INSTITUTE FOR AGRICULTURE AND TRADE POLICY

Making U.S. Trade Policy Serve Global Food Security Goals

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Getting our Priorities Straight: Making U.S. Trade Policy Serve Global Food Security Goals

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Introduction

> "To the people of poor nations, we pledge to work alongside you to make your farms flourish and let clean waters flow; to nourish starved bodies and feed hungry minds. And to those nations like ours that enjoy relative plenty, we say we can no longer afford indifference to suffering outside our borders; nor can we consume the world's resources without regard to effect. For the world has changed, and we must change with it." (Excerpt from President Obama's inaugural address.)

More than any U.S. president in history, Barack Obama has focused public attention on global hunger and the need to bolster food production by small-scale farmers in developing countries. He championed this cause at the 2009 G-8 meeting in L'Aquila, Italy, where he called on world leaders to commit $20 billion to address food security, promising $3.5 billion from the United States. After a series of consultations among various government agencies and civil society organizations, the Obama administration launched the Feed the Future initiative in May 2010. That program emphasizes the importance of small-scale farmers, especially women, in country-led programs and a multiagency "whole of government" approach to global food security.

And therein lies the rub. While the U.S. development agenda emphasizes increasing local food production in developing countries, the trade agenda pushes in the other direction, aiming to double U.S. exports—including those of agricultural goods—in the next five years. Just as developing countries work to rebuild local agricultural systems weakened by decades of cuts in agricultural extension services, credit and other public services, they are facing increasing pressure to open their markets to U.S. goods, which could result in floods of cheap imports that undermine local food production.

Trade talks are gaining new momentum. After a two-year lull following the collapse of the World Trade Organization (WTO) talks in 2008, G-20 leaders have called for a resumption of the negotiations in 2011, with WTO Director General Pascal Lamy calling for completion of draft modality texts by the end of March. The U.S. is also promoting its own ambitious agenda of regional and bilateral trade talks. Negotiations for a Trans-Pacific Partnership continue to advance and to expand to even more countries in Southeast Asia. The U.S. and South Korean governments recently resolved remaining differences over market access for dairy, beef and automobiles in the U.S.-Korea Free Trade Agreement (FTA). That agreement, along with pending bilateral agreements with Panama and Colombia, could be introduced for Congressional approval in 2011.

The food, finance and climate crises are all evidence of how much the world has changed since the era of free trade accords began, but the U.S. agricultural trade agenda remains essentially the same as the approach first adopted in the 1990s under the North American Free Trade Agreement (NAFTA). Recent reports of rising food prices and riots in some countries add new urgency to the imperative to get these policies right.

U.S. trade policy must start from our goals rather than our tactics. Ending global hunger, enhancing incomes and employment, and encouraging a transition to climate friendly agriculture should be the goals of U.S. agricultural, economic and development policy. Trade policy should be a tool to support those goals rather than a loose cannon that shoots them down.

From dumping to volatility: The lessons of trade liberalization

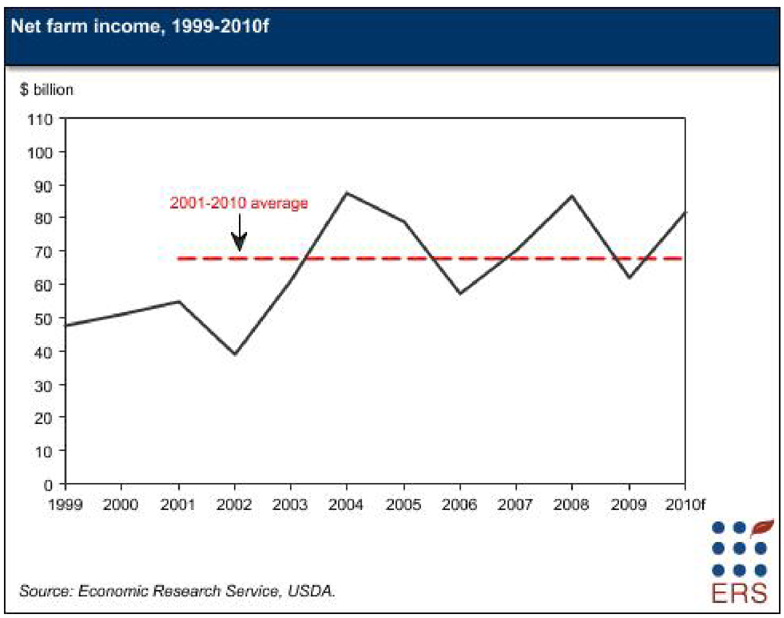
Much of the international debate on trade and agriculture over the past decade has focused on U.S. (and EU) agricultural subsidies without addressing the systemic causes of dumping, i.e., exporting at below the cost of production. Floods of cheap imports, especially during the harvest, can be devastating for developing-country farmers. IATP has calculated dumping margins for U.S. commodity crops supported under the Farm Bill. As of 2003, wheat was exported at an average price of 28 percent below the cost of production, corn at 10 percent and rice at 26 percent below the cost of production.[1] Today, recurring bouts of rising food prices have decreased the extent of dumping, but deregulated trade continues to present challenges for stable local food markets.

Over the last few decades, U.S. agricultural policy has changed from a system of supply management to one more dependent on free-market forces. This process culminated in the 1996 Farm Bill, which removed the last vestiges of supply management and enacted policies to encourage farmers to increase the volume of production to compensate for lower prices, with a strong focus on creating new markets overseas for U.S. commodities. That system soon resulted in a series of crises in rural areas and the enactment of emergency payments, later codified as the current system of agricultural subsidies.

Commodity prices skyrocketed during 2007 and 2008, and farmers were better able to cover their costs of production, reducing counter-cyclical payments (which rise to compensate farmers when prices are low) for those crops. U.S. agricultural subsidies dropped from more than $24 billion in 2005 to just over $12 billion in 2009.[2] In many countries, locally grown food suddenly became cheaper than imports, but, after decades of neglect of agricultural sectors, production levels were too low to fully meet domestic demand. Concerns over dumping have been overtaken by alarm over food-price volatility, as wild swings in prices make planning more and more difficult for farmers around the world.

The precise causes of the 2008 food price crisis and the recent bouts of price swings are still the subject of much debate. They include rising demand, extreme weather conditions and excessive financial institution speculation on commodity markets. New limits on commodity speculation in the U.S. and EU are imperative to decrease the wild price swings experienced in recent years, but policymakers in developing countries also need new ways to manage trade flows so they can rebuild fragile agricultural sectors.

Mexico's experience under NAFTA provides a telling example of the dangers of this approach for food security and rural livelihoods. The agreement eliminated trade barriers for most sectors, with tariffs on corn and beans phased out over 14 years. In fact, the Mexican government accelerated the tariff reduction schedule, and U.S. exports of corn to Mexico nearly quadrupled compared to the pre-NAFTA levels. Mexican agricultural exports to the United States also increased an average of 10 percent a year,[3] but the benefits of those sales did not trickle down to rural communities. Many Mexican farmers were unable to compete with the cheap imports, and more than two million have left the agricultural sector since NAFTA began, a drop of nearly 25 percent. Since job creation in other sectors of the economy has been weak, rural poverty has increased and many people have been forced to migrate to cities in search of elusive manufacturing sector jobs or to the United States in search of better opportunities.[4]



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There is little evidence that the growth in U.S. exports under NAFTA has helped family farmers in this country either. The number of Americans employed in agriculture has dropped since the agreement began (as has manufacturing employment). The relationship between employment and trade is complex, even in the United States, as job creation from export growth can be offset by job losses resulting from imports that compete with domestic production. The kind of production also matters. Large scale agro-industrial production for export generally employs fewer people than smaller-scale, locally oriented production. As smaller-scale producers have been forced to seek off-farm income, larger producers and corporations have increased their share of production. Over the last 25 years, there has been a marked shift in the size of U.S. farms, with very small farms (sales less than $10,000) and very large farms (sales more than $1,000,000) increasing by 38 and 243 percent, respectively. The number of small, but commercially viable farms (sales between $10,000 and $250,000) dropped by 40 percent, from half of total farms in 1982 to less than a third in 2007.[5] The percentage of U.S. agricultural production controlled by the top four firms in a given sector has increased substantially, rising from 72 percent of beef packing in 1990, for example, to 83.5 percent in 2005.[6]

Since NAFTA, U.S. agricultural production, both for domestic use and exports, has increased while rural employment and livelihoods have faltered. While a substantial portion of corn production is now directed to domestic ethanol production, exports of corn, wheat and other commodity crops have continued to grow. According to USDA estimates, agricultural bulk export volumes increased 8 percent in 2010 over 2009 levels, while the bulk export values increased 17 percent.[7]

The recent surge in U.S. farm income is instructive. Net farm income increased 26 percent in 2010 over the 2000-2009 average, triggered, according to some analysts, by rising exports.[8] However, USDA also notes that, "A second feature of the 2000-2009 decade is the high and persistent levels of volatility in agricultural commodity and input (feed, fuel, and fertilizer) markets. The volatility is reflected in the patterns of farm income during the decade. Net farm income increased in 6 of the 10 years, posting an average increase of 26.6 percent in the years with increases in farm income and an average decline of 23.5 percent in the other years (2002, 2005, 2006, and 2009)."[9] These wild swings in prices and incomes destabilize rural communities and contribute to increasing corporate concentration. Whether in the United States or overseas, agricultural policies that would tend to stabilize prices at levels nearer the cost of production could provide the consistent signals and incentives to help farmers stay on their land and produce stable food supplies.

These problems are not unique to the NAFTA partners. In country after country, trade liberalization in agriculture has weakened local production and undermined rural livelihoods. Women produce 60 to 80 percent of food in many developing countries. They are particularly vulnerable to the risks created by dumping and volatile markets, since their access to productive resources is often already precarious. The emphasis on agricultural exports in the 1990s tended to result in a shift away from food production for household consumption, which tends to be controlled by women, to cash crops controlled by men.[10] The Feed the Future initiative recognizes the vital importance of women's contributions to food security and would direct more resources to women farmers. If the point of U.S. global hunger policy is to improve food security and rural livelihoods for women and men, then appropriate trade mechanisms also need to be in place to ensure that they can stay on their land.

Another stark example of how trade policies can undermine food security is Haiti. As recently as the 1980s, Haiti produced 80 percent of the rice it needed for domestic consumption. Under structural adjustment programs imposed by the World Bank, IMF and USAID, among others, Haiti lifted import controls and reduced public support to agriculture. Today, it imports 80 percent of its rice needs and receives substantial food aid for recurring food shortages.[11]

In March 2010, former President Bill Clinton testified to the Senate Foreign Relations Committee that the push to export rice to Haiti had been a grave mistake, saying:

> "Since 1981, the United States has followed a policy, until the last year or so when we started rethinking it, that we rich countries that produce a lot of food should sell it to poor countries and relieve them of the burden of producing their own food, so, thank goodness, they can leap directly into the industrial era. It has not worked. It may have been good for some of my farmers in Arkansas, but it has not worked. It was a mistake. It was a mistake that I was a party to. I am not pointing the finger at anybody. I did that. I have to live every day with the consequences of the lost capacity to produce a rice crop in Haiti to feed those people, because of what I did. Nobody else."[12]

Unfortunately, it is not at all clear that the U.S. government has in fact started to rethink this policy. The President's 2010 Trade Policy Agenda clearly states the intention to expand U.S. exports, even to developing countries. While Least Developed Countries (LDCs) are not being asked to agree to any new commitments to reduce tariffs under the Doha Round, there is no indication that United States Trade Representative (USTR) is reconsidering the wisdom of the previous rounds of tariff reductions.

A better approach would be to explicitly exempt low-income food import–dependent countries from U.S. export promotion goals and to allow flexibility to establish tariff rates adequate to protect their vulnerable agricultural markets. The LDCs, as defined by the United Nations, include some 49 low-income countries, 32 of which are also members of the WTO. It includes such countries as Haiti, Senegal and Bangladesh, many of which experienced food riots during the 2008 price spike. The United States does not have free-trade trade agreements with any of these countries, so this would be a relatively simple first step.

A second step would be to more carefully consider poverty and hunger within middle-income countries. USTR has entered into a series of discussions with India, Brazil, South Africa and China, both to enlist their support to restart the WTO talks, and to press them to liberalize their own markets. Each of these countries is unique, but they all face challenges in local food production. According to research prepared for the UNDP Human Development Report, there are more poor people in India than in the 26 African countries combined,[13] and suicides by farmers who have lost their land is devastating evidence of the fragility of their agricultural system.

Developing countries in the G-33 have argued for WTO exemptions for Special Products and for the establishment of a new Special Safeguard Mechanism to protect food security and livelihoods and to advance rural development. While WTO members (including the United States) committed to the principle of protecting local markets to advance food security at the 2005 Hong Kong Ministerial, in practice this has been a central point of contention in the WTO talks. The G-33's insistence on these mechanisms (as well as U.S. intransigence on subsidies) was one of the key factors in the collapse of the WTO talks in 2008. A better approach would be to work with developing countries to consider the best ways to implement these mechanisms and other necessary measures to advance food security goals over export promotion.

The trade rules needed to respond to climate and food crises

Agriculture has always been subject to unpredictable weather patterns, pests and diseases. These risks are exacerbated by climate change, which is already causing changes in growing seasons and increases in droughts and flooding. These effects will become more frequent and more devastating in years to come, making it even more important to support flexible and innovative new approaches in developing countries. Efforts to strengthen local agricultural production in ways that respond to these challenges and benefit local communities are critical, as are plans to foster regional cooperation in times of crisis.

National and regional coordination of food reserves is emerging as an important tool to confront volatility in food supplies. The U.N. Comprehensive Framework for Action on the Global Food Crisis (a multiagency effort to coordinate donor policies) recognizes the importance of reserves. Reserves and other measures to limit price volatility and supply availability will be at the center of the agenda at the May 2011 G-20 Agriculture Ministers summit and the fall Committee on World Food Security meeting.

Several groupings of countries are already taking action to implement regional reserves systems. In March 2010, the four BRIC countries (Brazil, Russia, India and China) agreed to establish a coordinated system of national grain reserves. In October, the Association of Southeast Asian Nations (ASEAN) plus Japan, China and Korea committed to establish a regional emergency rice reserve, building on a pilot program that has been operating for several years. In December, West African nations meeting in the Club du Sahel explored proposals to coordinate national food reserves systems to assist each other in cases of crop failures or other crises.

Food reserves do not replace international trade, but they can be an important means to stabilize national and regional food supplies. They can be supported or constrained by trade rules that govern public support to agriculture. WTO rules and U.S. trade policy discourage public management of food supplies, but there is some degree of flexibility that would not prevent countries from starting to implement such programs. Food reserves do require public support to buy and sell stocks. The WTO Agreement on Agriculture limits how much governments can spend to support agriculture. While the establishment of a grain reserve in the United States could raise overall support beyond those limits, developing countries would be unlikely to exceed the limits included under current rules.

Price bands could be a bigger issue for U.S. trade policy. Most reserves systems operate so that when prices reach predetermined floors or ceilings the government intervenes. If it has buffer stocks, it could release those reserves onto the market to reduce high prices or confront local food shortages. It would purchase grains when prices are low, particularly during the harvest. These price bands are often coordinated with trade policy, with tariffs on imports triggered when prices fall, and reduced when they rise. While WTO rules generally limit such measures, in practice many developing countries have some degree of flexibility in the application of tariff rates. Since many of them have agreed to bound tariff rates (ceilings) that are higher than the actual applied rates, they could utilize the difference in tariff rates ("water" in WTO lingo) to operate a price band and still comply with WTO rules.[14] The G-33's proposals for a Special Safeguard Mechanism would institutionalize price bands as a legitimate tool to combat volatility.

USTR has argued against these measures at the WTO, pressing for reductions in bound tariff rates and opposing the G-33's proposal for a Special Safeguard Mechanism. In negotiations for a US-Andean Free Trade Agreement, the U.S. insisted on the dismantling of the system of price bands established under the Andean Pact. Those negotiations were later narrowed to a bilateral agreement between the U.S. and Peru, which liberalized all trade in agricultural goods and eliminated the Peruvian government's participation in the regional price band.

The conflicts between trade rules and food reserves could emerge in the negotiations for a Trans-Pacific Partnership (TPP). The TPP talks currently include Australia, Brunei Darussalam, Chile, Malaysia, New Zealand, Peru, Singapore, the United States and Vietnam. The Philippines, Canada and Japan have also expressed interest in joining the talks. Brunei, Malaysia, Vietnam and the Philippines are also members of the Association of Southeast Asian Nations (ASEAN) and are participating in the Emergency Rice Reserve System, as is South Korea.[15] Those talks should balance interests in expanding trade with the measures needed to support food reserves and other elements of food security.

Integrating nutrition in trade and development

Improving food security means increasing both the quantity of food available to local consumers and ensuring that its nutritional quality is adequate. The administration's Feed the Future initiative lists two central objectives: accelerating inclusive agriculture sector growth, and improving nutritional status. U.S. trade policy focuses on harmonizing food safety standards (both to generate new market opportunities and to ensure consumer safety), but it does not consider the nutritional value of the kinds of food systems encouraged by liberalization of trade and investment.

The debate on nutritional quality is already underway within the United States, where concerns about rising obesity rates and food safety have increased demand for organic foods and locally grown fruits and vegetables. There is a growing public recognition that Farm Bill supports for corn, soy, wheat and rice have shifted diets towards processed foods and meats rather than healthier alternatives. U.S. trade policy should also reflect this new thinking on the kinds of food production encouraged by liberalized trade and the innovations needed to improve nutritional outcomes.

Mexico's experience under NAFTA provides some important lessons. Since the agreement's inception in 1994, Mexican imports of corn and soy used for animal feed, as well as of processed snack foods, soda and other foods characteristic of unhealthy diets have skyrocketed. Liberalization of trade and investment rules has also spurred sharp increases in U.S. investment all along the Mexican supply chain, including food processing, supermarkets and fast food restaurants. Obesity rates in Mexico have risen to rates similar to those in the United States.[16] Among OECD countries, Mexico is now tied with the United States for the highest per capita obesity rates in the world.[17] The phenomenon of increasing malnutrition occurring at the same time as over-nutrition is increasing in many countries around the world, as people just above the poverty line consume increasing amounts of meats, processed foods and other relatively low-cost, high-calorie foods.[18]

The United States cannot legislate consumer demand in other countries, but it could make sure that its trade policy doesn't preclude governments from implementing changes in local food systems to improve the quality of food available to consumers. A government might decide, for example, to procure fresh food for anti-poverty programs from local farm cooperatives rather than importing it from a multinational corporation (along the lines of Brazil's successful Zero Hunger program). Depending on how the government has listed the implementing agencies in its trade commitments, these kinds of programs could conflict with procurement rules that aim to prevent discrimination against foreign suppliers.

Some types of food security programs could be the target of investor lawsuits. Like nearly all U.S. trade agreements and bilateral investment treaties, NAFTA allows foreign investors to sue governments for compensation for regulatory changes or programs that undermine their expected profits. One section of the investment chapter bans certain "performance requirements" on foreign investors, including the requirement to achieve a given level or percentage of domestic content in production. Thus, for example, if the Mexican government were to require tortilla manufacturers in Mexico to use a certain percentage of locally grown (and more expensive) corn in their production, U.S. companies that own tortilla operations there could sue for compensation.

Every trade agreement includes recourse to state-to-state dispute resolution. The investor-state provision allows companies to bypass that mechanism, as well as local court systems, to sue governments directly. Environmental, labor and other public-interest groups have argued against this provision in every bilateral trade agreement the U.S. has negotiated since NAFTA.

These concerns are not just theoretical. The U.S. based Metalclad corporation was awarded $15.6 million in compensation when it sued the Mexican government over a local community's refusal to reopen a toxic waste facility. A subsidiary of the U.S.-based Bechtel corporation sued the Bolivian government when it cancelled the privatization of a water distribution system in the wake of widespread public protests over excessive user fees. In 2010, Phillip Morris filed an investor-state suit against the Uruguayan government over rules on health warnings on cigarette packages.[19] Even when such suits are unsuccessful, they have a chilling effect on local efforts to balance public interests with private profits.

Some trade agreements and bilateral investment treaties include tentative first steps that could start to address that imbalance. The US-Peru FTA, for example, establishes some general exceptions for measures designed to protect public health, safety and the environment, but they do not apply to the chapter on investment. This kind of exception should be applied more broadly to specifically exempt public interest laws from challenges.[20]

Unfortunately, current U.S. trade policy seems to be headed in the opposite direction, affirming the Bush era approach. News reports indicate the U.S. is pressing Australia, which refused to include the investor-state provision in its FTA with the United States, to reconsider that position in the talks for a Trans-Pacific Partnership. The recently signed US-Korea FTA resorts to the old approach as well, with only limited exceptions to protect the public good.

Conclusion

Rather than continuing with the same tired approaches used in recent decades, it is time for a truly 21st-century approach to trade policy, one that starts with a clear commitment to strengthening food systems and rural livelihoods in the South and North. It is not enough to consider changes in trade balances or growth in exports in particular sectors. We must examine how those changes affect our societies and environments, both in the North and South.

The 2008 food price crisis led to a reexamination of agricultural development policies and the conclusion that decades of neglect of public investment in the sector had been a mistake. President Obama took a leadership role in the 2009 G-8 meeting, committing to scale up food security spending and calling on other countries to do the same. The Feed the Future initiative and increases in U.S. government spending on food security are evidence of a commitment to redress that mistake and chart a new course to decrease global hunger.

Sadly, that effort will likely collide with the administration's push to double U.S. exports and negotiate new trade agreements along the same lines as the past. Spending to increase production by smallholder farmers will be undercut by floods of U.S. exports. Efforts to establish food reserves could be undercut by trade rules that restrict governments' abilities to manage supplies. Programs to encourage consumption of healthy, locally grown foods could collide with investor protections that fail to balance public and private interests.

Decades of expansion of agricultural exports have not helped U.S. farmers either. Farm incomes have been on a rollercoaster ride that has thrown farmers overboard, increasing corporate concentration. There is no reason to expect that expanding the same failed policies of the past will have better outcomes now.

Instead, trade and food security policy should focus on rebuilding local food systems in the North and South. This does not mean abandoning trade or closing markets, but considering ways to ensure that trade complements, rather than substitutes for, local food production. The U.S. government should work with developing countries to determine the best ways to structure price bands and other trade protections to achieve food security and development goals, rather than blocking progress on these new approaches.

Added to the evidence of the past is the challenge of the future. Climate change and the end of cheap oil is a game changer for food security and trade policy. Innovative new approaches that build on local knowledge to reduce reliance on agrochemicals and imported inputs are not just exciting, they are imperative.[21] Trade and development policies must create the necessary policy space for these innovations rather than insisting on the extension of 20th century models of industrial agriculture and dependence on imports.

Summary of recommendations

- Review provisions in existing trade agreements that undermine food security and launch a process to reform them.[22]
- Explicitly exempt Least Developed Countries from U.S. export-promotion goals.
- Work with developing countries to establish trade rules that support price bands and other mechanisms to promote stable food supplies.
- Support proposals at the WTO and in the negotiations for a Trans-Pacific Partnership for Special Products and Special Safeguard Mechanisms to advance food security and rural livelihoods in developing countries.
- Establish exceptions to investment and procurement provisions in the Trans-Pacific Partnership and other ongoing bilateral trade negotiations to protect public health and food security.

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