹¹ <http://www.globalissues.org/article/10/food-aid-as-dumping>

¹² http://www.wto.org/english/forums_e/ngo_e/posp47_dumping_food_aid_e.pdf

¹³ <http://www.oxfam.org/en/policy/food-aid-or-hidden-dumping>

Food aid has been similarly abused in India. Though home to almost one third of the world's starving people, the Indian government has consistently made attempts to sell its almost ten million tonnes of surplus grains as of 1999. Rather than distribute these stores amongst the nation's poor, the government decided to export their surpluses in an attempt to generate revenue. However, under the directions of the World Bank India was forced to buy grain from US corporations as a condition of its receiving loans. The irony is palpable: at the same time as India was exporting its own grain surpluses, it was being forced to buy the grain surpluses of other countries to feed its own people. Because the influx of foreign grain destroyed the market for local grain, Indian farmers went into debt on farm equipment that they had been encouraged to buy to stimulate agriculture production and development. Rather than stimulating development, the aid India received actually worked to create further poverty in farming communities.¹⁴

The negative effects of food aid are not limited to the recipient countries. Developing nations trying to export products to countries receiving food aid are unable to compete with the food aid imports. This leaves other developing countries without export markets, making it difficult for developing countries to generate trade amongst themselves. For example, in the 1990s, Guyanese rice producers believed that they had found a market for their rice in Jamaica, which produces little rice domestically. However, intense competition from US food aid rice forced the Guyanese out of Jamaica and sent them looking for other markets. Many Guyanese rice producers faced financial ruin. In effect, the food aid that benefited Jamaica led to increased poverty in Guyana, creating only a false sense of success.¹⁵ Trade relationships between developing countries are especially important to furthering development goals, because most developing economies are agriculture-centered. Therefore, encouraging agricultural exports from developing countries is crucial to the achievement of development goals.

Long-Term Effects

Although the secondary goal of food aid (beyond the short-term goal of alleviating starvation) is to encourage development and stimulate developing economies, there is little evidence that food aid leads to food self-sufficiency. For example, Ethiopia, which receives the most food aid of any developing country, is still as dependent on food aid as it was in 1984, when food aid shipments in the country boomed in response to famine.¹⁶ This shows that food aid may not actually encourage development but rather causes stagnation and dependence on food aid in the developing world. Statistical studies indicate that developing countries have become more dependent over time, rather than less dependent. This is especially so in Sub-Saharan Africa, where many countries that were once net-food-exporting countries have now become net-food-importing countries¹⁷ This shows the counterproductive nature of current food aid policies, which have failed to produce sustainable change in developing nations.

Even when developing countries do not become dependent on food aid, they may become dependent on imports, often from the original donor country. This dependence is also detrimental to development. In times of high prices, developing countries may face balance-of-payments problems or become food-insecure. Also, continued reliance on food imports does not encourage local production. Food aid can

¹⁴<http://www.globalissues.org/article/10/food-aid-as-dumping>

¹⁵<http://www.oxfam.org/en/policy/food-aid-or-hidden-dumping>

¹⁶<http://www.tufts.edu/~mmcmilla/papers/FoodAidPoverty.pdf>

¹⁷<http://www.tufts.edu/~mmcmilla/papers/FoodAidPoverty.pdf>

cause development in the agricultural sector of the recipient country to stagnate, increasing rural poverty.¹⁸ Rural populations (which make up approximately 56% of the workforce in developing countries) are especially susceptible to poverty, and account for almost 80% of impoverished people.¹⁹ The same is true of impoverished children, of which 75% are found in rural areas. Families operating small farms are found to be the most susceptible to poverty, and at 50% of impoverished people they make up the largest group of people facing malnourishment and starvation.²⁰ In light of these statistics, it is evident that the groups most affected by poverty are the ones who suffer most under the detrimental effects of food aid. Moreover, food aid may lead to an increase in urban poverty, because impoverished people from rural areas may look toward urban areas for jobs. As a result, the populations in urban areas swell without an accompanying surge in jobs. Rather than finding desperately needed work, former farmers simply transfer from one state of poverty to another. Thus, food aid as it currently stands can harm the poorest of the poor: the very people it intends to help.

Past Actions

Food Aid Convention

The food aid convention (FAC) was ratified in 1967, in connection with the Kennedy Round of GATT negotiations. The purpose of the FAC was to implement a minimum donation for donor countries to ensure adequate amounts of food aid would be available to developing countries. FAC membership originally comprised all wheat-exporting countries and many cereal-exporting countries. The responsibility for providing food aid was spread between these countries, based on production and consumption of cereals. The FAC has been criticised because the relatively low minimum contribution allows for a lot of variability in the amount of aid provided. Though the FAC minimum contributions are not related to surpluses, contributions made above the minimum level are often surplus-driven.²¹ Also, no sanctions are placed on those who do not comply and the FAC lacks a forum for discussing issues in food aid. Furthermore, the guidelines only apply to food aid within the minimum requirement; any food aid in excess of this requirement is unregulated.²²

Agreement on Agriculture (WTO)

The Agreement on Agriculture (AoA), adopted in 1995, was brought up for revision during the Doha Round of WTO negotiations. Though the AoA does not offer specific rules regarding food aid, Article 10 does encourage members not to use food aid or export credits to get around guidelines for reducing export subsidies. Article 10 of the AoA also encourages donors to provide food aid in grant form, so that it does not become trade distorting, and to comply with FAO rules regarding surplus dumping. Despite the efforts made by the AoA, little progress had been made because these suggestions are weakened by a lack of enforcement power. No means of bringing complaints to light nor a judicial body to handle supposed abuses of food aid accompanies these stipulations.²³

¹⁸ <http://www.oxfam.org/en/policy/food-aid-or-hidden-dumping>

¹⁹ http://www.wto.org/english/forums_e/ngo_e/posp47_dumping_food_aid_e.pdf

²⁰ *Ibid.*

²¹ http://www.foodgrainsbank.ca/uploads/fja_convention.pdf

²² http://www.wto.org/english/forums_e/ngo_e/posp47_dumping_food_aid_e.pdf

²³ <http://www.jstor.org/stable/3993795>

FAO Principles of Surplus Disposal

The FAO Principles of Surplus Disposal and the Consultative Sub-Committee on Surplus Disposal (CSSD) were formed in 1954, when food aid as a form of surplus disposal was formalised. These principles were meant to serve as a non-binding set of guidelines for donor countries and were intended to ensure that food aid is additional to the recipient country market and does not lead to trade distortion. The principles tend to focus on the role of the donor country in food aid transactions, but have recently begun to take into account the needs of the recipient countries as well.²⁴

Bloc Positions

Donor Countries

Donor countries tend to fall under one of two branches: those who solely use grant forms of food aid and those that employ other, more controversial forms of food aid. Countries that typically offer “in-kind” food aid are the US, Canada, Japan, Australia, and Argentina. The EU typically offers grant-based food aid rather than concessional or “in-kind” donations.²⁵

- United States: The United States has received the most criticism for its food aid policies in past years. The US formalised food aid as a means of surplus disposal with Public Law 480, and has continued to use food aid in this way since. The US is also one of the only countries to provide food aid “in-kind” and often uses export credits in its food aid programs.²⁶ Further, the US received strong criticism for its involvement in the GMO food debate that occurred during the 2002 famine in Sub-Saharan Africa, and critics point to surplus disposal as the defining reason behind US reluctance to remove GMO food products.²⁷ The United States continues to defend its food programs as being development focused; however, the US has agreed to revise its policies during negotiations on the issue.
- European Union: The European Union has a history of using food aid as a means of surplus disposal; however, in the past two decades the EU has appeared to have reformed its food aid policies and has become a major advocate of grant-only food aid.²⁸ The EU has also been a pioneer in local buying and triangular transactions, both of which are viewed as better options for development. Recently, the EU has become especially critical of US food policies. The EU has particularly targeted export credits, which it claims are trade distorting and therefore detrimental to free trade. Nevertheless, it is important to note that though the EU as a whole has argued against export credits, some EU member countries do employ export credits in their food aid policies.²⁹

Recipient (Developing) Countries

Developing countries have begun to speak up regarding their needs and desires in food aid reforms. Many have called for an end to all export subsidies, including export credits. These developing countries are becoming aware of the negative dumping effect of food aid abuses and are advocating reforms that will

²⁴ <ftp://ftp.fao.org/docrep/fao/004/Y3733E/Y3733E00.pdf>

²⁵ http://www.wto.org/english/forums_e/ngo_e/posp47_dumping_food_aid_e.pdf

²⁶ <http://www.oxfam.org/en/policy/food-aid-or-hidden-dumping>

²⁷ <http://www.opendemocracy.net/content/articles/PDF/1876.pdf>

²⁸ http://www.wto.org/english/forums_e/ngo_e/posp47_dumping_food_aid_e.pdf

²⁹ <http://www.jstor.org/stable/3993795>

help to curb the detrimental effect food aid can have. Developing countries have expressed a desire to limit food aid to grant-only forms and to take specific measures to ensure that food aid does not disrupt local production. These countries also ask that the needs of undeveloped and net-food-importing countries be taken into account and that the needs of these countries are not subjugated to reforms to food aid.³⁰ Of course, delegates will need to perform further research into the stances of specific developing countries, as this backgrounder only provides a general overview of their varied positions.

Possible Solutions

In general, stronger regulations and methods of addressing food aid abuses are viewed as necessary to ensure the proper usage of food aid in the future. In order to foster development, donor countries need to reevaluate current food aid policies and determine the most efficient and effective methods for administering aid. Also, it may be beneficial to reevaluate the minimum contributions determined under the FAC or to extend the rules governing the FAC to include food aid that exceeds the minimum contribution. There are also less controversial forms of food aid that provide aid without becoming detrimental to development. Encouraging *local transactions* and *triangular transactions* rather than “in-kind” donations or export credits may help to create better food aid programs that encourage, rather than inhibit, development. Currently several solutions have been offered in trade forums such as:

- Shifting towards grant only and cash based aid rather than export credits.
- Relying on local and triangular transactions rather than “in-kind” aid, except for cases of emergency food shortages.
- Promoting stronger regulation of food aid, along with stronger guidelines for food aid and methods for dealing with apparent food aid abuses.
- Forming a more recipient-centric rather than donor-centric view of food aid when evaluating new food aid policies.
- Removing the link between commercial interests and food aid and instead promoting development goals through food aid programs.
- Replacing the monetisation of food with cash donations, to limit the trade-distorting effects monetisation can produce.
- Revising the guidelines for deciding to send food aid to a country to ensure that countries only receive food aid they actually need. Food aid is not always the most effective response. In many cases, there are more appropriate forms of aid that can be provided.
- Monitoring donations of food aid by international groups, so that food aid abuses can be dealt with.
- Also, taking steps to ensure that net-food importing countries receive support that will enable them to continue importing food without trade-distorting mechanisms such as export subsidies or export credits. Steps can also be taken to encourage domestic agriculture in countries that currently rely on imports and food aid.

It is also important that the voices of developing countries are included in the dialogue regarding food aid. Historically, developing and undeveloped countries have lacked a voice in trade discussions. Reversing this trend is a critical step toward true development.

³⁰ *Ibid.*

Discussion Questions

1. What are the most effective and efficient forms of food aid?
2. How can food aid be implemented in such a way that it encourages developing countries to achieve food independence rather than dependence?
3. How can food aid dependency be avoided, especially in undeveloped and net-food importing countries?
4. What regulations are necessary to ensure that food aid is not abused by donor countries and is beneficial to recipient countries?
5. Who should monitor food aid? How should food aid be monitored?
6. How should eligibility for food aid be determined? What conditions make food aid the most effective form of food aid?
7. How can export credits be removed without harming net-food importing countries? Or, should export credits be removed at all?

Glossary

Here is a list of a few of the terms that you will probably encounter in your research and will hopefully aid you in the deciphering of the resources you find while developing your position papers.

Export credits — A form of food aid in which donor countries provide secured loans to developing countries to purchase food aid at below-market interest rates. These loans often include extremely long periods of repayment, and the donor government guarantees repayment in the event of a default by the recipient country.³¹ Export credits are sometimes criticized as a hidden form of export subsidies.

“In-kind” food aid — Aid given in the form of actual food products that are produced and shipped in the donor country. In-kind food aid is seen as very inefficient because food must be shipped from the donor country to the recipient country, resulting in high costs and lost time. Also, food aid money ends up in the hands of rich farmers in the developed world rather than with developing world farmers. Most US food programs fit into this category of food aid, and have received heavy international criticism.

Monetised — In the process of monetization, “in-kind” food aid is sold on the domestic market of the recipient country. The goal may be to stabilise food prices or to encourage new market enterprises; however, the ulterior goal is often to generate revenue for the government through food sales.³² This practice is one the most criticised aspects of food aid, and is considered to be highly trade distorting.

Trade distortion — Caused by policy that alters the amount of trade occurring; the distortion can be either positive or negative.

“Untied” food aid — Food aid that does not require recipient countries or organizations to make food purchases from donor country companies. This type of food aid is seen as less trade distorting, and reduces many of the inefficiencies of food aid like high shipping costs and response delays.

³¹ <http://www.jstor.org/stable/3993795>

³² http://www.wto.org/english/forums_e/ngo_e/posp47_dumping_food_aid_e.pdf

Additional Resources

<http://www.foodaidconvention.org/en/Default.aspx>

Gives a good overview of the history and intentions of the FAC

http://www.wto.org/english/tratop_e/agric_e/agric_e.htm

This is the WTO gateway to the AoA and provides information regarding agriculture.

www.wto.org

This site provides access to current WTO information including summaries and full text versions of all agreements. Also provides information on current issues that fall under the WTO including dumping.

<http://www.globalissues.org/article/748/food-aid>

This article provides some basic information about food aid and outlines some of the controversial aspects of food aid.

<https://www.cia.gov/library/publications/the-world-factbook/geos/xx.html>

This is a good place to start your country specific research and get a good idea of the economic and political state that your country is in.

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