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Food Safety

Topic Background

What's for dinner? Appetizer: spicy ahi tuna tartare paired with edamame, cucumber, avocado, ginger ponzu, black sesame crackers. Main course: chicken with shiitake mushrooms and chinese longbeans. Dessert: pumpkin brioche bread pudding with five spice ice cream, and zinfandel poached fruits. Maybe the tuna is from Spain, and the chicken from France. Perhaps the basil that the chef is using is shipped from New Zealand, and the olive oil from Italy. The head chef and his line chefs preparing the courses may themselves be from all over—South America, Mexico, Vietnam, China. The dessert itself is a fusion of cultures; the bread pudding is a popular British dessert, and five spice is a Chinese spice. End the meal with some coffee from Kenya, and voila! A modern-day restaurant is born.

A meal at any given restaurant can epitomize the status of today's world. In a world where global politics, trade, and culture are increasingly interconnected, new tensions arise in the need to balance between a country's sovereignty and the role of international bodies. The question is how to maintain standards towards food safety without imposing rules on individual states, while at the same time ensuring that strict health and safety measures are not simply an excuse to protect domestic interests.

The threat of mad cow disease, avian flu, and mercury in fish are just a few issues that appear in daily news media. When vegetables are found to be contaminated, who should be blamed? Farmers, production facilities, or government inspection controls? When the food is

exported to another country, how can a product be recalled? If an outbreak were to happen, who should be responsible for executing the recall? For developing nations who lack the resources and infrastructure to maintain a standard for quality goods, there is also the delicate issue of whether they should receive assistance, who should provide assistance to them, and how they can develop their own set of guidelines for safety. This WTO committee aims to lay out these questions and find possible ways to resolve the issues at hand.

Case Study – China's Food Safety and Exports Problem

A relevant case to illustrate the issue of food safety and the implications for trade and protectionism is China. Though this is by no means a complete discussion, taking the Chinese example will provide a more applicable and real understanding of the issues involved.

China exports food to over 200 countries, the top ten of which include Japan, the United States, the Republic of Korea, Russia, Germany, Malaysia, the Netherlands, Indonesia and Britain. Traditionally, the country's food safety enforcement program has been weak, and often prone to corruption and bribery. Despite the PRC's promises to install more safeguards for food safety, scandals surrounding products ranging from toys and tires to seafood and toothpaste have put China's credibility even more in question. Under the EU's Rapid Alert System for Food and Feed, China was the country with the most alerts in 2006, with 260 food safety problems. In June this year, the United States Food and Drug



Administration (FDA) placed a partial ban on certain seafoods from China.

In response to the concerns, China began to focus on improving its food safety controls systems and has made efforts to improve quality standards. They implemented a four-month campaign to crackdown on illicit manufacturers, pledged to cooperate with American and European safety regulators to receive assistance and training for maintaining better standards, and also set up a Cabinet-level committee to ensure the quality of goods. On Sept 13, 2007, China also set up an international conference to promote bilateral and multilateral cooperation towards resolving food safety issues.

Cooperation, however, was not always the case as China has made complaints about quality concerns towards U.S. products over the past few months, and on Sept. 17 rejected shipments of pork kidney from the U.S. and spare ribs from Canada.

The China case, then, brings out several key issues embedded in the recent food safety scandals:

1. Costs of maintaining standards for quality: developing nations may often lack the knowledge, infrastructure, and economic resources, leading to the question of who should assist them.
2. Sovereignty: the WTO has traditionally allowed countries to define their own standards and methods of inspecting products. When receiving assistance (i.e. training or monetary support), will developing countries be obligated to adhere to the rules of the developing nations? How can this issue be reconciled?
3. Protectionism: when China and the U.S. decide to ban each other's imports, is it for

safety, or are there other (economic, political) reasons? In addition, how do we ensure that countries do not use the issue of product quality as an excuse for protectionism?

4. Overall implications for international trade: how can the international community ensure that trade is free, competitive, and without discrimination?

Past UN Actions

Food safety issues date back to the beginnings of the UN's history in 1945, when the Food and Agricultural Organization (FAO) was founded. Though its main purpose is to defeat hunger through international efforts, the FAO is also a source from which policy expertise and information can be shared, particularly for developing countries seeking to improve their infrastructure.

The World Trade Organization (WTO) is another UN body that dates back to 1948, and works to provide information about various health concerns, including food-related pathogens such as botulism, salmonella, bovine spongiform encephalopathy, and other pathogens that could potentially cause food-related illnesses. The WTO also works with countries to build and strengthen national infrastructure to more effectively manage food safety concerns and ensure higher quality in supply.

More specific to the WTO, however, are two key treaties negotiated during the Uruguay Rounds of the General Agreement on Tariffs and Trade (GATT) which entered into force with the establishment of the WTO in 1995 and are important to note in the issue of food safety and trade. First, the SPS Agreement, or Agreement on the



Application of Sanitary and Phytosanitary Measures, sets basic standards for food safety and encourages member states to adopt international standards, though it also allows countries to develop their own set of standards based on science. The SPS holds multiple meetings a year, allowing a neutral ground in which developing and developed countries can debate issues and list their concerns. For example, a meeting on June 27-28 included Argentina's complaints towards new standards of pesticide residues by certain import countries, workshops on private sector standards, various trade concerns of specific countries, and also reports from individual countries.

The second treaty, Agreement on Technical Barriers to Trade (TBT), went into effect in 1994 and tries to adhere to the WTO's principals of maintaining fair, free trade by ensuring that standards and testing protocols do not create unnecessary obstacles. Its objectives include the protection of the health of humans, animals, plants, and the environment, and in addition seeks to prevent deceptive practices.

Issues to Consider

The nature of the topic of food safety makes it largely integrated with the WHO's aims, as food-borne pathogens or diseases such as bird flu may be due to the lack of a set of standards prior to trade. As a result, it is important to focus on the processes related to trade and the WTO, which aims to protect trade, making it freer, more competitive, without discrimination, and beneficial for less developed countries. Attention, then, should be drawn to the following points:

1. As trade and aid imply that food trade is constantly occurring between nations,

one must consider not only the diplomacy of nations, but also consider the interaction between governments and local actors on the domestic level. In other words, what role should the government play in ensuring that private sectors are meeting their standards?

2. As many developed countries conduct trade with developing nations, what happens when there is a crisis on one end? Who is responsible? What are the implications for international trade?

3. As there are many nations facing a food shortage crisis and depend on aid, what can they do to prevent the spread of potential food-related diseases?

4. Another issue to remember is that politics are constantly changing. How do nations decide who to trade with, and how can the international community ensure that fairness can be applied to all countries? An effective policy should allow the international community to encourage transparency and avoid the effects of a trade war or protectionism.

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Intellectual Property and Digital Rights

Topic Background

Globalization in the 21st century has proceeded at an unprecedented rate. With the advancement of technology and international economy, one of the most significant changes that has arisen is the rise of international economic law. The creation of the World Trade Organization (WTO) as a global authority to facilitate trade and economic relations between nations illustrates the extent to which political economy has become increasingly complex and interdependent. As technological progress and innovation has added an even further dimension to global economic landscape, a new concept hence arose: the issue of intellectual property rights (IPRs).

Introduction to IPRs

Intellectual property rights are "the rights given to people over the creations of their minds"

(http://www.wto.org/english/tratop_e/trips_e/trips_e.htm), and may include issues ranging from the pharmaceutical industry's patent rights to copyright laws that protect individual artists. The idea is that while everyone should have the freedom of expression and the right to access and get recognition for their work, the challenge is to encourage innovation and technological transfer while allowing corporations and individuals to gain profits for their work.

5. The creation of the World Intellectual Property Organization (WIPO) in 1967 was an attempt to regulate and promote intellectual property. Through the cooperation of 184 member states, the WIPO seeks to protect creativity and encourage innovation while striving for economic development and safeguarding the public interest at the same time.

Another breakthrough in IP was the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS), negotiated under the General Agreement on Tariffs and Trade (GATT) during the Uruguay Rounds in 1994. The TRIPS agreement establishes minimum standards for intellectual property rights, thereby facilitating economic trade by bringing nations together under a unified set of rules.

Introduction to TRIPS

TRIPS has three main tenets: standards, enforcement, and dispute settlement. The extent to which intellectual property spans is reflected in the areas addressed under TRIPS: copyright and related rights, trademarks, geographical indications, patents, integrated circuit layout designs, and undisclosed information and trade secrets. TRIPS not only establishes a minimum set of standards for intellectual property protection, but further stipulates that governments should set a framework for penalties and procedures when those standards are violated. Though all member states are required to follow the standards set by TRIPS, they are free to determine their own methods to incorporate TRIPS into their respective government systems. The theme, then, is promoting fair and equitable trade and working towards free markets while protecting the rights of individuals and other forms of creativity and furthermore, looking out for the well-being of society.

Digital Rights

One key area that TRIPS covers is the issue of technological transfer, which can be broken down into two aspects. The first is the application of research findings onto conventional and commercial uses. The



second is the actual sharing of such technology between a developed nation and a developing nation. Such technological transfers may be scientific knowledge for the development of medicines, or, for our purposes, the transfer of digital technology, including but not limited to general software, web applications, wireless applications, streaming connectivity, compression technologies, encryption, VOIP, etc.

The concept of technology transfer is crucial for the advancement and improvement of quality of life for under-developed nations. The sharing of digital technology allows such nations to function at a more rapid and equal pace within the international scene. For example, helping other nations incorporate web transactions and data compression software will greatly facilitate the rate at which product trades occur. Likewise sharing digital imprinting and media streaming software allow under-developed nations to begin conducting service transactions across the web.

However, the main issue that has always floated around technology transfer is the commercial benefit for companies of a developed nation to transfer such technologies, as in most cases the direct investment yields no monetary gain. Therefore, the main impact TRIPS has on this issue is an inclusion of a number of provisions which requires governments of developed nations to provide incentives to companies that specialize in such fields to transfer such technologies to less developed nations. This is another illustration of the way in which international institutions today can provide a basic structure to support economic development and innovation.

Case Study: “XO” One Laptop Per Child (OLPC)

One element of technology and training transfer had been the “XO” project, or the One Laptop Per Child initiative (the name “XO” is derived from the icon of a child found on the equipment). As the project name implies, the goal of this commercial operation is to design and distribute an affordable and technically appropriate portable computer to children in developing countries. Arguably, with the familiarization of computer use comes the opening of doors for more high-tech careers, a way out of the low-paying agrarian jobs and local poverty.

At a first glance, the XO project is brilliantly innovative, both from a technical and socio-economic perspective. The machine is designed from the ground up, not a modification of existing platforms, as ideal for rural classroom and home use. The screen is built in such a way to allow for outdoor use (a logical place for the kids of the developing world to be), as well as maximize the power conservation of the laptop. Wireless internet connection is also accounted for, as each laptop projects a signal to form a “chain” to the nearest internet source. Finally, each laptop is extremely rugged, with no internal moving parts, the ability to be powered by personal generators, and an especially hard and thick armor shell. Argentina, Brazil, Libya, Nigeria, Rwanda, Thailand, and Uruguay all have placed orders for the XO laptop already, and near 1 million units are expected to be produced in the coming year.

However, there are some issues raised with the XO project. Firstly, much of the costs of the XO (which doubled from its predicted cost of 100 USD to 200 USD) are paid by



developing nations to a company based within a developed state. To compound this problem of outward capital drain, the technologies included with the XO laptop are not particularly cutting-edge. This means that relatively inferior equipment (sometimes several generations behind the industry standards in Western nations), not modern technology, is being sent to developing nations who really do need advanced equipment. For this reason, developing states like China and India have designed their own XO equivalents (the Longmeng, Tianhua, and Simputer models), so that quality equipment may be manufactured without draining precious capital from the developing state.

The XO model also lacks sufficient safeguards to ensure that it remains a tool for education, and not hijacked for illicit uses. Some reports have circulated that children may use such devices to play non-educational games or view questionable content on the internet. Others suggest that the theft failsafe for the XO laptop is insufficient to prevent it from being resold on a commercial market. At the time of this writing, it is possible for a consumer in the developing world to purchase a laptop for a little over 100 USD.

Finally, some critics point out that while having a laptop is conducive to long-term education and career growth, it means little to children and households which lack sufficient food and funds. The point is made that if the child is needed to help with household chores or farming, then a computer will be ineffectual in contributing to the child's education (apart from selling it to buy food).

Issues to Consider

With all organizations in place to regulate IP rights and facilitate knowledge transfers, there are nevertheless still criticisms brought to attention on a global scale. The first is the issue of the practicality of IPRs. In the comparison of developed versus developing nations, the former receives substantial monetary gain and usage control, whereas the latter receives a strictly monitored and regulated benefit. Many argue that advanced countries have almost a monopolistic ideology on the control of intellectual property. For the less developed countries, IP is often not important to users, but in the end they still suffer from slow knowledge flow due to restrictions placed by advanced countries.

Additionally, many of the IP organizations have been criticized for inherently acting on the interests of the advanced member nations instead of the global perspective as a whole. There are often no direct democratic decisions as most of the policies are lobbied by major corporations. In turn this leads to a wealth redistribution effect as the money from developing nations go to copyright and patent developers in leading nations instead of towards developing their own infrastructures and economies. In these ways, many argue that the imposition of IPRs actually weaken the potential growth of developing countries from an economic perspective.

5. In today's society, it is without a doubt that technological advancements play a crucial role in the economic advancement of the global community. The concept of IP rights have grown and become an integral part of how innovation is developed and transferred. The creation of organizations such as WIPO and TRIP has greatly improved the rate and means by which knowledge is shared globally by providing



guidelines for IP protection. While there are pros and cons with the specific details, the end conclusion is unchanged. As the landscape of worldwide business constantly changes, the protection and rights of intellectual properties will continue to play an integral part in the development of the international economy.

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