

Introduction

This is the first WTO publication on illicit trade in food and food fraud. It includes contributions from participants in the WTO's Annual Agriculture Symposium, held in Geneva, 11-12 December 2023, which explored this topic. At the Symposium, prominent experts discussed the various forms and definitions of illicit trade in food and food fraud, the links to international trade and ways to combat the phenomenon effectively.

Building on these discussions, this publication presents the views of different international organizations, non-governmental organizations and the private sector. Contributors examine the topic from their area of expertise, offering their unique perspective on illicit trade in food and food fraud, and identifying what they see as priorities. These diverse contributions provide new areas for discussion and potential actions for the WTO and its members.

The publication highlights four key messages:

- (i) Illicit trade in food and food fraud inflicts considerable damage to international trade and public health.
- (ii) Prevention is a more cost-effective strategy for both governments and the food industry, since it helps to ensure consumer safety, maintain product integrity and preserve brand reputation.
- (iii) Multi-stakeholder collaboration involving governments, international organizations, civil society and the private sector is a pre-requisite to building an effective response.
- (iv) The WTO rulebook brings a legal framework to international trade in food, helping to combat illicit trade.

The following provides an overview of the publication.

Chapter 1: WTO - Agriculture and Commodities Division

Doaa Abdel-Motaal, Senior Counsellor in the Agriculture and Commodities Division, explores the different definitions of illicit trade in food and food fraud, and outlines the main agri-food products targeted by fraud. She presents some of the key findings from the WTO's 2023 Annual Agriculture Symposium, which looked into how to better leverage the WTO rulebook in preventing and mitigating illicit trade in agri-food.

Chapter 2: WTO - Economic Research and Statistics Division

Gabrielle Marceau, Senior Counsellor in the Economic Research and Statistics Division, notes that, despite the lack of disciplines expressly for illicit trade in agri-food, relevant provisions of the WTO agreements equip members with numerous tools and allow for ample policy space to tackle the problem. The chapter also highlights the importance of the WTO as a forum for members to exchange information and facilitate coordination of trade policy measures; including those taken to address illicit agri-food trade.

Chapter 3: Transnational Alliance to Combat Illicit Trade

Jeffrey Hardy, Director General of the Transnational Alliance to Combat Illicit Trade (TRACIT), examines

TRACIT is an independent, private-sector initiative with the aim of mitigating the economic and social damage of illicit trade by strengthening government enforcement and mobilizing the most affected businesses.

Chapter 4: Food and Agriculture Organization of the United Nations

Maximo Torero, Chief Economist of the Food and Agriculture Organization of the United Nations (FAO), surveys incidences and risk factors of food fraud in agri-food systems and presents different strategies for policymakers and regulators to counter food fraud. He advocates for broad food systems thinking – which means addressing fraud holistically – and strengthened cooperation at the global, regional and national levels to detect, address and respond to food fraud effectively.

In addition to leading international efforts to defeat hunger, the FAO's goal is to achieve food security for all and ensure that people have regular access to sufficient high-quality food to lead active, healthy lives.

Chapter 5: International Seed Federation

Michael Keller, Secretary General of the International Seed Federation (ISF), and Szonja Csörg, Intellectual Property and Legal Affairs Manager at the ISF, provide an account of illegal seed practices. Through case studies, they show the devastating impact of such practices on the seed value chain, stressing the importance of intellectual property in fostering innovation in the seed sector, and highlighting the need for cooperation amongst all actors in the value chain to combat fraud.

The ISF is a non-governmental, non-profit organization that represents the interests of the seed industry at the global level to create the best environment for the global movement of seed and promote plant breeding and innovation in seed.

Chapter 6: SSAFE

Quincy Lissaur, Executive Director of SSAFE, notes that global food trade has brought benefits in terms of reducing hunger but has also increased the complexity of the food supply chain. To keep the food chain resilient and safe from fraudulent activities, he highlights the private sector's responsibilities and the actions it can take to mitigate food fraud risks, and argues that close collaboration between the public sector and private sector is fundamental to combating food fraud.

SSAFE is a global non-profit organization that works to protect human, plant and animal health by responding quickly to emerging issues that affect the safe supply and trade of food around the world.

Chapter 7: United Nations Interregional Crime and Justice Research Institute

Antonia Marie De Meo, former Director of the United Nations Interregional Crime and Justice Research Institute (UNICRI), and Marco Musumeci, UNICRI Programme Management Officer, examine food fraud through a criminal justice lens. Through various examples, they showcase the tactics employed by criminals to infiltrate the food supply chain, the serious risks to consumers' health and safety, the role of technologies in facilitating law enforcement and the critical importance of a robust criminal justice response.

UNICRI is the only United Nations research and training institute to focus on criminal justice and crime prevention. It analyses law enforcement responses to crime, highlighting successful investigative and prosecutorial strategies, and showcasing them as best practices in studies and for law enforcement and judiciary training.