

# **Issues in International Trade in GM Crops**

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# I. WTO

- I. Agreement on the Application of Sanitary and Phytosanitary Measures

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# Most-Favoured Nation Treatment

... any advantage, favour, privilege or immunity granted by any contracting party to any product originating in or destined for any other country shall be accorded immediately and unconditionally to the like product originating in or destined for the territories of all other contracting parties. (GATT Art I)

# National Treatment Clause

internal taxes and other internal charges, and laws, regulations and requirements affecting the internal sale, offering for sale, purchase, transportation, distribution or use of products, and internal quantitative regulations requiring the mixture, processing or use of products in specified amounts or proportions, should not be applied to imported or domestic products so as to afford protection to domestic production (GATT Art III par 1)

x x x products of the territory of any contracting party imported into the territory of any other contracting party shall not be subject, directly or indirectly, to internal taxes or other internal charges of any kind in excess of those applied, directly or indirectly, to like domestic products.(GATT Art III par 2)

# Cartagena Protocol

**Lack of scientific certainty** due to **insufficient relevant scientific information and knowledge** regarding the extent of the **potential adverse effects** of a living modified organism on the conservation and sustainable use of biological diversity in the Party of import, **taking also into account risks to human health, shall not prevent that Party from taking a decision**, as appropriate, with regard **to the import** of the living modified organism xxx , in order **to avoid or minimize such potential adverse effects.** (10.6)

# SPS Agreement

In cases **where relevant scientific evidence is insufficient**, a Member may **provisionally adopt** sanitary or phytosanitary **measures on the basis of available pertinent information**, x x x. In such circumstances, Members **shall seek to obtain the additional information necessary for a more objective assessment of risk and review the sanitary or phytosanitary measure accordingly within a reasonable period of time.**  
(5.7)

# ASEAN 2025 Blueprint

Strategic measures include:

Develop and promote ASEAN as an **organic food production base**, including striving to achieve international standards. (par. 57)