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The Human Right to Food and Nutrition: Principles and Policies

SYLLABUS

(Draft of May 10, 2002)

Module 1: July 1-19 2002, Internet

Module 2: July 22-August 2, 2002, Budapest

Course Director: George Kent, University of Hawai'i, Honolulu, Hawai'i, United States

Resource Persons: Deborah Hines, World Food Program, Nicaragua

David Clark, UNICEF, New York, USA

Joseph Mulupi, Humanitarian Accountability Project, Sierra Leone

Malcolm Langford, European University Institute, Florence, Italy

Vitae are available at the web site of CEU SUN at <http://www.ceu.hu/sun/sunindx.html>

COURSE OBJECTIVES

The purpose of this course is to study the working of human rights systems through close examination of the human right to adequate food. Participants should gain an understanding of recent advances in understand the right to food, and also develop skill in applying the human rights approach to food issues in specific contexts. Goals include:

Learning about . . .

- the nature of rights systems generally;
- the content and character of the international human rights system, in the framework of international law;
- the historical foundations of the human right to adequate food;

- the meaning of the human right to adequate food as it has been clarified since the World Food Summit of 1996;
- the application of the human rights approach in various contexts, e.g., in specific countries, and in relation to refugees, infants, drinking water, prisons, etc.

And, with these foundations, *building skills* in . . .

- analyzing concrete situations to identify violations of the human right to adequate food;
- formulating proposals for policy and legislation that would operationalize the realization of the human right to adequate food in specific contexts.

PROJECTS AND GROUPS

All participants are required to write a paper about some aspect of the human right to adequate food as a requirement for completion of the course. The final version must be circulated to the entire class, in the form of an email attachment (or other means that may be specified) by the morning of Thursday, August 1, 2002. Each participant is to select and consult regularly with one of the Resource Persons on the development of the project.

Participants may do *individual* projects, *joint* projects, or *parallel* projects.

Individual projects are worked out with the group facilitator, and need not be coordinated with other participants' projects. An individual project might, for example, discuss the way in which a particular nutrition program back home (e.g., a school feeding program) could more effectively follow the human rights approach. Or one might propose the design of a short workshop to explain the application of the human rights approach in a particular setting.

In *joint* projects, there is a single written product, with some identifiable division of labor among the participants. Different individuals might take the lead on researching and writing different sections. For example, participants who share an interest in international humanitarian assistance could work together to prepare a draft statement on "The Application of Human Rights to International Assistance Programs".

In *parallel* projects, each individual writes a paper independently, but on the basis of guidelines that are developed by the group. For example, several participants could draft proposed legislation for their own countries on the marketing of breastmilk substitutes. They would be writing for different contexts, and thus their products would be quite different, but they could develop a common framework and approach to the task.

Much of the project work will be undertaken in the context of small groups, with each of them functioning under the guidance of one of the Resource Persons serving as a group facilitator. The groups will provide a context in which participants can support one another in the development of their projects. In addition, the groups may be used for discussion of the issues raised in the morning sessions.

Tentatively, the major themes for the groups, and their facilitators, are as follows:

- *The Human Right to Water* (Malcolm Langford)
- *Legal, Regulatory, and Human Rights Implications of the Protection, Promotion and Support of Breastfeeding* (David Clark)
- *The Roles of Non-State Actors* (Joseph Mulupi)
- *School Feeding as an Entitlement, Gender Issues* (Deborah Hines)

These designations may be changed as the participants' interests are clarified. Participants may choose to do projects that are not named in the group themes. Nevertheless, they should join the group that is most closely related to their special interest. We will try to arrange to have the groups be about equal in size. The group membership will be finalized early in Module 2, but participants should indicate their tentative selections during Module 1.

Each participant is expected to have at least two individual meetings with her/his group facilitator to discuss the project, the course as a whole, or other issues of concern.

Module 1: July 1-19, 2002, Internet

The aim of Module 1 is to introduce participants to each other, ensure familiarity with Internet resources, introduce human rights and food and nutrition issues, and prepare participants for Module 2. During Module 1, each participant is asked to complete four activities, as follows.

1. Prepare and submit an *Autobiography*.
2. Prepare and submit a *Web Tour Report*. This report is to be based on a search through the Worldwide Web to answer specific questions that will be provided.
3. Prepare and submit a statement of *Tentative Topic Choice* for the project, along with a brief explanation of why it is of interest.
4. Prepare and submit a *Preliminary Research Report*, based on the tentative topic choice. This research is to draw not only on Worldwide Web resources but also on local libraries that may be available, interviews with specialists, email exchanges with experts, and any other sources that may be available.

Additional instructions will be provided on each of these activities. All of the products are to be shared with the entire class.

Online chats will be arranged for those who are able to participate.

Joseph Mulupi and Malcolm Langford will be the facilitators for Module 1.

Module 2: July 22-August 2, 2002, Budapest

Module 2, in Budapest, will be held for two weeks, July 22 – August 2, 2002. We will meet Monday through Friday each week, 9:00 AM – 4:00 PM, with an hour for lunch, and shorter breaks in the mornings and afternoons. Some special events will be arranged for evenings and weekends.

Morning sessions will run from 9:00 AM to 12:50 PM, and afternoon sessions will run from 2:00 PM to 4:00 PM. The morning sessions are to include everyone, and thus are described as “plenary meetings”.

Our morning plenary meetings will in room 609 in the Faculty Tower, at Nador Street 9. Specific room assignments for the small groups will be made when we form the groups in Budapest.

All participants are to present reports on their project work in the plenary meeting beginning on the afternoon of Thursday, August 1, and continuing on Friday, August 2. In presentations for joint projects, every participant involved in the project is expected to contribute a part of the presentation.

Our work in Module 2 will be based on a steady counterpoint between theory and practice, and between lecture style and more experiential kinds of learning. We will review conceptual aspects of the human right to adequate food, and then look at examples of concrete application of those ideas. Participants will be asked to consider how these concepts and the applications from other parts of the world might apply in their own home settings.

The course will generally follow the structure of the text on *The Human Right to Adequate Food*, prepared by the Course Director. The title will be abbreviated as *HRAF*. Those with access to the Worldwide Web can find the *HRAF* text at <http://www2.hawaii.edu/~kent/tutorial2000/titlepage.htm> The major themes are:

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|-------|---------------------------------------|
| I. | Overview |
| II. | Food and Nutrition |
| III. | The International Human Rights System |
| IV. | The Human Right to Adequate Food |
| V. | National and Other Rights Systems |
| VI. | Rights/Entitlements |
| VII. | Obligations/Commitments |
| VIII. | Accountability Mechanisms |
| IX. | International Law and Governance |
| X. | Applications |

The reading of sections of Chapter X, *Applications*, is distributed through the schedule so that on each day we cover some material that is conceptual and some that is applied. In addition to the main text, there will be several additional required readings, as indicated in the following agenda.

1. Monday, July 22, 2002

THEMES: *Course Overview, Introductions, the India Example*

READINGS: *HRAF*, Chapter I and Section X-a

Kent, George, *The Human Right to Adequate Food in India*
(Honolulu: Unpublished manuscript, 2002).
<http://www2.hawaii.edu/~kent/THE%20HUMAN%20RIGHT%20TO%20FOOD%20IN%20INDIA.doc>

Kent, George, *Studying the Human Right to Food in India*
(Honolulu: Unpublished manuscript, 2002).
<http://www2.hawaii.edu/~kent/studyingfoodrightsindia.doc>

SESSION LEADER: George Kent

2. Tuesday, July 23, 2002

THEMES: *Food and Nutrition, the Brazil Example*

READINGS: *HRAF*, Chapter II and Section X-b

SESSION LEADER: Deborah Hines

3. Wednesday, July 24, 2002

THEMES: *The International Human Rights System, Refugees*

READINGS: *HRAF*, Chapter III and Section X-e

Cultural Rights: A

Eide, Asbjørn and Rosas, Allen, “Economic, Social and Universal Challenge”, in Eide, Asbjørn; Krause, Catarina; and Rosas, Allan, eds.,
Economic, Social and Cultural Rights: A Textbook, Second Edition (Dordrecht, Netherlands: Martinus Nijhoff, 2001).

Eide, Asbjørn, “Economic, Social and Cultural Rights as Human Rights”, in
Eide, Asbjørn; Krause, Catarina; and Rosas, Allan, eds.,
Economic, Social and Cultural Rights: A Textbook, Second Edition (Dordrecht, Netherlands: Martinus Nijhoff, 2001).

McChesney, Allan, *Promoting and Defending Economic, Social and Cultural Rights: A Handbook* (Washington, D.C.: American Association for the Advancement of Science, 2000). <http://shr.aaas.org/escr>

SESSION LEADER: Malcolm Langford

4. Thursday, July 25, 2002

THEMES: *The Human Right to Adequate Food, Infants of HIV-positive mothers*

READINGS: HRAF, Chapter IV and Section X-d

Eide, Asbjørn, “The Right to an Adequate Standard of Living Including the Right to Food”, in Eide, Asbjørn; Krause, Catarina; and Rosas, Allan, eds., *Economic, Social and Cultural Rights: A Textbook*, Second Edition (Dordrecht, Netherlands: Martinus Nijhoff, 2001).

Kent, George, *HIV/AIDS, Infant Nutrition, and Human Rights* (Honolulu: Unpublished manuscript, 2001).
<http://www2.hawaii.edu/%7Ekent/HIVNUTRTS.doc>

United Nations. Economic and Social Council. Committee on Economic, Social and Cultural Rights. *Substantive Issues Arising in the Implementation of the International Covenant on Economic, Social and Cultural Rights: General Comment 12 (Twentieth Session, 1999) The Right to Adequate Food (art. 11)* (Geneva: ECOSOC E/C.12/1999/5).
<http://www.unhchr.ch/tbs/doc.nsf/MasterFrameView/3d02758c707031d58025677f003b73b9?Opendocument>

United Nations Economic and Social Council. Commission on Human Rights. Sub-Commission on Prevention of Discrimination and Protection of Minorities, *The Right to Adequate Food and to be Free from Hunger: Updated Study on the Right to Food, Submitted by Mr. Asbjørn Eide in Accordance with Sub-Commission Decision 1998/106* (Geneva: United Nations E/CN.4/Sub.2/199/12, 28 June 1999).
<http://www.unhchr.ch/Huridocda/Huridoca.nsf/TestFrame/ff220c7e04411faa802567c90039c745?Opendocument>

SESSION LEADER: Joseph Mulupi

5. Friday, July 26, 2002

THEMES: *Rights Systems, Infants*

READINGS: HRAF, Chapter V and Section X-c

Richter, Judith, *Holding Corporations Accountable* (New York: Zed Books, 2001).

Breaking the Rules, Stretching the Rules: Evidence of Violations of the International Code of Marketing of Breastmilk Substitutes and subsequent Resolutions, (Penang, Malaysia: International BabyFood Action Network, 2001).
<http://www.ibfan.org/english/codewatch/btr01/INDEX-en.HTM>

Cracking the Code: Monitoring the International Code of Marketing of Breast-milk Substitutes (London: Interagency Group on Breastfeeding Monitoring, 1997).

SESSION LEADER: David Clark

6. Monday, July 29, 2002

THEMES: *Rights/Entitlements, the Philippines Example*

READINGS: *HRAF*, Chapter VI

Regalado, Aurora A., *State's Failure to Fulfill and Defend its Citizens' Right to Food: The Philippine Experience*. Paper delivered at the Asian Consultation on Economic, Social and Cultural Rights, Quezon City, Philippines, 27-28 January 2000.
http://www.oneworld.net/themes/country/index.html?doc_url=country_608_1.shtml

New York City Welfare Reform and Human Rights Documentation Project, *Hunger is No Accident: New York and Federal Welfare Policies Violate the Human Right to Food* (New York: Urban Justice Center's Human Rights Project, 2000). http://www.ujhumanrights.org/full_rpt.pdf

SESSION LEADER: Joseph Mulupi

7. Tuesday, July 30, 2002

THEMES: *Obligations/Commitments, the Gendered Perspective*

READINGS: *HRAF*, Chapter VII and Section X-g

International Council on Human Rights, *Beyond Voluntarism: Human Rights and the Developing International Legal Obligations of Companies*.
<http://www.ichrp.org/cgi-bin/show?what=project&id=107>

Asbjørn; Krause, Frostell, Katarina and Scheinin, Martin, "Women", in Eide, Catarina; and Rosas, Allan, eds., *Economic, Social and*

Cultural Rights: A

Textbook, Second Edition (Dordrecht, Netherlands: Martinus Nijhoff, 2001).

SESSION LEADERS: Deborah Hines and Carolina Taborga

8. Wednesday, July 31, 2002

THEMES: *Accountability Mechanisms, Water*

READINGS: *HRAF*, Chapter VIII and Section X-f

Bernstein, Nina, "Suit to Seek Food Stamps for Thousands Wrongly Denied Them", *New York Times*, March 31, 2002.

<http://www.nytimes.com/2002/03/31/nyregion/31FOOD.html>

Gleick, Peter H., "The Human Right to Water," *Water Policy*, Vol. 1, No. 5 (Fall 1999). <http://www.pacinst.org/gleickrw.pdf>

SESSION LEADER: Malcolm Langford

9. Thursday, August 1, 2002

THEMES: *International Law and Governance, Project Presentations*

READINGS: *HRAF*, Chapter IX

Kent, George, "Food Trade and Food Rights", *United Nations Chronicle*,

Issue 1 (2002).

<http://www.un.org/Pubs/chronicle/2002/issue1/0102p27.html>

Paarlberg, Robert, *Governance and Food Security in an Age of Globalization*

(Washington, D.C.: International Food Policy Research Institute, 2002).

<http://www.ifpri.org/checknames.cfm/2020dp36.pdf?name=2020dp36.pdf&direc=d:\webs\ifpri\2020\dp>

SESSION LEADERS: David Clark, George Kent

10. Friday, August 2, 2003

THEME: *Project Presentations*

SESSION LEADER: George Kent