

The International Law of Food

Professor David A. Wirth

Summer 2023 – Term 3

First Assignment:

Add yourself to the TWEN class page

Class 1: Monday, July 10, 2023

This introductory class provides basic background that supports the analytical subjects presented in the remainder of the course. In the first class, we will as a group construct a typology of the international law of food, in anticipation of the remainder of the course. Please think about the following questions beforehand:

- What kind of issues would you expect to be dealt with internationally, as opposed to domestically, or perhaps some combination of both? Give some thought not just to substantive subject matter areas (e.g., food safety), but also the attributes or criteria that such issues (which are multiplying rapidly even as the course takes place) might have in common.
- What food-related issues would you expect to benefit (or suffer, for that matter) from the application of public policy in the form of law? Specifically international law? (Don't worry about what "international law" is for the time being, we'll deal with that as we go along).

This class will also include an introduction to the negotiation simulation, the first round of which will be conducted on Wednesday, July 12.

Then, the following:

The International Human Right to Food

Read closely:

- Universal Declaration of Human Rights article 25,
<http://www.ohchr.org/EN/UDHR/Pages/Language.aspx?LangID=eng>
- David Martin, "How Rhetoric Became Rights" ("Web Links" folder on course website). Through what analytical transformation did "rhetoric" become "rights?" What is the difference between them?
- International Covenant on Economic, Social and Cultural Rights, article 11,
<http://www.ohchr.org/EN/ProfessionalInterest/Pages/CESCR.aspx>
- Committee on Economic, Social and Cultural Rights General Comment No 12,
http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=E%2f

[C.12%2f1999%2f5&Lang=en](#). Click on the pdf document under “English.” This document will also be posted on the course website under “Course Documents.”

- FAO Voluntary Guidelines to Support the Progressive Realization of the Right to Adequate Food in the Context of National Food Security, <http://www.fao.org/3/y7937e/y7937e00.htm>. Read only the actual text of the Guidelines, beginning at page 9. What do the Guidelines aim to achieve, and how from and institutional, structural, and legal point of view would they accomplish those goals?
- Also take a look at the UN organogram, “Course Materials.”

Background:

- "Food," in Andrew Clapham & Susan Marks, International Human Rights Lexicon (OUP, 2005). TWEN course website under “Course Documents.”
- Olivier De Schutter, United Nations Special Rapporteur on the Right to Food, <http://www.srfood.org/en/special-rapporteur>. Read just this introductory page. (The current special rapporteur is Michael Fakhri, <https://www.ohchr.org/en/special-procedures/sr-food/mr-michael-fakhri>, but De Schutter’s web page describes the role in greater detail).
- Contribution of the Special Rapporteur, Mr. Olivier De Schutter, to the inquiry launched by the International Development Committee of the Parliament of the United Kingdom in advance of the June 2013 G8 Summit, http://www.srfood.org/images/stories/pdf/otherdocuments/2012.12.17%20-%20srrtf_uk%20inquiry%20global%20food%20security.pdf