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Abstract

Governance of International Trade in Genetically Modified Organisms: Is Future Global Food Security at Risk?

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It is now twenty years since the first commercial production of GM crops. Domestic regulatory regimes for agricultural biotechnology and GM foods differ considerably across the globe. As a result, international trade and other forms of exchange are considerably inhibited, leading to reduced returns for those investing in the technology and, hence, less investment in R&D for agricultural biotechnology. The latter means that biotechnology cannot fully contribute to meeting the food security challenges of the next four decades. Part of the problem is that no international regulatory regime for trade in the products of biotechnology that enjoys widespread support has been forthcoming. The Sanitary and Phytosanitary Agreement of the WTO was concluded prior to the commercialization of agricultural biotechnology and was not re-opened for negotiation in the Doha Round – which, of course, has not been concluded. In the absence of WTO engagement on the issue an alternative international institutional arrangement has been developed but does not have the support of the countries that represent the major developers and adopters of agricultural biotechnology – the Biosafety Protocol. In the absence of discernable progress in the Doha Round, countries have turned to preferential trade agreements to garner the benefits of trade liberalization. The question this article examines is whether preferential trade agreements can break the logjam on trade in the products of agricultural biotechnology. Three preferential trade agreements are examined: the recent EU-Canada agreement; the TransAtlantic Trade and Investment Partnership and the Trans Pacific Partnership. The conclusion reached is that these agreements, in and of themselves, cannot provide the solution, but they may be able to set the stage

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for progress in developing harmonized standards. For there to be success stemming from this process, however, there needs to be institutional innovation. If there is success, it will not be quick in coming.

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