Intellectual property law food and agricultural law and food security: the case of Southern Africa

Gebrehiwot, Tigisit Dessu

URI: http://hdl.handle.net/2263/65649
Date: 2018

Abstract:
This thesis is written with the purpose of answering three basic questions: Is the current intellectual property (IP) law capable of facilitating and supporting the goal of ending hunger and increasing food security? Will the current international food law promote fair and equitable food production and supply practices to benefit all who need it and will the existing international food law including IP, create incentives for farming practices that are ecologically sound as well as culturally and socially appropriate? The Southern African communities, in particular the San communities, will be used as a classic case study to highlight the reality experienced in developing countries under existing international food systems and IP law. The study will analyse the law by using this has created a gap and impacted on broader food security, making it difficult for small level agribusinesses to cope and compete in the midst of global economic change. The study will further illustrate the negotiations that have led to the formulation of various multilateral systems, including IP, dealing with food and agriculture. It is argued that the primary failing of the current global food systems in addressing food security is of great concern and should be addressed with urgency and a high level of commitment and political will. Negotiations on agriculture and food in various international forums should take some responsibility for the lack of transparency, commitment and consistency within its member states. Subsequently the historical disadvantaged position of developing countries to negotiate more favourable terms in international treaties governing food and agriculture is important and should be critically analysed to develop a more sustainable solution for food security.case study that will allow the comprehension of the law, the behaviour of society and the outcome in the application of the law in real life experience. This enables us to identify the gap created in the law addressing food security. The analysis deals with the interface between IP law and food control, as well as international conventions and treaties governing food and agriculture. This study will promote a better understanding of how the international food systems affect the future of food security exposing the fragility of the system. Furthermore, this study will summarise the negotiations that led to the formulation of various multilateral systems including IP dealing with food and agriculture. After providing the background to the current IP law and international food law addressing food security, the way in which the current international food law influences food security is analysed. It is argued that the existing international food and IP law approach to food security

Description:

Files in this item

Name: Gebrehiwot_Intell...
Size: 1.655Mb
Format: PDF

This item appears in the following Collection(s)
- Theses and Dissertations (Private Law) 116
- Theses and Dissertations (University of Pretoria) 14193
Intellectual property (IP) in the agricultural sector has and will continue to become increasingly important. These rights will be critical in achieving security for investors in the agrarian sphere to ensure people will continue to invest. Investment in the field will help to combat global food security issues and the increasing role of public-private sector engagement. Intellectual Property Rights (IPRs) play an important role in the struggle for food security and encouraging agricultural research and development. This book examines these roles as well as the international relationship between IPRs, agricultural biotechnology, access to biological resources, food security and globalisation, paying particular attention to proposals for the protection of Farmers’ Rights, traditional knowledge, GM crops and the impact of competition laws. It also analyses how international intellectual property laws of African countries can be utilised as a tool for advancing indigenous innovation and protecting traditional knowledge.