

EDITED BY  
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# THE CHALLENGE OF FOOD SECURITY

International Policy and  
Regulatory Frameworks



# The Challenge of Food Security

International Policy and  
Regulatory Frameworks

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# Preface

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A quick perusal of scientific and economic literature reveals a plethora of studies dealing with various topics related to food security. Surprisingly, however, there is a dearth of literature analysing and elaborating on the international policy and regulatory challenges that arise in attempting to ensure long-term global food security. The aim of this book is to fill, at least in some small part, that lacuna.

This book owes its genesis to one person, Mr James Ingram AO, former Executive Director of the United Nations World Food Programme. In 2005, Mr Ingram established the Ingram Fund for Law and Development in the Faculty of Law at the University of New South Wales in Sydney, Australia, to promote the study, teaching and dissemination of international law and to foster the understanding of the impact of international law on the interests of developing countries. A significant activity of the Fund is the Biennial Ingram Colloquium on International Law and Development, which was established to provide an interdisciplinary forum for the exchange of ideas and to sharpen debate and enhance research on current issues of international law and development, having special regard to the concerns of developing countries.

This book builds on papers that were presented at the 3rd Biennial Ingram Colloquium, which was held at the Faculty of Law at the University of New South Wales in December 2010. While previous *colloquia* have focused on development issues relating to the Asia Pacific region, in 2010 the topic chosen was Food Security. After the Colloquium, speakers were invited to revise their papers for submission as chapters in this book and a number of other contributions having a policy or governance focus were specifically commissioned from authors in various disciplines. The book is structured around five themes all having a central focus on policy and regulatory issues. Part I provides an introductory overview of the challenges identified by the authors. In Part II policy frameworks relating to access to food and food insecurity are examined. The chapters in Part III examine the theme of sustainability and food security while the theme of Part IV is food, trade and investment. The chapters in Part V conclude the book with an examination of the theme of food governance.

We are deeply indebted to Mr Ingram for his generous gift to the UNSW Law Faculty, which has made both the Colloquium and this book possible. However, this project would not have been possible without the contributions of our many authors who have engaged so assiduously with the issues and from whom we have learned so much about the challenge of food security. We are, of course, also grateful to our colleagues at the University of New South Wales who assisted in various ways with the planning and running of the Colloquium. In addition to her support at UNSW, the Faculty of Law at Lund University has provided Rosemary with an immensely enriching environment in which to work on the manuscript during her sojourn there as Conjoint Professor of International Environmental Law, while Nicole's personal thanks go to her partner Trevor for his patience and ongoing support. Finally, we would like to thank Ben Booth at Edward Elgar for his recognition of the importance of the topic and for his support during the course of this book's realization.

Rosemary Rayfuse  
Nicole Weisfelt



## Abbreviations

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ACP	Africa, Caribbean, Pacific
ADB	Asian Development Bank
AFSI	L'Aquila Food Security Initiative
AFSIS	ASEAN Food Security Information System
AFSRB	ASEAN Food Security Reserve Board
AIFS	ASEAN Integrated Food Security Framework
AMS	Aggregate Measure of Support
AoA	Agreement on Agriculture
APEC	Asia-Pacific Economic Cooperation
ASEAN	Association of Southeast Asian Nations
ASPC	ASEAN Political–Security Community
ATIGA	ASEAN Trade in Goods Agreement
BITs	bilateral investment treaties
CAP	Common Agricultural Policy
CARP	Comprehensive Agrarian Reform Program
CBD	1992 Convention on Biological Diversity
CCRF	Code of Conduct for Responsible Fisheries
GDP	gross domestic product
CEB	UN Chief Executives Board
CEDAW	1979 Convention on the Elimination of All Forms of Discrimination Against Women
CESCR	Committee on Economic, Social and Cultural Rights
CFA	Comprehensive Frame for Action
CFS	Committee on World Food Security
CGIAR	Consultative Group on International Agricultural Research
CMV	Cassava Mosaic Virus

CNIP	Cambodian Nutrition Investment Plan
CO <sub>2</sub>	carbon dioxide
COT	Commitments of Traders
CSIRO	Commonwealth Science and Industry Research Organisation
DDA	Doha Development Agenda
EC	European Community
ECOSOC	Economic and Social Council
ECOWAS	Economic Community of West African States
EMIR	European Market Infrastructure Regulation
EPA	Economic Partnership Agreements
ERM	ecological rodent management
EU	European Union
EUREP	Euro-Retailers Produce Working Group
FAC	Food Aid Committee
FAO	Food and Agriculture Organization
FDI	foreign direct investment
FOGS	Functioning of the GATT System
FOM	farmer ownership model
FOWTOS	Functioning of the World Trade Organization System
FSCF	APEC Food Safety Cooperation Forum
G8	Group of Eight
G20	Group of Twenty
GAFSF	Global Agriculture and Food Security Program
GAPs	Good Agricultural Practices
GATS	General Agreement on Trade in Services
GATT	General Agreement on Tariffs and Trade
GECAFS	Global Environmental Change and Food Systems
GIZ	German Society for International Cooperation
GM	genetically modified
GMO	genetically modified organism

HLPDAB	APEC High Level Policy Dialogue on Agricultural Biotechnology
HLPE	High Level Panel Committee of Experts
HLTF	UN High Level Task Force on the Global Food Security
ICESCR	1976 International Covenant on Economic, Social and Cultural Rights
ICSID	International Centre for Settlement of Investment Disputes
IFAD	International Fund for Agricultural Development
IFC	International Finance Corporation
IIED	International Institute for Environment and Development
ILO	International Labour Organization
IMF	International Monetary Fund
INGO	international non-governmental organisation
IOSCO	International Organization of Securities Commissions
IPM	integrated pest management
IPOA-Capacity	International Plan of Action for the Management of Fishing Capacity
IPOA-IUU	International Plan of Action to Eliminate Illegal, Unregulated and Unreported Fishing
IPR	intellectual property rights
ITPGRFA	2001 International Treaty on Plant Genetic Resources for Food and Agriculture
IUU	illegal, unregulated and unreported
LDC	least developed countries
MARD	Ministry of Agriculture and Rural Development
MDB	Murray Darling Basin
MiFID	Markets in Financial Instruments Directive 2004/39/EC
NAFTA	North American Free Trade Agreement
NFICDs	net food-importing developing countries

NGO	non-governmental organisations
NPFS	Food Safety Cooperation Forum
ODA	overseas development assistance
OECD	Organisation for Economic Co-operation and Development
OPK	Operasi Pasar Khusus
OTC	over-the-counter
P	Phosphorus
PBAS	Performance-based Allocation System
PFID	Partnership for Food Industry Development
PRSV	Papaya Ringspot Virus
PPMs	process and production methods
R&D	research and development
RED	Renewable Energy Directive
RGC	Royal Government of Cambodia
RPFS	Regional Programs for Food Security
SAPs	structural adjustment programmes
SCM Agreement	WTO Agreement on Subsidies and Countervailing Measures
SCN	Standing Committee on Nutrition
SCSC	APEC Sub-Committee on Standards and Conformance
S&D	special and differential treatment
SFFSN	Strategic Framework for Food Security and Nutrition in Cambodia 2008–2012
SP	Special Products
SPA-FS	Plan of Action on Food Security in the ASEAN Region
SPFS	Special Program for Food Security
SPS	Agreement 1994 <i>WTO Agreement</i> on the Application of Sanitary and Phytosanitary Measures
S SG	security sector governance
SSM	Special Safeguard Mechanism
TRQ	tariff-rate quota

UBS	Union Bank of Switzerland
UCFA	Updated Comprehensive Frame for Action
UFTC	Commodity Futures Trading Commission
UN	United Nations
UNCLOS	United Nations Convention on the Law of the Sea
UNCTAD	United National Conference on Trade and Development
UNFCCC	1992 United Nations Framework Convention on Climate Change
USAID	United States Agency for International Development
WFC	World Food Council
WFP	World Food Programme
WHO	World Health Organization
WTO	World Trade Organization

## Treaties

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- 1947 General Agreement on Tariffs and Trade, 55 UNTS 187 **31, 50, 53–4, 66, 72, 159, 160, 165–6, 202**
- 1958 Convention on the Recognition and Enforcement of Foreign Arbitral Awards, 330 UNTS 3 **226**
- 1965 Convention on the Settlement of Investment Disputes between States and Nationals of Other States, 557 UNTS 160 **226**
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- 1994 Agreement on the Application of Sanitary and Phytosanitary Measures, 1867 UNTS 493 **84, 90, 108, 202**
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- 1994 UN Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa, (1994) 33 ILM 1016 **83**
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- 2000 Cartagena Protocol on  
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- 2005 Convention on the Protection  
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