
Globalisation:

The Driving Force of the 21st Century

Briefing Report:

The Banana Dispute

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- Quotes are marked with inverted commas followed by a superscripted number ('quote'^{number}) that will give the source in the reference section.
- Complementary explanation, statistics or detailed information to topics are given in the Appendix and marked within the text as superscripted references. (example^{App.A})

Abstract

The Banana dispute is a highly complex matter that not only involves economic but also legal, ethical, social and environmental issues. In the course of the creation of the single European Market (SEM) the uniform policies that were adopted for banana imports did not comply with WTO rules as developing countries not part of the Lomé Convention were discriminated through quota-tariffs. The 'aid through trade' objective of this agreement failed. After intense opposition against the EU import policies from Latin American banana producers and the US the EU agreed to adopt a tariff-only policy from 2006 onwards.

After enjoying a protected market for several decades the Windward banana industry is not internationally competitive but highly dependant on banana exports and now has to look into diversification in the long term to avoid mass poverty, as the preferential access seems to be ended by 2008. Differentiation as either FairTrade or Organic bananas is a possibility to maintain the banana industry for the moment but future prospects are uncertain.

On the other hand banana production in Latin America, led by American TNCs, is linked to major externalities by the use of pesticides and poor working conditions, yet the WTO does not allow favouring nations based on these criteria.

The Banana Market

'Bananas are the main fruit in international trade and the most popular one in the world. In terms of volume they are the first exported fruit, while they rank second after citrus fruit in terms of value. [...]'¹⁹

In the UK, bananas account for the biggest share (23%, £63m²⁸)^{AppendixA} of the fruit market. Bananas are also a very important staple commodity for many developing countries [...].¹⁹ 'Bananas are almost exclusively exported from developing countries (LDC) (98% of production) to developed countries'²³

App.B

Some of the main bananas producing countries, such as India or Brazil, are hardly involved in international trade. In fact, only about a fifth of total banana production is internationally traded'¹⁹ and the EU is a major importer (26%) along with the USA (30%).^{App.C}

EU Banana Trade Background

There are three main sources of banana imports for countries in the EU.^{App.E}

- a) EU (overseas) territories
- b) African, Caribbean and Pacific (ACP countries) (signatories of the Lomé Convention)
- c) Central and South American countries (also referred to as 'Dollar Bananas')

Prior to 1993 different EU member states operated different import controls. Traditionally UK banana imports came from ex-colonies (Jamaica, Belize, Windward Islands, Surinam)^{App.D} who enjoyed preferential access to the UK market under the Lomé Convention. The Lomé Convention is a trade and aid agreement with ACP countries (mainly ex-colonies) that permits these nations duty free access to the EU for commodities that they are very dependant on. Other EU nations also imported from former colonies or territories (France, Spain, Portugal)^{App.F} or had a free banana market (Germany) importing the cheapest bananas available from Central and Latin America^{App.G}. These differences led to the imposition of national intra-EU trade barriers, creating protected markets for bananas from ex-colonies in the UK, France and Spain. This way of supporting the developing countries was very inefficient: Every dollar transferred cost EU consumers US\$5.²

The History of the Banana Dispute

The establishment of the Single European Market (SEM) in 1993 made it necessary to integrate the different national policies also in regard to banana import policies. The new policy had to conform under commitments to the GATT and Lomé Convention, just as provide consumers with reasonable

priced bananas and protect banana farmers in member states (through subsidies). As a result a new EU wide 'Banana Regime' was established that discriminated against bananas from non-EU or ACP countries; Essentially ACP countries continued to have preferential access, but Dollar Banana exporters were subject to strict tariff-quotas^{App.I}. This led to higher prices and lower consumption for consumers in the EU market^{App.G&H} and complaints to the GATT from Latin American producers who were denied equal access to the EU market.

'Borrell (1997)² estimated that the new regime was worse than the national ones it replaced: total costs to EU consumers were about US\$ 2 billion, while ACP suppliers obtained US\$ 150 million – a cost per consumer of over US\$13 for each dollar transferred'¹⁹

On behalf of Chiquita, America joined the claimants to free trade (after donations convinced the government to notice corporate interest as the USA does not farm bananas). There have been several GATT (1994) and WTO (1997 & 1999) rulings^{App.L} against the EU Banana Regime, however little changes were made (Banana Framework Agreement). The WTO Dispute Settlement Body (DSB)^{App.M} found the allocations of quotas in breach of the WTO principle of non-discrimination (MFN)^{App.J}. Following the EU's repeated failure to comply with WTO rules, the US imposed retaliatory sanctions on selected EU exports in April 1999 (worth £134.7m). Finally the banana dispute has come to a momentarily agreement between the EU the US and Ecuador. The Dollar quota was raised, from 2006 onwards the EU will operate a tariff only regime (tariffication), in 2008 the Cotonou (Lomé) waiver will expire.^{App.L}

Why does the EU prefer ACP countries?

The Lomé Convention's official motif is the support of LDC. It is designed to 'aid ACP countries through trade'. However mainly ex-colonies are included in the Convention. Excluded LDC are therefore disadvantaged. The Lomé Convention has the effect of a FTA between the EU and ACP countries (although one-way, because the Lomé Convention is a non-reciprocal agreement, that gives no free access to the EU). The distortion of the market through tariff-quotas can be seen as a form of trade diversion. Thus as much as the ACP might benefit it damages the excluded countries.^{App.K}

But why do ACP Bananas need protection?

Dollar Bananas are grown on large "export directed plantations" most commonly owned by American Fruit TNCs. These achieve economies of scale not at least through a high degree of vertical integration; TNCs also own special refrigerated ships and distribution facilities in consumer countries. However, these economies of scale do not come without a cost. Workers are suffering under the

heavy use of pesticides (double rate of leukaemia and birth defects⁶), low pay^{App.O} and the harsh regime of the banana TNCs (anti-union). The plantation practise also has devastating effects on the environment; water pollution, soil contamination, soil erosion and flooding to name a few.

The Caribbean's labour intensive 'smallholder production' is marked by the islands' smallness, steep terrain, poor soils and climatic hazards (hurricane Mitch, 1998, to mention the latest). But bad management at all levels is named the biggest problem.⁴⁸ Economies of scale are not possible. Therefore Windward farmers are not able to sell at world prices at a profit, production cost are about twice that of dollar bananas.^{App.N} Furthermore the Windwards are highly dependant on banana exports as their prime source of income much more than other LDC^{App.P}. 'Bananas make up around 60% of export earnings of the Windwards and 30% of their GDP.¹² Therefore immediate end to their preferential EU market access would bring about a macroeconomic shock that would certainly result in mass poverty, high unemployment and high crime rates.

Does trade as aid help? What are the disadvantages?

One could argue that the Banana aid has created complacency and reduced competitiveness in the preferred nations. Borrell (1997) found the 'trade as aid' approach a 'lose-lose'² situation^{App.K}. The losses suffered by excluded LDC (Latin America) are about as high as the gains for the preferred nations. Furthermore the EU consumers suffer substantially higher prices^{App.G} than world price. Caused by either expensive ACP/EU imports or artificially risen prices through tariff quotas from Dollar Countries.

Another effect that the 'Banana Split'⁵ evoked is the reduced capacity of LDC to exert pressure as a group for more market access in protected markets. Without the creation of a subset of LDC supporting protectionism (e.g. ACP), negotiations in previous GATT/WTO rounds for lower tariffs on agricultural imports might have been more vigorously and led to more open markets.

Conclusion; What are the alternatives? What should be done?

What is needed in the industry is certainty. Although Globalization seems a danger to the Windward Islands now, it is not the cause. The high dependence on banana exports date back to the time when they were colonies and their economic activities were prescribed, regardless their natural comparative advantage. Since then they operated in a protected market, without it there would be no banana industry or it would be competitive. Now that this market is about to be dissolved the Windward Isles face major problems.

Borrell's studies have shown the ineffectiveness of the EU Banana Regime, he suggests direct aid as a cheaper, more effective way of support for ACP countries^{App.K}. That way WTO rule conformity could be guaranteed, free trade can take place and prices for EU consumers lowered.

This case has also shown loopholes in the WTO rules. Companies that are harmed by trade distortion cannot complain to the WTO, only Governments can. The WTO totally ignores the methods (see GM Beef dispute) and potential externalities of production. Favouring trading partners on the basis of these criteria would be against WTO rules, thus reducing the power of governments to press for environmental friendly production of their trading partners. However recently the FairTradeFoundation has taken advantage of the Windward's relatively humane production methods and is selling their bananas in the EU market as "ethical" foods^{App.Q}. This way the choice of paying more for environmentally friendly production is left to the consumers. Production differentiation might be a possibility for the Windward islands to maintain their industry for the moment, either through FairTrade or other product differentiation such as producing organic bananas^{App.Q}.

In the long-run the Windward Islands should look into alternative industries to draw their main income from. Services and Tourism are possibilities. Direct aid from the EU and possibly US in the context of a development support program should provide assistance during the transition period.

Word count: 1640 words (excluding Appendix)

Appendix:

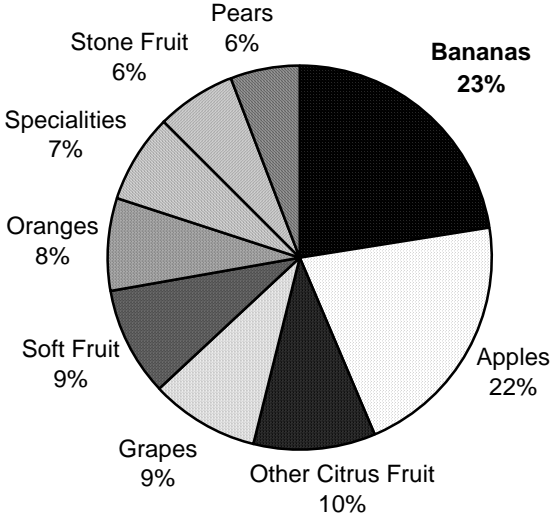
Supporting evidence, statistics & detailed explanations

Appendix Content:

- A. UK Retail Fresh Fruit Market by Sector (£m at rsp and %), 2001 (source: Key Note)
- B. Classification of Selected Economies Involved in EU Banana Trade by Income and Region, July 2002
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- D. Key Sources of UK Banana Imports by Volume (% of imports), 2001, (source: Overseas Trade Statistics)
- E. Map: Selected Banana Exporting Nations, composed by CBI Staff
- F. EU Banana Import Origins (1996), (source: ZMP (1998), EU Commission (1998). EU Banana Import Origins 1991 and 1996 (source: Eurostat)
- G. EU Retail Prices (1990), (source: Borrell and Yang 1992)
- H. EU Banana Consumption (1986 – 1994), (source: EU Communities, 1995)
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- K. Net Aid effect for developing countries (source: Borrell 1996)
- L. Chronology of Events in the EU Banana Import Dispute 1993 - 2002
- M. The WTO Dispute Settlement Body (DSB), (source: WTO)
- N. Costs per ton of Banana Production: \$US, (source: Orchard et al., 1997)
- O. The Cost of a Windward/ Ecuadorean Banana, 1999, (source: BananaLink)
- P. Selected Indicators: Windward Islands, different years. ACP export to the EU and the exporters' dependence on Banana trade (1992) (source: Eurostat 1992)
- Q. The UK Organic-Foods Market by Retail Value (£m and %) 1993-2002, (source: Soil Association/ Key Note estimates). The UK Fairtrade Goods Market by Sector (£m) (source: www.fairtrade.org.uk)
- R. Production Of Bananas , 1980-98, (tons). Value of Banana Exports, 1980-97, ('000 \$) (source: FAO)

Appendix A:

UK Retail Fresh Fruit Market by Sector (£m at rsp and %), 2001
(source: Key Note)



Appendix B:

Classification of Selected Economies Involved in EU Banana Trade by Income and Region, July 2002

Income Group	Subgroup	Americas	Sub-Saharan Africa	Europe and Central Asia
<i>Low Income Countries</i>			Cote d'Ivoire Ghana Madagascar Somalia	
<i>Middle Income Countries</i>	<i>Lower</i>	Belize Colombia Dominican Republic Ecuador Guatemala Honduras Jamaica St. Vincent and the Grenadines Suriname	Cape Verde	
	<i>Upper</i>	Costa Rica Dominica Grenada Panama St. Lucia Venezuela		
<i>High Income Countries</i>		United States		Austria Belgium Denmark Finland France Germany Greece Iceland Ireland Italy Netherlands Portugal Spain Switzerland United Kingdom



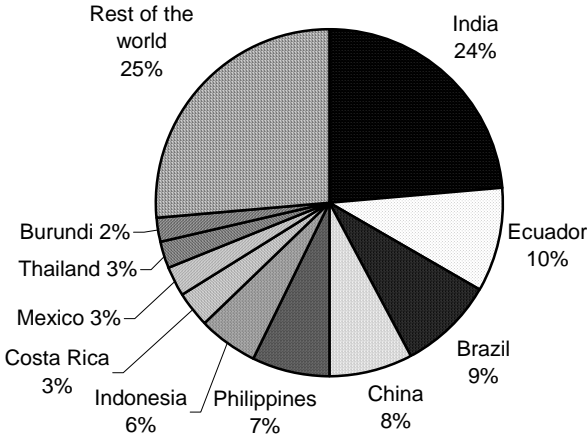
(source: World Bank Data)

Definition of Groups:

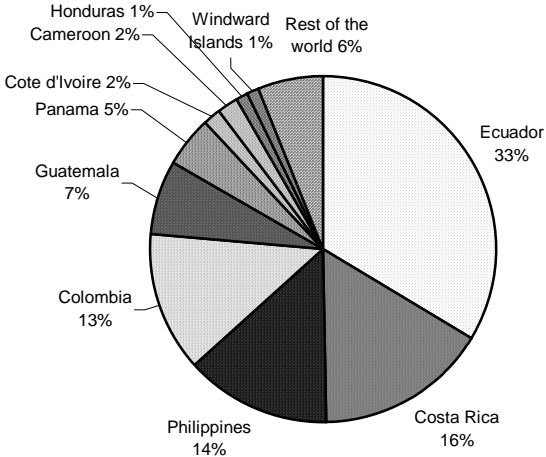
Main criterion for classifying economies is Gross National Income (GNI) per capita. Low-income and middle-income economies are sometimes referred to as developing countries. Economies are divided among income groups according to 2001GNI per capita, calculated using the World Bank Atlas method. Classification by income by does not necessarily reflect development status. The groups are: low income: \$745 or less; lower middle income, \$746-\$2,975; upper middle income, \$2,976-\$9,205; and high income, \$9,206 or more.' (*Global Economic Prospects 2003*, The World Bank)

Appendix C:

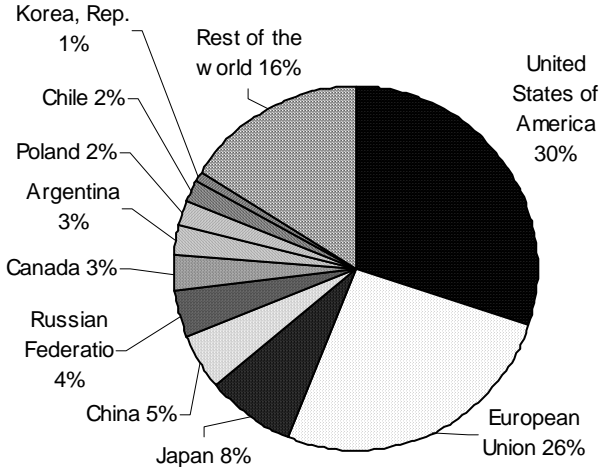
World Banana Production, 2000
(source: FAO)



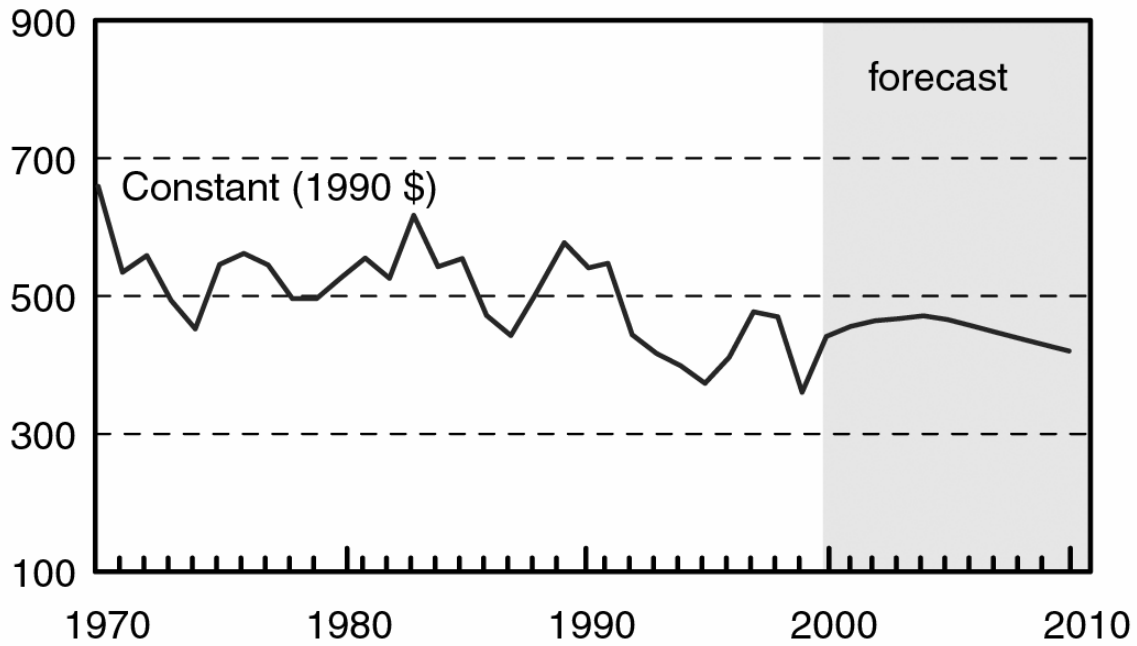
World Banana Exports, 2000
(source: FAO)



Banana Imports, 2000
(source: FAO)



Annual Banana Prices (\$/ton)

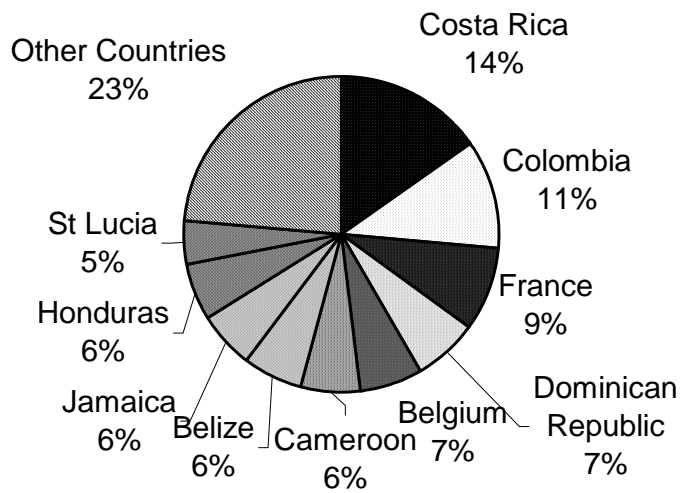


source: FAO data and World Bank forecasts

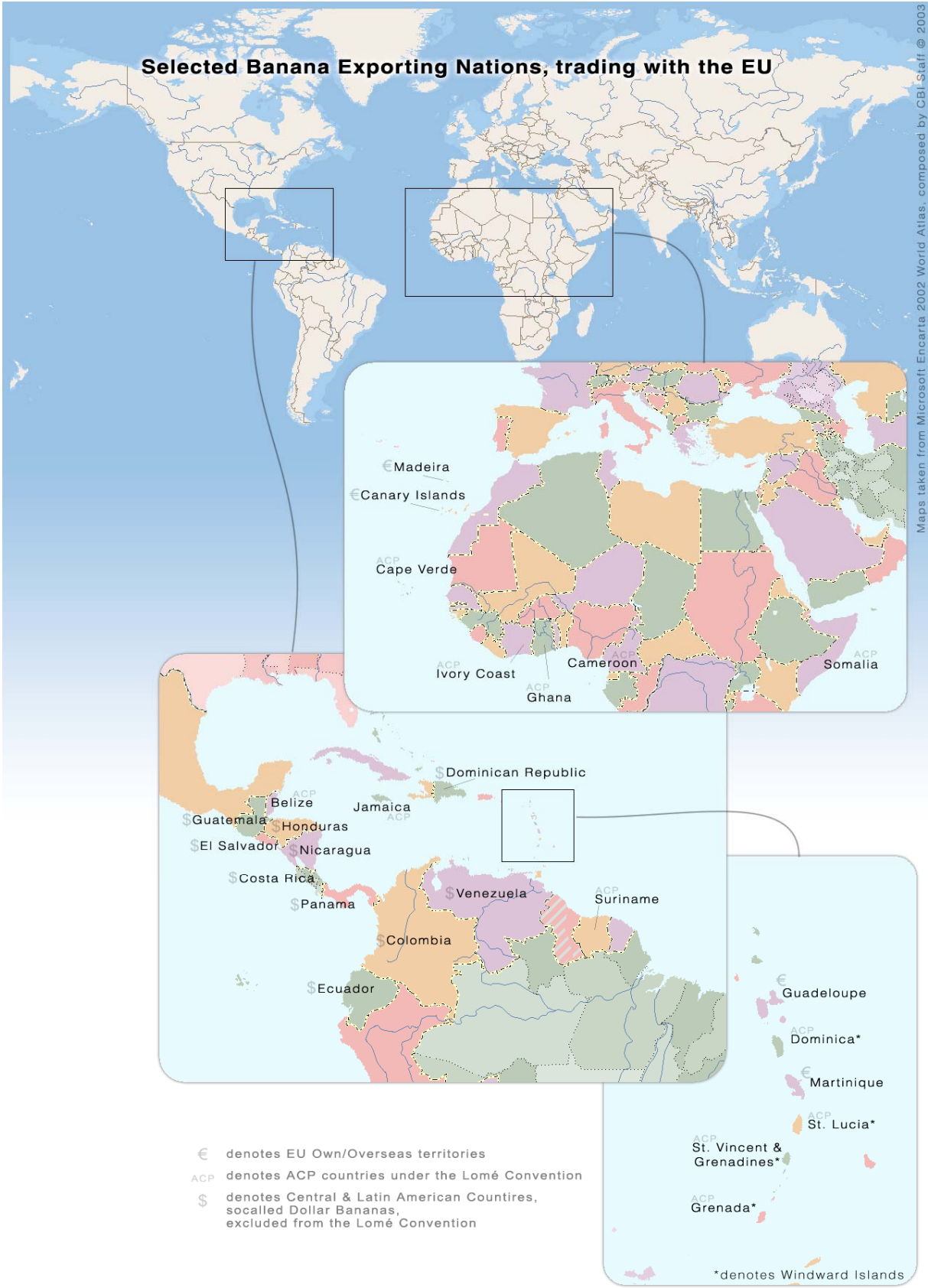
Real Prices have fallen since 1970.

Appendix D:

Key Sources of UK Banana Imports by Volume (% of imports), 2001
(source: Overseas Trade Statistics)



Appendix E:



Appendix F:

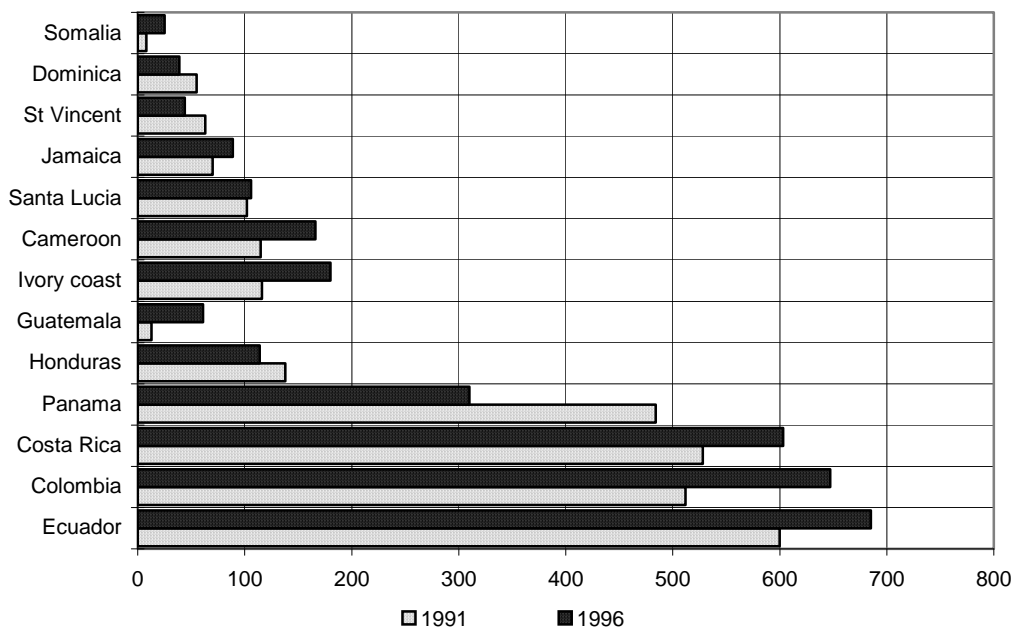
EU Banana Import Origins (1996)

Origin	Volume ('000t)	Share (%)
EU (15)	684.6	17.3%
Canary Islands	319.8	8.1%
Martinique	250.3	6.3%
Guadeloupe	57.4	1.5%
ACP	682.6	17.3%
Ivory Coast	180.9	4.6%
Cameroon	166.6	4.2%
St. Lucia	106.7	2.7%
St. Vincent	44.2	1.1%
Dominica	39.3	1.0%
Surinam	27.2	0.7%
Somalia	25.1	0.6%
Other	2581.9	65.4%
Ecuador	673.8	17.1%
Colombia	630	16.0%
Costa Rica	586.3	14.8%
Panama	308.9	7.8%
Honduras	114.3	2.9%
Guatemala	58	1.5%
Nicaragua	12.6	0.3%
Total	3949.1	91.2%

(source: ZMP (1998), EU Commission (1998))

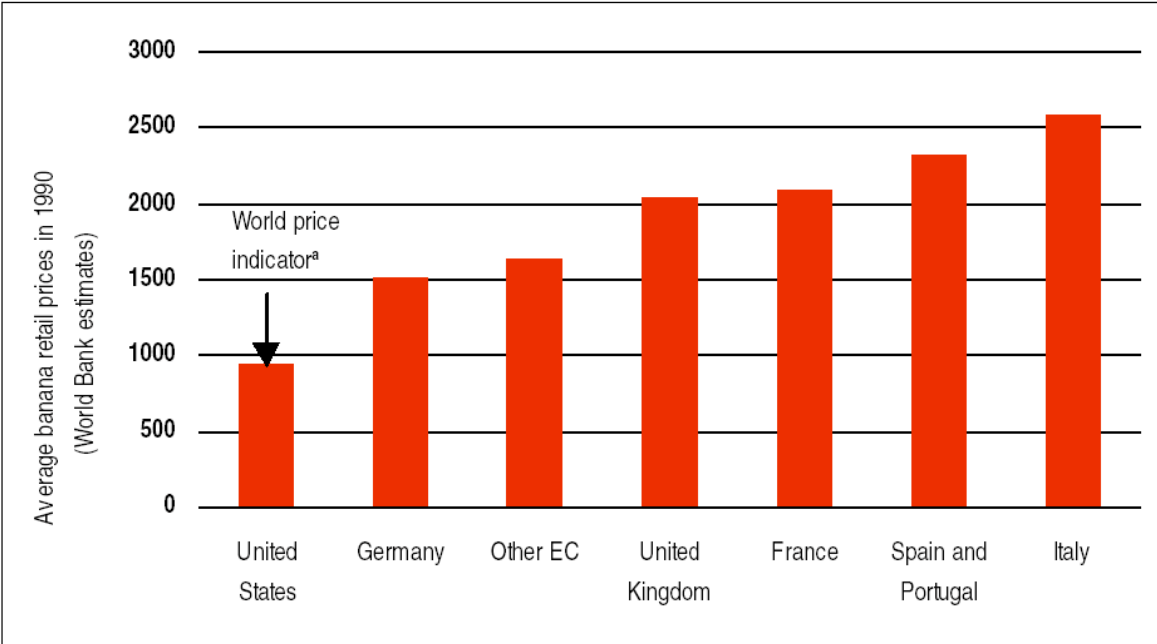
EU Import Origins 1991 and 1996, ('000 t)

(source: Eurostat 1997)



Appendix G:

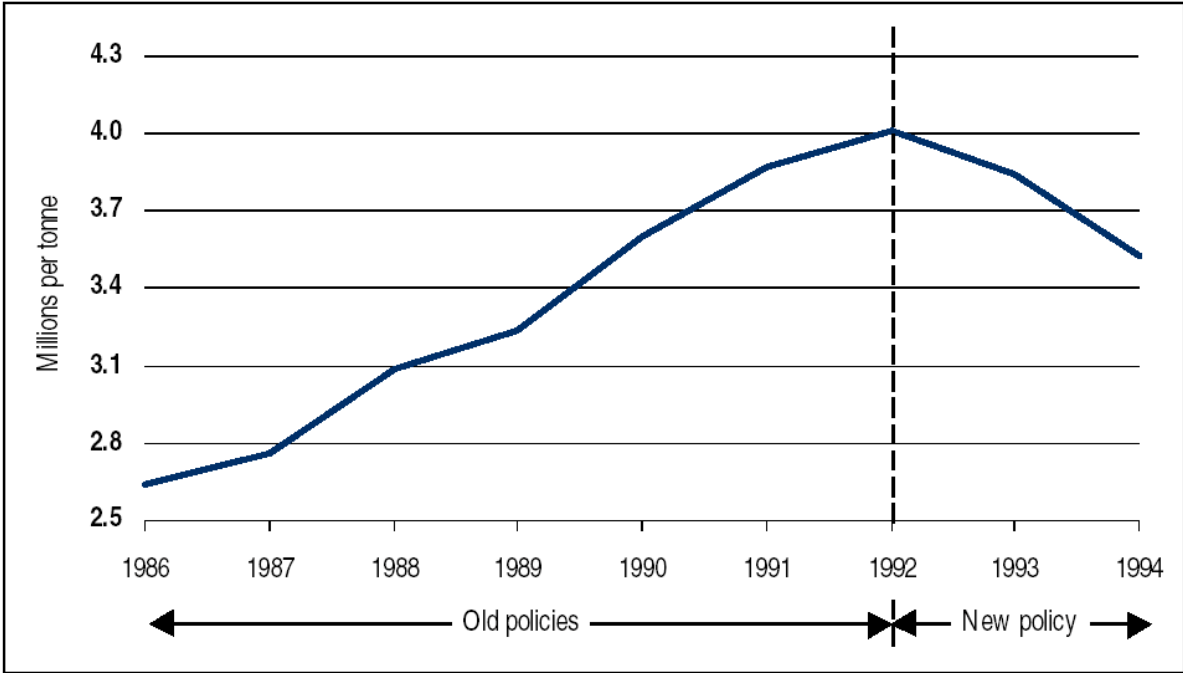
EU retail prices are generally well above those of the United States



^a The United States has no barriers to the entry of bananas and so the forces of supply and demand in the world market determine US retail prices.
Data source: Borrell and Yang (1992).

Appendix H:

EU banana consumption has dropped 11.5 per cent since the new EU policy

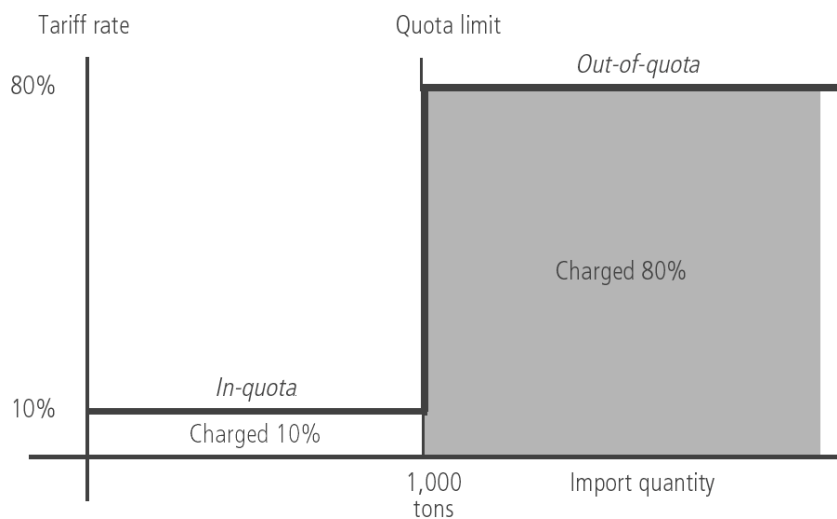


Data source: of European Communities (1995).

Appendix I:

A tariff-quota

This is what a tariff-quota might look like



Imports entering under the tariff-quota (up to 1,000 tons) are generally charged 10%. Imports entering outside the tariff-quota are charged 80%. Under the Uruguay Round agreement, the 1,000 tons would be based on actual imports in the base period or an agreed "minimum access" formula. Tariff quotas are also called "tariff-rate quotas".⁴⁴

Appendix J:

The WTO principle of Most-Favoured-Nation (MFN) or Non-Discrimination:

What happens under the WTO is this. Each member treats all the other members equally as "most favoured" trading partners. If a country improves the benefits that it gives to one trading partner, it has to give the same "best" treatment to all the other WTO members so that they all remain "most favoured". The MFN principle ensures that each country treats its over-100 fellow-members equally.

Some exceptions are allowed. For example, countries within a region can set up a free trade agreement that does not apply to goods from outside the group. Or a country can raise barriers against products from specific countries that are considered to be traded unfairly. And in services, countries are allowed, in limited circumstances, to discriminate. But the agreements only permit these exceptions under strict conditions. In general, MFN means that every time a country lowers a trade barrier or opens up a market, it has to do so for the same goods or services from all its trading partners — whether rich or poor, weak or strong.⁴⁴

The Concept of Distortion

The concept of "distortion" is used a lot when agricultural trade is discussed. Essentially, trade is distorted if prices are higher or lower than normal, and if quantities produced, bought, and sold are also higher or lower than normal — i.e. than the levels that would usually exist in a competitive market. For example, import barriers and domestic subsidies can raise crop prices on a country's internal market. The higher prices can encourage over-production, and if the surplus is to be sold on world markets, where prices are lower, then export subsidies have to be paid. When some countries subsidize and others do not, the result can be that the subsidizing countries are producing considerably more than they normally would. Governments usually give three reasons for supporting and protecting their farmers, even if this distorts agricultural trade:

- to make sure that enough food is produced
- to meet the country's needs
- to shield farmers from the effects of the weather and swings in world prices
- to preserve rural society.

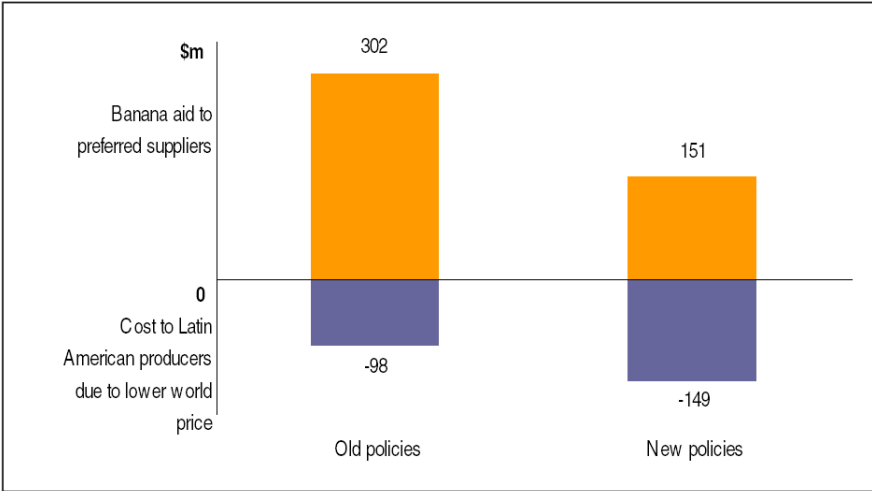
But the policies have often been expensive, and they have encouraged gluts leading to export subsidy wars. Countries with less money for subsidies have suffered. In negotiations, some countries have argued that trying to meet any of these objectives is counter-productive. Others have attempted to find ways of meeting the objectives without distorting trade too much.⁴⁴

(all on this page taken from: World Trade Organization. 2001. *Trading Into The Future: The World Trade Organization*, 2nd ed. Geneva: WTO Publications)

Appendix K:

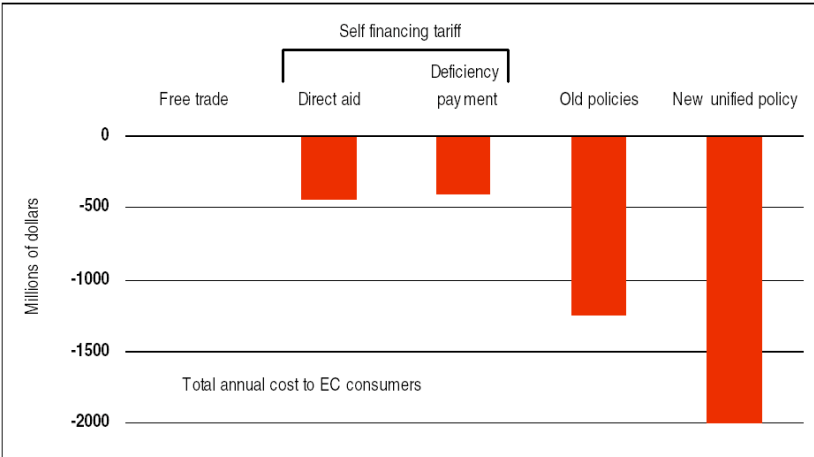
Old = pre 1993, New = post1993 policies

The net aid effect for developing countries may be zero



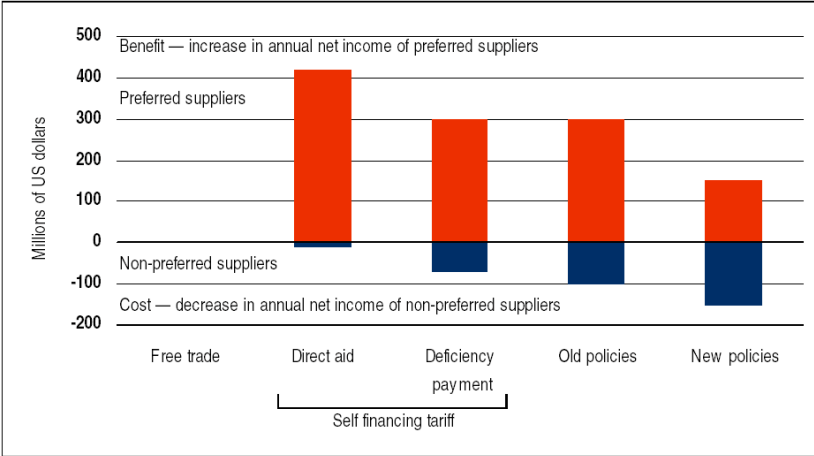
Data source: Borrell (1996).

Self financing tariff options would be much less costly than quotas



Data source: Borrell (1997)

Self financing tariff options are best for banana supplying regions too



Data source: Borrell (1997)

Appendix L:

Chronology of Events in the EU Banana Import Dispute 1993 - 2002

pre 1993	different EU States operated different import controls.
1993	Due to the creation of a single market a common policy had to be established; The Banana Regime. Establishment of the CMO for bananas
1994	GATT ruling against the regime but not adopted due to oppositions from EU and ACP
1994/5	Framework Agreement raises quota to 2.2m tonnes and lowers duty to ECU 75 per tonne
1995	US, Mexico, Ecuador et al. Bring matter to DSB of WTO
1997	WTO finds against BR system of licenses, and Framework Agreement, but not against ACP preference per se
1998	EU revises BR: changes system of licenses, replaces with distinction between traditional suppliers and new entrants. US still opposes and threatens trade sanctions. Ecuador opposes.
1999 (April)	Second WTO ruling on the EU Banana Regime
1999 (April)	US imposes sanctions on EU exports, \$191.4 million
1999 (Nov.)	EU proposes two stage scheme with tariff only regime from 2006. Also proposes the FCFS principle allocating the quotas.
2001	US opposes FCFS principle in favour of historical distribution. Threatens trade sanctions.
2001 (April)	EU and US and Ecuador reach agreement on new BR. ACP lose 100,000 tonnes of C quota when it takes effect.
2001 (Nov.)	WTO Doha approves waiver for EU preferential tariff for ACP and Banana Protocol to 2008
2002 (Jan.)	New BR takes effect; 100,000 tonnes of ACP quota transferred to dollar quota.
2004	New members join EU; tariff quota to be increased accordingly
2004	Proposed date for review of COM in Bananas
2006 (1. Jan.)	EU Banana Regime to become tariff only
2008	Expiry of WTO Cotonou waiver

adapted from:

Dickson, Anna. 2002. *The EU Banana Regime: History and Interests*. Durham: University of Durham.

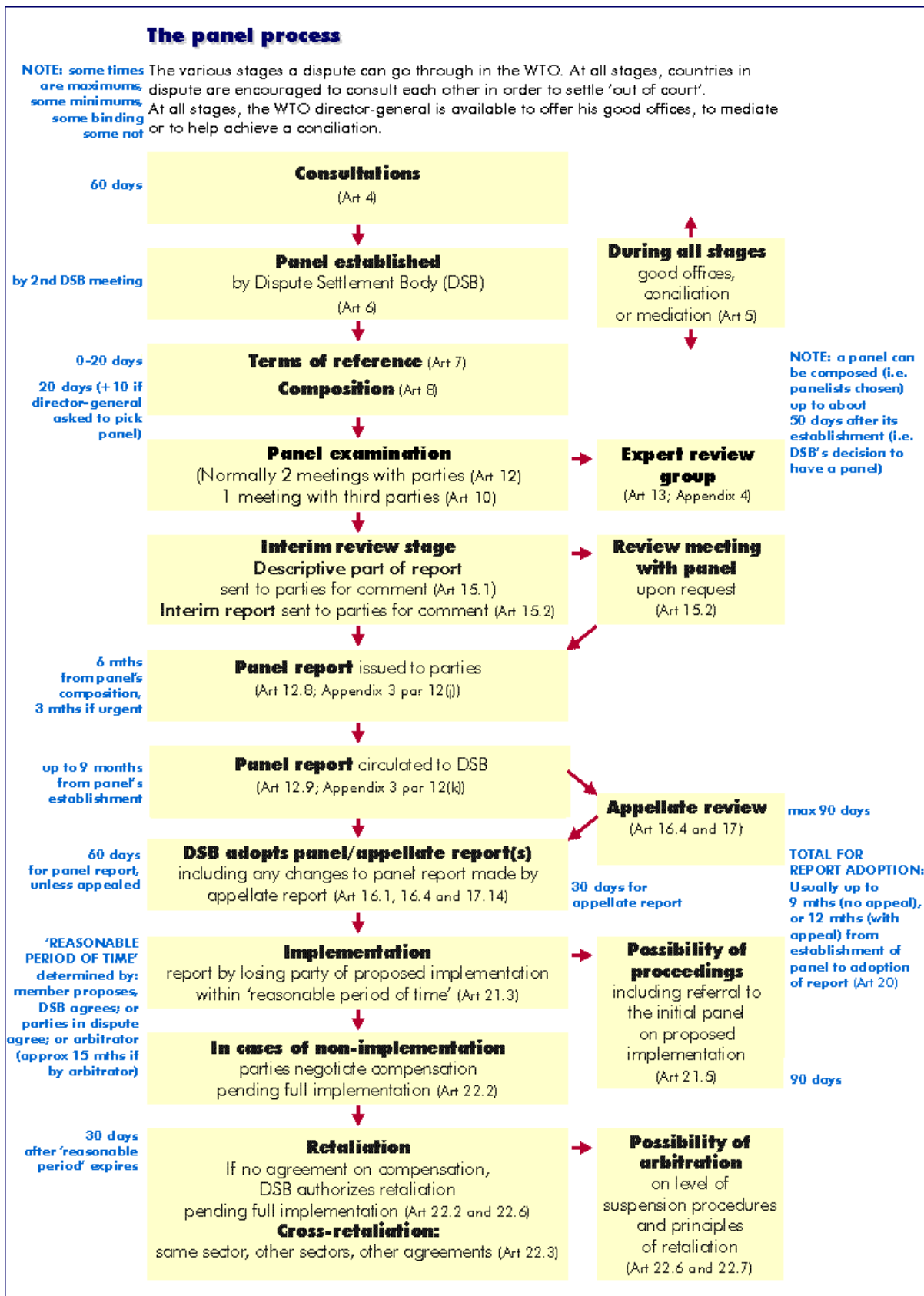
supplemented with information from:

World Trade Organization. 2001. *Trading Into The Future: The World Trade Organization*, 2nd ed. Geneva: WTO Publications

Hoekman, Bernard et al (ed). 2002. *Development, Trade and the WTO*. Washington DC: World Bank.

Own additions

Appendix M:

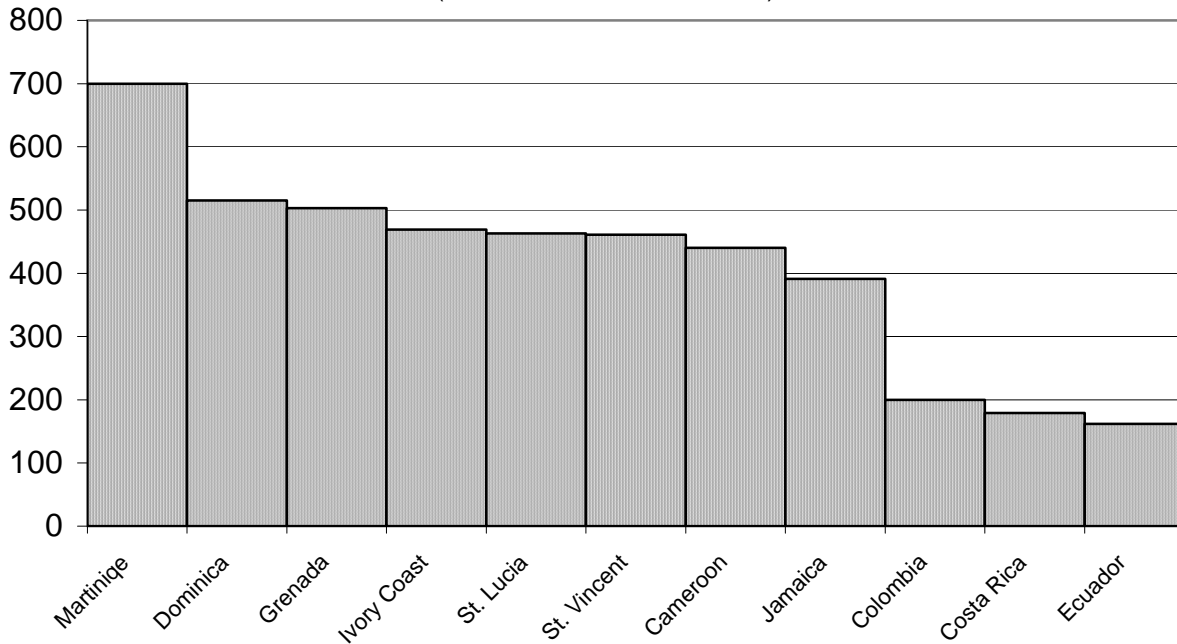


(source: WTO)

Appendix N:

Costs per ton of Banana Production: \$US

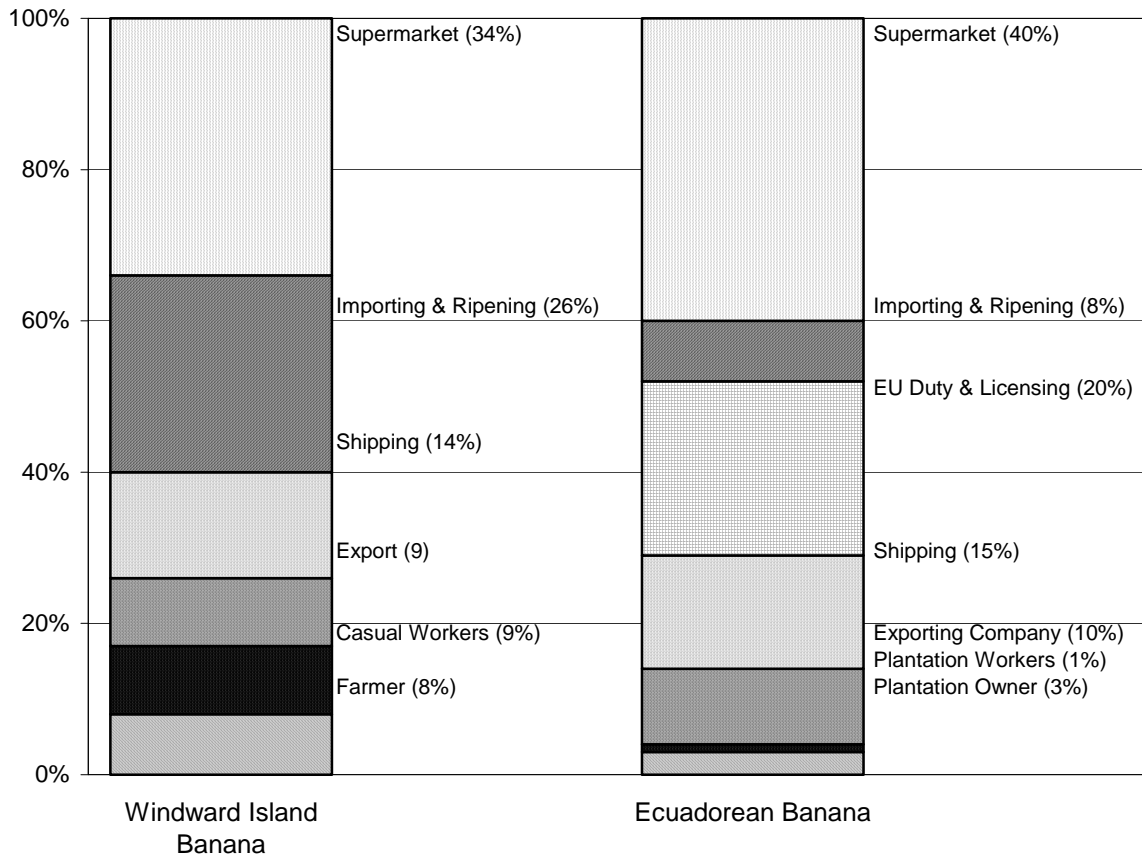
(source: Orchard et al., 1997)



Appendix O:

The Cost of a Windward/ Ecuadorean Banana, 1999

(source: BananaLink)



Appendix P:**Selected Indicators: Windward Islands, different years**

Indicator	Year	Dominica	St. Lucia	St. Vincent	Grenada	Windwards
Population	1998	71,000	150,000	112,000	93,000	426,000
Banana Acreage	1998	12,000	16,500	12,000	1,200	41,700
Average farm size (acres)	1997	2.30	2.70	1.50	0.60	1.75
Numbers of active growers	1990	6,555	9,500	8,000	600	24,655
	1998	3,533	6,061	7,048	118	16,760
Numbers in direct banana employment	1992	10,225	20,000	23,053	2,550	55,828
	1998	5,552	14,800	21,051	510	41,913
% workforce in bananas	1990	30.80	25.00	20.00	n.a.	25.30
	1998	33.00	35.00	34.00	0.10	34.00
% population dependent on bananas	1990	72.5	65.5	85.8	9.6	59.5
	1998	37.0	40.8	72.4	1.7	39.3
banana exports as a % of total exports	1990	56.2	57.6	52.6	17.5	46.0
	1998	23.6	62.4	41.1	0.1	41.2
Banana yield (Hg/Ha)	1990	155,067	106,667	96,685	38,621	397,040
	1998	100,000	100,000	100,000	40,000	340,000

(source: WIBDECO, FAO, Govt Stats Dept, Banana Associations, Nurse & Sandiford, Grossman 1998)

ACP export to the EU and the exporters' dependence on Banana trade (1992)

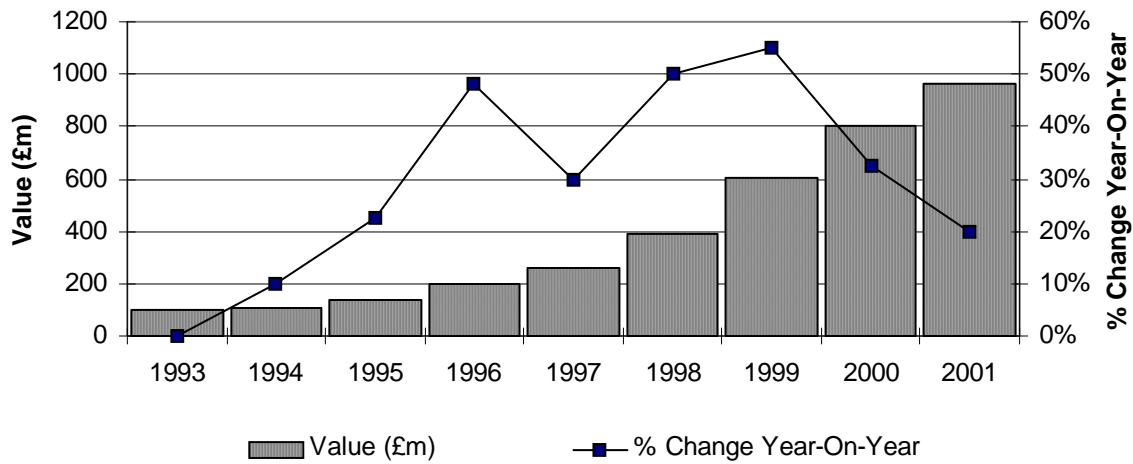
ACP Country	ECU '000	% of total exports
St. Lucia	76,308	91.2
Dominica	34,275	88.6
St. Vincent	42,804	62.5
Belize	15,668	32.4
Grenada	3,860	19.5
Jamaica	46,654	16.5
Surinam	15,658	9.4
Cape Verde	1,173	9.0
Cameroon	67,224	6.3
Cote d'Ivoire	91,570	6.0

(source: Eurostat)

Appendix Q:

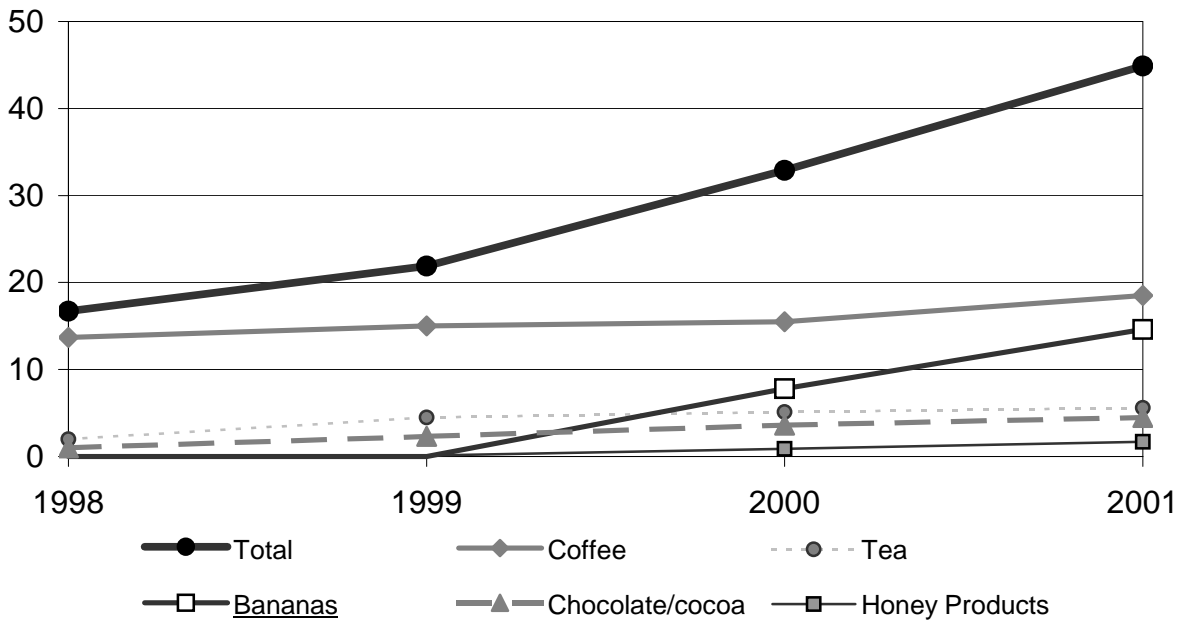
The UK Organic-Foods Market by Retail Value (£m and %) 1993-2002

(source: Soil Association/ Key Note estimates)



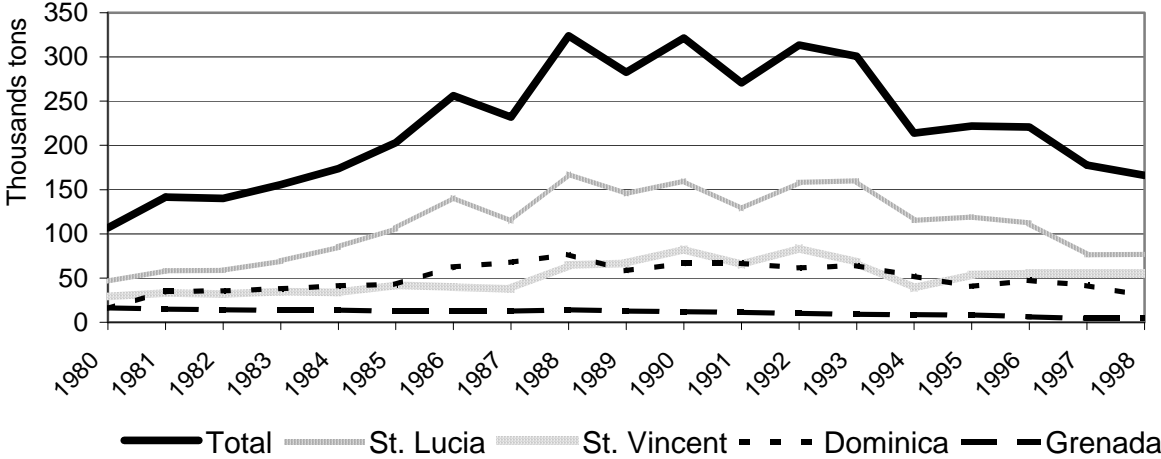
The UK Fairtrade Goods Market by Sector (£m)

(source: www.fairtrade.org.uk)

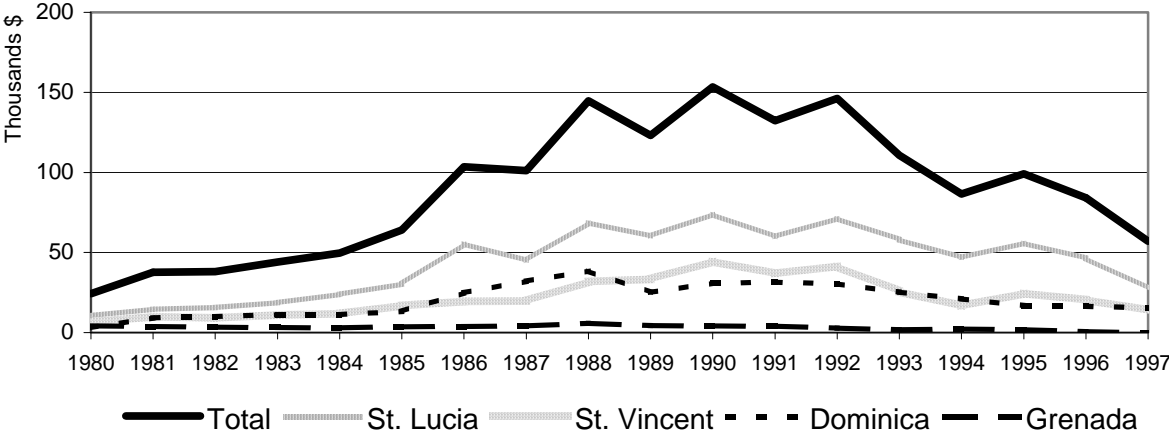


Appendix R:

Production Of Bananas , 1980-98, (tons)
(source: FAO)



Value of Banana Exports, 1980-97, ('000 \$)
(source: FAO)



Bibliography & References:

Most of the research for this subject has been of digital nature, acquired by deploying search engines, searching relevant sites and following references of reports and articles. Therefore it was sometimes difficult to identify the precise origin, author or the publishing body of an article or report. For that reason and to prove the existence of our sources and to complement where the referencing is deficient, our total research has been copied on CD and is attached to the report. It also contains research that was gathered but found to be of little relevance. Every reference has been made available in printed form.

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