



The Estey Centre Journal of **International Law and Trade Policy**

Abstract

Political Precaution, Pandemics and Protectionism

William A. Kerr

Senior Associate, Estey Centre for Law and Economics in International Trade

Despite strong scientific evidence and representations made by international scientific organizations, a considerable number of countries have imposed import bans on pork in response to the H1N1 pandemic. The imposition of these barriers is contrary to WTO rules. The motivation for the imposition of these barriers does not appear to have arisen from producers' requests or consumer lobbying – political precaution provides the motivation. There appears to be little control over political precaution in the rules of international trade. Hence, the balance between the strong rules of trade desired by firms wishing to engage in international commerce and the need, at times, for politicians to respond to requests for protection may be changing in favour of more protection.

Keywords: H1N1, import bans, pork, precaution, protection, swine