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THE EU, WORLD TRADE LAW AND THE RIGHT TO FOOD, Giovanni Gruni, Hart, Studies in International Trade and Investment Law, (2018), ISBN 9781509916207, pp204.

Food is important. Without it we die and with too much, particularly too much of the wrong food, we suffer from non-communicable diseases like coronary heart disease, stroke and diabetes. Over 820 million people throughout the world still have insufficient food, despite food production keeping pace with the rising global population and the strain that such production is putting on to the Earth's natural resources.<sup>1</sup> As the Lancet Commission points out in its 2019 report, *Food in the Anthropocene*: "Providing a growing global population with healthy diets from sustainable food systems is an immediate challenge."<sup>2</sup>

Our family, our culture, our religious beliefs and our ethics too shape what we eat, when we eat and how we eat: food is not only our fuel, it forms an important part of who we are as individuals and how we communicate our identity to others.<sup>3</sup> Whilst food is intrinsically bound up with our existence as human beings, at the same time, food is a commodity traded across state borders. Food can travel along sophisticated supply chains that link farmers in one country to food processors, grocery stores and consumers located throughout the world. The prospect of rising (and falling) agricultural land prices and the volatile market price of staple crops, like wheat and other grains, provide fertile opportunities too for commodity speculators to generate wealth by betting on how those prices might change over time.<sup>4</sup>

Food's critical importance to people and to the market means it is inevitable that states will prioritise policies that protect domestic food security. But a state's food policy cannot be crafted in isolation: it must conform to transnational rules that impact on its people, corporations and that state's relationship with other states. All these transnational rules do not coalesce into a single, cohesive system for the global governance of food. Instead, these rules hang together in a random, patchy, and at times oddly overlapping way, with the consequence that it is difficult for the state to formulate a coherent and workable domestic food security policy that aligns appropriately with its people's own needs and its domestic and transnational obligations.

Gruni's book is an important addition to the academic literature exploring the challenges of constructing effective global food governance. In the context of the European Union's (EU) rules and trade agreements with certain developing countries, Gruni offers a taxonomy of the rules shaping states' food security policies together with a way to make those rules more effective to realise the human right to food. A core conclusion of the book is that states' efforts to adopt sustainable food policies that align with the human right to food should not be undermined by fragmented global trade governance.

Gruni's book is arranged into eight chapters. After setting out the problem and the scope of the book in chapter 1, chapter 2 focuses on the right to food in the context of international human rights law: specifically, Gruni explores the content of the right; what duties are imposed on the state by the right to food; how the right to food is operationalised through trade agreements, together with the challenges posed by the existence of multiple regimes in public international law to the right to food (the 'fragmentation' challenge).

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<sup>1</sup> Willet et al, *Food in the Anthropocene: the EAT-Lancet Commission on healthy diets from sustainable food systems*, (2019) 393 *The Lancet* 447, 447.

<sup>2</sup> Willet et al, *ibid.* 447.

<sup>3</sup> P. Bourdieu, *Distinction: A Social Critique of the Judgment of Taste*, (1984), Kegan Paul.

<sup>4</sup> Gruni, 46-49.

Chapter 3 considers how to achieve the right to food within the context of a global market for food. Gruni argues that states have a duty to ensure that market behaviour does not disrupt socio-economic rights, specifically the right to food.<sup>5</sup> He goes so far as to claim that this duty requires that states shape international trade agreements in ways that limit the impact of volatile global food prices on all people.<sup>6</sup> Chapter 3 then explains the key 'market failures' in the global food market of recent years, notably, the global food crisis in 2007-8 and shows why food is prone to price volatility. Gruni notes that some countries are particularly susceptible to food crises and global food price volatility and shows why the EU is well placed to support such a state's right to food by offsetting the pernicious effects of global market volatility through trade agreements the EU concludes with such vulnerable states.<sup>7</sup>

Chapter 3 flows nicely into chapter 4 which rehearses the legal basis for the EU's trade policy-the Common Commercial Policy (CCP). The general discussion of the CCP is juxtaposed well with a detailed exposition of the EU's contemporary external food trade strategy.<sup>8</sup> Chapter 5 then considers how the right to food is both met and undermined by certain World Trade Organization (WTO) rules. Chapter 5 focuses narrowly. It considers WTO rules that restrict the flow of food out of the state (export restrictions),<sup>9</sup> the flow of food into the state (import restrictions and safeguards)<sup>10</sup> and the rules that enable a carve-out in regional trade agreements between developed and developing countries to realise the right to food.<sup>11</sup> Somewhat surprisingly, there is no discussion of the wider range of WTO rules, like those covering sanitary and phytosanitary (SPS) measures, which ensure a state's food safety and hygiene policies do not operate as disguised restrictions on food trade. Work by agricultural trade scholars, like Christian Haberli, Baris Karapinar and Joe McMahon provide important insights on food trade from which this chapter would have benefitted.<sup>12</sup>

Chapters 6 and 7 provide fascinating new insights into the degree to which the EU realises the right to food through trade agreements with developing countries. Chapter 6 focuses on the EU-CARIFORUM Economic Partnership Agreement, whereas Chapter 7 highlights the impact of six Economic Partnership Agreements (EPAs) concluded by the EU with 16 sub-Saharan African countries.<sup>13</sup> The discussion in Chapters 6 and 7 mirror that of Chapter 5 in so far as the discussion focuses on how the agreements' rules on export restrictions, safeguards and import restrictions map on to the EU's external trade policy strategy for food and how these provisions fulfil (or not) the right to food. Gruni suggests that whilst the EU's trade agreements go some way to realising the right to food, difficulties remain, which the EU could address by changing key provisions in its trade agreements with these vulnerable countries.<sup>14</sup> Chapter 8 provides an overview of the main arguments in the book, together with some suggestions as to how the EU might construct an external trade policy that fulfils the right to food in more effective ways.

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<sup>5</sup> Gruni, 44.

<sup>6</sup> Gruni, 44.

<sup>7</sup> Gruni, 63.

<sup>8</sup> Gruni, 81, 85-91.

<sup>9</sup> Gruni, 112-115.

<sup>10</sup> Gruni, 96-105.

<sup>11</sup> Gruni, 105-112.

<sup>12</sup> B. Karapinar & C. Haberli, *Food Crises and the WTO*, (2010) CUP; JA McMahon, *The WTO Agreement on Agriculture: A Commentary*, (2006) OUP.

<sup>13</sup> Gruni, 147.

<sup>14</sup> Gruni, 163-164.

This is a very well crafted book. The structure is good, the analysis clear, and the arguments flow well, both in the chapters, as well as between them. The result is a very readable book. It is difficult not to miss the author's point that the right to food must lie at the heart of states' food policies, and that international trade rules-whether in multilateral or regional trade agreements-should not be permitted to undermine that right. Gruni's discussion of food price volatility and how this impacts on trade in food is excellent. This discussion provides an important context for his later critique of the EU's external trade strategy as it relates to food. The focus on EU-CARIFORUM and EU-Sub-Saharan Africa Economic Partnership Agreements adds an important, new perspective to well-rehearsed arguments about how to fulfil the right to food whilst maintaining effective global trade governance.

Inevitably in a book of this length, not all dimensions of the debate can be finessed. In later work, I hope Gruni will reflect on the complex sociological and cultural nature of food that cannot be fully captured by the human rights discourse and consider how such different food narratives are captured (or not) in the EU's trade agreements with vulnerable states. Different narratives often provide different methodological tools to help question the dominant neoliberal paradigm underpinning regional and multilateral trade agreements (including the WTO). These narratives allow us to question too whether price volatility is an inevitable side effect of a functioning market in food, or whether it is in accepting the very idea of a market in food, that we go wrong. All these are considerations for a different book.

In essence, this is an excellent book which is an important addition to the literature. It is a "must read" on the subject for both academics and students alike.

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