

The World Trade Organization: Undermining Animal Protection

The WTO has undermined all of these efforts to protect animals, consumers, and the environment:

EU SEAL PRODUCT BAN In May 2009, the European Union ratified a ban on seal products (exempting products of subsistence indigenous hunts) which will take effect in 2010. In November 2009, Canada and Norway brought a WTO challenge, seeking to overturn the ban.

US BAN ON TURTLE-DEADLY SHRIMP The shrimp fishing industry catches sea turtles in purse seine nets, where they drown, and pushes them to the brink of extinction. New nets were devised that allowed the turtles to escape if entangled, and the U.S. refused to import shrimp from any country not using "turtle exclusion devices." But upon complaints from 4 nations in 1996, a WTO dispute panel found this policy in violation of free trade rules, and so the US was forced to accept imports of shrimp from countries using turtle-killing nets. Read a letter from the major US environmental groups to President Clinton at <http://www.sierraclub.org/trade/environment/turtles2.asp>

EU BOVINE HORMONE BEEF BAN Canada and the United States use hormones and other chemicals in cattle to enhance their growth, milk and meat production. New health studies show that the hormones are suspected of increasing cancer and other diseases in the populations that consume huge amounts of milk, milk products and meat. Additionally, the hormones have been reliably linked to health problems that cause extreme suffering to cows, including mastitis, a painful inflammation of the udder. European countries have taken the lead in trying to get hormones out of beef and milk. However, Europe lost a challenge at the WTO in their attempts to a 1989 European Union ban on the importation of beef from Canada and the United States loaded with artificial hormones. The action by Europe was interpreted as an attempt to protect its beef industry by establishing a non tariff trade barrier using environmental and health concerns to better their economic sales of meat. The EU has been forced to pay trade ban concessions to the US rather than compromise the health of its citizens.

EU WILD FUR BAN In 1995 the EU passed legislation that would have banned the importation of the furs of 13 different species from countries that do not banned the vicious steel-leg hold trap, a device banned in 88 countries and described by Charles Darwin as "The cruelest device ever invented by man." Canada threatened a WTO challenge with US backing and the EU backed down, first watering down the ban to a "humane trapping" standard which offered virtually no practical animal welfare improvement. The implementation of even this standard has been indefinitely delayed and is never expected to be implemented.

DOLPHIN-DEADLY TUNA BAN AND LABELLING Dolphins have been observed to swim beneath schools of yellowfin tuna. For years, pursuit of dolphins has been a method to capture yellowfin tuna for fishing fleets. In order to catch tuna, mile-long purse-seine nets are set around the dolphins. Tens of thousands of dolphins are caught and drowned in tuna nets each year. Attempts to reduce this problem in the 1972 and 1984 version of the Marine Mammal Protection Act were ineffective in curtailing the problem. Thousands of dolphins were still killed every year. In 1991, Congress created the "dolphin safe" tuna label and in 1992 banned all dolphin unsafe tuna in the US.

That same year, the General Agreement on Tariffs and Trade (GATT), a panel of unelected professional trade officials who meet in secret without outside appeal or review, determined that dolphin safety standards were an unnecessary barrier to foreign trade. The US resisted this ruling and refused to honor it. In 1995 the GATT developed into the World Trade Organization (WTO), an institutional body capable of enforcing rulings that a nation's animal protection and environmental laws violate international free trade standards. Countries who refuse to comply with WTO decisions are obligated pay compensations to the winning country or face severe trade sanctions. Mexico threatened a WTO challenge to the US ban on dolphin unsafe tuna. Under pressure from the Clinton administration Congress caved to Mexico's demands and lifted the ban on dolphin deadly tuna.

According to Public Citizen's Global Trade Watch, "After years of sustained trade law challenges, the Bush administration decided to quietly implement a change to a "dolphin safe" labeling policy which Mexico had demanded as necessary to implement a GATT ruling. (Mexico had threatened a new WTO case if their demands were not met). On New Years Eve 2002, when few Americans were focused on policy matters, the Bush administration announced that it would change the "Flipper-friendly" tuna policy to allow the "dolphin-safe" label to be used on tuna caught using deadly purse seine nets and dolphin encirclement." In 2004 a federal judge overturned the Bush administration's attempt to destroy the dolphin-safe label and banned the use of the label on dolphin deadly tuna. A federal appeals court upheld the ruling in April 2007. In October 2008, Mexico made good on its threat to bring a new WTO challenge to the dolphin-safe label. The WTO established a panel to hear the dispute in April 2009.

EU BAN ON CHLORINE-WASHED POULTRY The European Union banned sale of anti-microbial agents chlorine dioxide, acidified sodium chloride, trisodium phosphate and peroxyacids in EU nations in 1997. They have all been approved by the US Food and Drug Administration and the US Department of Agriculture, but the EU has blocked carcasses processed with such treatments since 1997. Arguing that improved sanitary standards on farms rearing animals, not chemicals were the solution to eliminating pathogens in poultry. Instead of reevaluating the unsanitary, ecologically destructive, and inhumane factory farm agricultural practices that account for over 90% of the chicken and eggs produced in the United States, the US instead pressured EU to lift the ban. The EU refused to lift the ban, and in response the US brought a WTO challenge against the ban in October 2009.