

Global Food Security
Summer 2019
Syllabus

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Class Description:

This course will examine how law shapes global food systems and their ongoing transformations, with a particular focus on the landscape of global food (in)security. The objective of the course is to understand the causes and demographics of food insecurity and malnutrition; how governments and international institutions have sought to combat food insecurity and malnutrition; why they have so dramatically failed; and how law and governance are relevant to what can be done about this. Class participants will be asked to think critically about the role of law in establishing and upholding the current food system – and how and to what degree law and legal frameworks may be used to build more equitable, sustainable and just food systems.

Schedule:

The class will meet June 17 – June 27, Monday through Thursdays from 1:00pm to 4:00pm in 210 Oakes Hall.

Grading:

The class will combine lecture and significant discussion time, including in class activities. As a result, grading will be based on class participation (including preparing discussion questions and participation in class discussions and activities) (45%), one ten-minute presentation (20%), and a final take home exam or research paper (35%). Class attendance is required and absences will affect class participation grade unless arrangements are made in advance to make up missed class time. If you must miss class due to serious illness or personal emergency, please notify the instructor in advance of class. Please take note of academic regulations regarding absenteeism in the Student Handbook.

Assignments:

In-Class Assignments: We will have regular in-class assignments that will require minimal or no at home preparation, but will require active participation in class.

In-Class Discussions: Each student will be required to prepare discussion questions on the basis of the class readings. Each student will be responsible for preparing questions for two different classes. Students are required to send a list of at least 4 discussion questions by 9 am the morning of their assigned classes based on the readings for that day. Questions should be sent to nadia.lambek@mail.utoronto.ca. Students will have the opportunity to select the classes for which they prepare questions. All students are required to participate in class. If there are reasons why you are unable to participate in class, please speak to the instructor.

Presentation: Each student will be required to prepare a 10 minute presentation. The presentations will be

case studies related to the thematic topic of each class. Presentations are intended to give context to the discussion topic for the particular date and to enrich the class discussion. Possible presentation topics are provided in the syllabus. Students may propose alternative presentation topics to the instructor. Readings will be provided for students to review for their presentations though some outside research will be expected.

Final: Students will have the option to either do a final take-home exam, or to complete a research paper.

Take-Home Exam: Exam questions will be provided at noon on June 28th. Exam responses will be due on July 3rd at 5pm. Exams are to be uploaded anonymously to a TWEN site. Further details will be provided in class.

Research Papers: Students interested in preparing a final research paper must have their topic approved by the instructor before the June 27th. Final papers will be due July 8th at 10am. Papers are to be approximately 5000 words inclusive of footnotes.

Readings and Videos:

Readings and occasional videos have been provided for each class. The required readings are all available electronically (optional readings are also available electronically except where indicated), and hyperlinks are included in the syllabus. *Readings are subject to some changes – and a final updated syllabus will be provided on the first day of class.*

Class Readings

Class 1: Intro to Food Systems and Global Hunger (June 17, 2019)

Readings:

- Food and Agriculture Organization of the United Nations, [*The State of Food Insecurity in the World: In Brief*](#) (2018)
 - *Read:* pp. 1-16
- Walter Willett et al., [*Food in the Anthropocene: the EAT-Lancet Commission on Healthy Diets from Sustainable Food Systems*](#) (2019)
 - *Read:* Executive Summary and Introduction
- United Nations, [*Sustainable Development Goal #2: Zero Hunger*](#)
 - *Read:* Progress & Info (2016), Progress & Info (2017) and Progress & Info (2018)

Want more? (optional readings on food systems):

- Carmen Gonzalez, *International Economic Law and the Right to Food, in Rethinking Food Systems: Structural Challenges, New Strategies and the Law* (2014)
- Harriet Friedmann and Philip McMichael, *Agriculture and the State System: The Rise and Decline of National Agricultures, 1870 to the Present*, Sociologia Ruralis, Vol. XXIX-2 (1989)
- Philip McMichael, [*A Food Regime Genealogy*](#), The Journal of Peasant Studies, 36:1 (2009)
- Henry Bernstein, [*Food Regimes and Food Regime Analysis: A Selective Survey*](#) (2015)

Class 2: Global Governance of Food Systems (June 18, 2019)

Readings:

- Fragmentation and Institutions:
 - Matias E. Margulis, [The Global Governance of Food Security](#), in Handbook of Inter-Organizational Relations (Joachim Koops and Rafael Biermann, eds, 2017)
 - UN Committee on World Food Security, [Reform of the Committee on World Food Security](#), UN Doc. CFS:2009/2 Rev. 2 (2009)
 - *Read:* paras. 1-15
- Challenges:
 - Marcos Ezequiel Filardi and Stefano Prato, [Reclaiming the Future of Food: Challenging the Dematerialization of Food Systems](#), Right to Food and Nutrition Watch (2018)
 - Flavio Luiz Schieck Valente, [The Corporate Capture of Food and Nutrition Governance: A Threat to Human Rights and Peoples' Sovereignty](#), Right to Food and Nutrition Watch (2015)
 - *Read:* pages 15-23 (including "Insight 1" of Nora McKeon)

In class activity:

- Mapping the global governance of food systems

Want more? (optional readings):

- On global governance:
 - Jessica Duncan and David Barling, [Renewal Through Participation in Global Food Security Governance: Implementing the International Food Security and Nutrition Civil Society Mechanism to the Committee on World Food Security](#), Int. J. of Soc. of Agr. & Food, Vol. 19, No. 2, pp. 143-161 (2012)
 - Nora McKeon, [Global Food Governance in an Era of Crisis: Lessons from the United Nations Committee on World Food Security](#), Canadian Food Studies, Vol. 2, No. 2, pp. 328-334 (2015)
 - Timothy A. Wise, [Two Roads Diverged in the Food Crisis: Global Policy Takes the One More Travelled](#), Canadian Food Studies, Vol. 2, No. 2, pp. 9-16 (2015)
- On challenges:
 - Patti Rundall, [The 'Business of Malnutrition': The Perfect Public Relations Cover for Big Food](#), in Right to Food and Nutrition Watch (2015)

Class 3: International Trade and Intellectual Property Law (June 19, 2019)

Intellectual property law will be discussed in class, but readings will focus just on trade law.

Readings:

- Trade:
 - Jennifer Clapp, [Food Security and International Trade: Unpacking Disputed Narratives](#) (FAO, 2015)

- *Read:* section 1 (Introduction), 2.2 (Trade Norms: Food Exceptionalism and Trade Liberalization), 3 (Trade as Opportunity for Food Security) and 4 (Trade as a Threat to Food Security)
- Sophia Murphy, [Food Security and International Trade: Risk, Trust and Rules](#), 2(2) Canadian Food Studies 88 (2015)
- Biraj Patnaik, [Addressing Structural Inequity: Global Trade Rules and Their Impact of Food and Nutrition Security](#), Right to Food and Nutrition Watch (2017)
 - *Read:* full article and Insight 8.1

Activity:

Debate: do international trade and intellectual property instruments contribute to achieving global food security or global food insecurity?

Want more? (optional readings):

- Some Trade Instruments:
 - [GATT 1994: General Agreement on Tariffs and Trade 1994](#), Apr. 15, 1994, Marrakesh Agreement Establishing the World Trade Organization, Annex 1A, 1867 U.N.T.S. 187, 33 I.L.M. 1153 (1994) [hereinafter GATT 1994].
 - [Agreement on Agriculture](#), Apr. 15, 1994, Marrakesh Agreement Establishing the World Trade Organization, Annex 1A, 1867 U.N.T.S. 410. [Not reproduced in I.L.M.]
 - [Agreement on Subsidies and Countervailing Measures](#), Apr. 15, 1994, Marrakesh Agreement Establishing the World Trade Organization, Annex 1A, 1869 U.N.T.S. 14.
- Some Intellectual Property Instruments:
 - [TRIPS: Agreement on Trade-Related Aspects of Intellectual Property Rights](#), Apr. 15, 1994, Marrakesh Agreement Establishing the World Trade Organization, Annex 1C, 1869 U.N.T.S. 299, 33 I.L.M. 1197 (1994) [hereinafter TRIPS Agreement].
 - [International Convention for the Protection of New Varieties of Plants](#), of December 2, 1961, as Revised at Geneva on November 10, 1972, on October 23, 1978, and on March 19, 1991
 - [International Treaty on Plant Genetic Resources for Food](#) (2004)
 - [Convention on Biological Diversity](#) (1992)
- Readings on Seeds:
 - <http://www.fao.org/3/a-av034e.pdf> Simran Sethi, [Why Seed Bank Aren't the Only Answer to Food Security](#), The Guardian (2015)
 - Matthew A. Schnurr, [GMO 2.0: Genetically Modified and the Push for Africa's Green Revolution](#), Canadian Food Studies, Vol. 2, No. 2, pp. 201-208 (2015)
 - Tamara Wattnem, [Seed Laws, Certification and Standardization: Outlawing Informal Seed Systems in the Global South](#), The Journal of Peasant Studies (2016)
 - Faris Ahmed, [Peasant Agriculture, Seeds, and Biodiversity](#), Canadian Food Studies, Vol. 2, No. 2, pp. 313-320 (2015)

Class 4: Agroecological Transitions and Investing in Smallholders (June 20, 2019)

Readings:

- On Agroecology:
 - IPES Food, [From Uniformity to Diversity](#) (2016)

- *Read:* pp. 1-12
 - UN Committee on World Food Security, High Level Panel of Experts on Food Security and Nutrition, [Agroecological Approaches and Other Innovations for Sustainable Agriculture and Food Systems that Enhance Food Security and Nutrition](#) (2018)
 - *Read:* p. 13 (lines 2-28) and pp. 9-12
 - Nyeleni Forum for Agroecology, [Declaration of the International Forum for Agroecology](#) (2015)
- On Investing in Smallholders:
 - UN Committee on World Food Security, [Investing in Smallholder Agriculture for Food Security and Nutrition](#) (2013)
 - UN FAO and IFAD, [United Nations Decade of Family Farming 2019-2028: Global Action Plan](#) (2019)
 - *Read:* pp. 8-9 (Introduction: Background) and 60-67 (Pillar 6: Promote Sustainability of Family Farming for Climate-Resilient Food Systems)
- Instruments:
 - UN General Assembly, [Declaration on the Rights of Peasants and Other People Working in Rural Areas](#), UN Doc A/C.3/73/L.30 (2018)

Activity:

The FAO is in the process of selecting a new Director General (DG), who will play a key role in shaping global agricultural and food policy in the years to come.

How should we advise the DG candidates on the question of glyphosate herbicides? Should we promote the use of glyphosate herbicides to ensure food security and the achievement of SDG 2? Or should they be banned?

Debate Resources:

- On the dangers of Glyphosate:
 - World Health Organization, [International Agency for Research on Cancer](#), Q&A on Glyphosate (2016)
 - Michael McGowan, [Roundup Cancer Link: Australian Firms Consider Lawsuits Over Exposure to Weedkiller](#), The Guardian (June 2, 2019)
 - Carey Gillam, [On Man's Suffering Exposed Monsanto's Secrets to the World](#), The Guardian (2018)
- On the benefits of Glyphosate:
 - European Crop Protection, [With or Without Glyphosate](#)
 - University of Oregon, National Pesticide Information Center, [Glyphosate](#)
 - Bayer, [Answers to Common Questions about Glyphosate](#)
- Policy Implications:
 - Julian Borger and Felicity Lawrence, [Candidate to Run Global Food Body will "Not Defend" EU Stance on GM](#), The Guardian (June 2, 2019)

Presentation Topics:

- Legal context of large-scale land acquisitions
- The Comprehensive Africa Agriculture Development Programme (CAADP)
- The right to water in international law

- Roundtable on Sustainable Palm Oil
- US agrofuels policy
- Fisheries and Food Systems
- Meat and Food Systems
- Seeds in the US and *Bowman v. Monsanto Co.*

Want more? (optional readings):

- UNCTAD, FAO, IFAD and World Bank, [Principles for Responsible Agricultural Investment](#) (2010)
- UN Committee on World Food Security, [Principles for Responsible Investment in Agriculture and Food Systems](#) (2015)
- UN Committee on World Food Security, [Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security](#) (2012)
- UN Committee on World Food Security, [Connecting Smallholders to Markets](#) (2016)
- UN Committee on World Food Security, [Sustainable Agricultural Development for Food Security and Nutrition: What Roles for Livestock?](#) (2016)
- Saturnino M. Borras and Jennifer C. Franco, *From Threat to Opportunity? Problems with Codes of Conduct for Land Grabbing*, in *Rethinking Food Systems: Structural Challenges, New Strategies and the Law* (Lambek et al. Eds, 2014)
- Ruth Hall et al., [Resistance, Acquiescence or Incorporation? An Introduction to Law Grabbing and Political Reactions 'From Below'](#), *The Journal of Peasant Studies* (2015)
- Oane Visser, [Finance and the Global Land Rush: Understanding the Growing Role of Investment Funds in Land Deals and Large-Scale Farming](#), *Canadian Food Studies*, Vol. 2, No. 2, pp. 278-286 (2015)
- See generally, reports from [GRAIN](#)

Class 5: The Right to Food and Women's Rights (June 24, 2019)

Readings:

- Legal Frameworks for the Right to Food:
 - [International Covenant on Economic, Social and Cultural Rights](#), G.A. Res. 2200A (Dec. 16, 1966), *reprinted in* 6 I.L.M. 360 (1967)
 - *Read:* article 11
 - U.N. Comm. on Econ., Social and Cultural Rights [CESCR], [General Comment No. 12: The Right to Adequate Food](#), U.N. Doc. E/C.12/1999/5 (May 12, 1999)
 - *Read:* paras. 1-2, 5-20
 - *Skim:* the remainder
 - Committee on World Food Security [CFS], [Voluntary Guidelines to Support the Progressive Realization of the Right to Adequate Food in the Context of National Food Security](#) (2004)
 - *Skim*
- Legal Frameworks for Women's Rights:
 - [Convention on the Elimination of All Forms of Discrimination Against Women](#), 18 December 1979, United Nations, Treaty Series, vol. 1249, p. 13
 - *Read:* article 14
 - CEDAW, [General Recommendation No. 34 on the Rights of Rural Women](#), UN Doc. CEDAW/C/GC/34 (2016)

- *skim*
- Application of Legal Frameworks and “Peoples” Approach to the Right to Food:
 - Working Group on Monitoring of the Civil Society Mechanism (CSM), [Civil Society Report on the Use and Implementation of the Right to Food Guidelines](#) (2018)
 - *Read*: Executive Summary, Intro, Part II(h) and Part IV (Marginalized Groups – Women)
 - *Skim*: the remainder

Watch:

- Smita Narula, Keynote at Vermont Food Systems Summit (2015), <https://www.youtube.com/watch?v=PNRdMaTaLqA>

Class Activity: Identifying and responding to violations of the right to food including women’s right to food

Presentation Topics:

- the Right to Food Case and Legislation in India
- *SERAP v. Nigeria and SERAC et al. v. Nigeria* (the impact of oil extraction in Nigeria)
- the Right to Food in Brazil (Zero Hunger Strategy and other government initiatives ... or at least previous initiatives)
- the right to food in the US
- international law regarding human rights defenders
- Violence against women and the right to food
- Extraterritorial human rights obligations (the Maastricht Principles)

Want more? (optional readings):

- Olivier De Schutter, [Final Report: The Transformative Potential of the Right to Food](#), UN Doc. A/HRC/25/57 (2014)
- Nadia Lambek and Priscilla Claeys, [Institutionalizing a Fully Realized Right to Food: Progress, Limitations, and Lessons Learned from Emerging Alternative Policy Models](#), 40 *Vermont Law Review* 743 (2016)
- International Human Rights Clinic, NYU School of Law, [Nourishing Change: Fulfilling the Right to Food in the United States](#) (2013)
- Olivier De Schutter, [Assessing a Decade of Right to Food Progress](#), U.N. Doc. A/68/288 (2013)
- Priscilla Claeys, [The Right to Food: Many Developments, More Challenges](#), *Canadian Food Studies*, Vol. 2, No. 2 (2015)

Class 6: Addressing Food Insecurity During Protracted Crises, Conflicts and Climate Related Disasters (June 25, 2019)

Readings:

- International Context:
 - Food and Agriculture Organization of the United Nations, [*The State of Food Security and Nutrition in the World \(In Brief\)*](#) (2017)
 - Read: pp. 17-30
 - Olivier De Schutter, UN Special Rapporteur on the Right to Food, [*The Role of Development Cooperation and Food Aid in Realizing the Right to Adequate Food: Moving From Charity to Obligation*](#), UN Doc. A/HRC/10/5 (2009)
 - Read: paras. 1-35
 - Hilal Elver, UN Special Rapporteur on the Right to Food, [*The Right to Food in Conflict Situations*](#), UN Doc. A/72/188 (2017)
 - Read: paras. 45-90
 - UN Committee on World Food Security, [*Framework for Action for Food Security and Nutrition in Protracted Crises*](#) (2015)
 - Skim
- US Context:
 - Congressional Research Service, [*US International Food Assistance: An Overview*](#) (2018)

Presentation Topics:

- A legal analysis of food insecurity in Venezuela, Yemen, or any country with a conflict or protracted crisis
- Extra-territorial human rights obligations in the context of conflicts, protracted crisis and climate related disasters
- A legal analysis of Hurricane Maria and food insecurity in Puerto Rico

Want more? (optional readings):

- Food and Agriculture Organization of the United Nations, [*The State of Food Insecurity in the World: In Brief*](#) (2018)
 - pp. 17-30 (The Impact of Climate on Food Security and Nutrition)
- World Food Programme, [*Annual Performance Report for 2018*](#) (2019)
- Hilal Elver, UN Special Rapporteur on the Right to Food, [*Right to Food in the Context of Natural Disasters*](#), UN Doc. A/HRC/37/61 (2018)
- Hilal Elver, UN Special Rapporteur on the Right to Food, [*Impact of Climate Change on the Right to Food*](#), UN Doc. A/70/287 (2015)
- Julia Moskin et al., [*Your Questions About Food and Climate Change, Answered*](#), New York Times (April 30, 2019)

Class 7: Labour in the Food System (June 26, 2019)

Guest Speaker: Will Lambek, Migrant Justice Vermont

Readings:

- Food Chain Workers Alliance, [*The Hands that Feed Us: Challenges and Opportunities for Workers Along the Food Chain*](#) (2012)
 - Read pages 1-21
- Pick one and read all:
 - Hilal Elver, UN Special Rapporteur on the Right to Food, [*Agricultural Workers and the Right to Food*](#), UN Doc. A/73/164 (2018)
 - Hilal Elver, UN Special Rapporteur on the Right to Food, [*Fishery Workers and the Right to Food*](#), UN Doc. A/HRC/40/56 (2019)

Watch:

- Hide, <https://vimeo.com/92736899>, 2013
- Enrique Balcazar, [*"The Cows Don't Milk Themselves"*](#) (2019)

Presentation Topics:

- Fight for 15
- Migrant Farm Labourers in the US (law and policy framework)
- Fair Trade and labeling
- ILO Conventions

Class 8: Where Do We Go from Here? (June 27, 2019)

Readings:

- Right to Food Going Forward?
 - Olivier De Schutter, UN Special Rapporteur on the Right to Food [*Final Report: The Transformative Potential of the Right to Food*](#), UN Doc. A/HRC/25/57 (2014)
 - *Read:* pp 14-28
- The Possibilities of Food Sovereignty?
 - Nyeleni Food Sovereignty Forum, [*Declaration of Nyeleni*](#) (2007)
 - Michael Fakhir and Nate Bellinger, [*The Intersection Between Food Sovereignty and Law*](#), 28:2 Natural Resources & Environment 45 (2013)
- Implementing UNDROP?
 - Geneva Academy, [*The Implementation of the United Nations Declaration on the Rights of Peasants and Other People Working in Rural Areas*](#) (2019)

Presentation Topics:

- UN HRC's international legally binding treaty on transnational corporations and other business enterprises with respect to human rights

- Public procurement
- Health, nutrition and food system nexus
- Food policy councils
- Nicaragua, Law of Food and Nutritional Sovereignty and Security
- Blue Hill, Maine, Food Sovereignty Ordinance and other city ordinances in the US

Want more? (optional readings):

- On UNDROP
 - Cristophe Golay, [Negotiation of a United Nations Declaration on the Rights of the Peasants and Other People Working in Rural Areas](#) (2015)
 - Priscilla Claey's, [From Food Sovereignty to Peasants' Rights: an Overview of Via Campesina's Struggle for New Human Rights](#), La Via Campesina's Open Book: Celebrating 20 Years of struggle Hope
 - Priscilla Claey's, [Rights to Sovereignty Over Natural Resources, Development and Food Sovereignty](#), FIAN International Briefing (2015)
- On Food Sovereignty
 - Annette Aurélie Desmarais, [The Gift of Food Sovereignty](#), Canadian Food Studies, Vol. 2, No. 2, pp. 154-163(2015)
 - Hannah Wittman, [From Protest to Policy: The Challenges of Institutionalizing Food Sovereignty](#), Canadian Food Studies, Vol. 2, No. 2, pp. 174-182 (2015)
 - Priscilla Claey's, [Food Sovereignty and the Recognition of New Rights for Peasants at the UN: A Critical Overview of the La Via Campesina's Rights Claims over the Last 20 Years, Globalizations](#) (2014)
 - Hannah Wittman, [Food Sovereignty: A New Rights Framework for Food and Nature?](#), Environment and Society: Advances in Research 2, pp. 87-105 (2011)
 - Annette Aurélie Desmarais, [The Gift of Food Sovereignty](#), Canadian Food Studies, Vol. 2, No. 2, pp. 154-163 (2015)
 - Priscilla Claey's, [The Creation of New Rights by the Food Sovereignty Movement: The Challenge of Institutionalizing Subversions](#), Sociology 46(5), pp. 844-860 (2012)
 - Priscilla Claey's, [The Right to Land and Territory: New Human Rights and Collective Frame](#), Revue Interdisciplinaire d'Études Juridiques, Volume 73, p. 115-137 (2015)
 - Blain Snipstal, [Repeasantization, Agroecology, and the Tactics of Food Sovereignty](#), Canadian Food Studies, Vol. 2, No. 2, pp. 164-173 (2015)