

# Research Paper – Global Governance

## The Evolving Global Governance of Food Security

- While food security has become a major issue in global governance following the 2007-2008 global food crisis, there is no single international institution responsible for the management of this issue.
- Instead, responsibility for food security is spread out among a number of international organizations, which causes an overlap of rules and norms. This is a major challenge to achieving global policy coherence on food security and making progress on the eradication of world hunger. This research note argues that a more effective governance regime for food security requires mechanisms to promote greater internal policy coherence within states and between multiple international institutions.

### 1. The Global Governance of Food Security

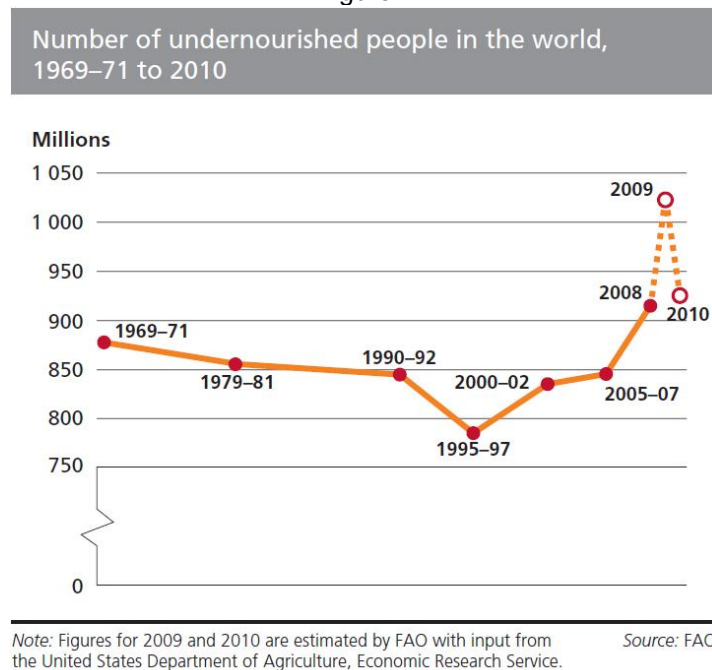
Food security became an increasingly prominent issue in global governance in the wake of the 2007-2008 food crisis. Since 2008, there has been a wave of activity at the global level focused on addressing food insecurity, including: three UN-sponsored high level summits; the creation of a global level policy coordinating mechanism, the High Level Task Force on the Food Security Crisis (HLTF); and, the establishment of a food security multi-donor trust fund by the G8. Moreover, an explicit objective of these efforts has been to improve the global governance of food security. States have emphasized that a strong global institutional framework is essential to achieving world food security.

Achieving world food security has long been a major objective of international governance, dating back to the creation of the Food and Agriculture Organization (FAO) in 1945, the first specialized agency of the United Nations, with the purpose of “ensuring humanity’s freedom from hunger.” Over the ensuing decades, states continuously invested in scaling-up the international institutional capacity to address food insecurity. This has involved the introduction of new mechanisms to address food insecurity, spurred by improved knowledge about the complex drivers of food insecurity. Early food security policy focused on increasing national food production, initially in war-ravaged Europe but later in developing countries following decolonization, through the transfer of technology, including newly-developed crop varieties, petroleum-based chemicals and fertilizers and machinery to mechanize production. After the first world food crisis in the 1970s, states recognized that international factors also played a role in determining food security outcomes and expanded international cooperation to include work on global coordination of food stocks and trade policy. By the 1990s, the international community adopted an expansive approach to food security that integrated food production and trade with an increased emphasis on factors affecting access to food among the most vulnerable groups in society (such as poor women and children).

**Disclaimer:** The views expressed in this paper are solely those of Matias Margulis, 2010-11 Cadieux-Léger Fellow. They do not, in any way, reflect the positions and policies of Foreign Affairs and International Trade Canada or of the Government of Canada.

The history of the global governance of food security has been marked by institutional and policy innovation. However, if measured in terms of effectiveness, international cooperation to achieve world food security is one of the great failures of the post-war international system. The international standard for measuring success in food security is the number of malnourished people worldwide. Figure 1 shows that incremental progress was made between 1970 and 1995, followed by a steady increase in the number of malnourished people. Even taking world population growth into account, the proportion of malnourished people in developing countries today is the same as 1995.<sup>1</sup> Rising levels of world food insecurity have made it impossible to achieve the first Millennium Development Goal (MDG) of reducing the number of hungry people in half by 2015. While the target level of reducing the number of malnourished persons to 400 million was seen as a feasible goal for policymakers in the early 1990s, this is no longer the case. The persistent inability of the international community to achieve permanent improvements in world food security, despite repeated declarations of intent to do, so has been characterized by the historian D. John Shaw as the “graveyard of aspirations”.

Figure 1



Failure to make significant progress on eradicating world hunger is partially attributable to the shortcomings in the current system of governance for food security. The global governance of food security is not a weak system per se. Rather the problem is that this system of governance is highly fragmented; authority for food security is spread out among a number of international organizations, each with its own objectives and policy preferences. Fragmented systems of global governance are referred to as “regime complexes”. In the case of food security, the regime complex is characterized by significant normative and rule conflicts among different international institutions, which is a major challenge to achieving global policy coherence on food security.

## **2. Regime Complexes and Conflict**

Recent efforts to improve the global governance of food security have largely focused on two institutions: the Committee on World Food Security (CFS) and the G8/G20. These two institutions are major sites of recent high-level political deliberation about the future course of international cooperation on food security. However, the CFS and G8/G20 are only a subset of

institutions that make up the wider institutional framework critical to the global governance of food security.

The existing global governance of food security is best described as a regime complex. A regime complex is defined as “an array of partially overlapping and non-hierarchical institutions governing a particular issue-area”.<sup>2</sup> Regime complexes are not the direct outcomes of intentional efforts by policymakers. Instead, regime complexes are indirect, unintentional outcomes. They are a result of institutional proliferation at the global level, the rescaling of authority from the state to the transnational-level, and a tendency for “mission creep” among existing institutions to expand into new policy domains.

International relations scholars have noted that contemporary global governance is increasingly characterized by regime complexes.<sup>3</sup> Complexes predominate in the governance architecture in the fields of security, climate change, trade, intellectual property, refugees and migration. This interlocking of governance at the global level points to a significant shift in the form and function of international organization: international institutions rarely function as discrete, independent spheres. Moreover, authority is diffused among a greater number of institutions making it far less clear which institutions are “in charge” of any particular policy problem.

A significant concern with regime complexes in global governance is that they may increase the likelihood of conflict resulting from overlapping functions and rules between different institutions. Overlap does not necessarily lead to conflict within a regime complex; it can potentially promote greater coherence among institutions within the regime complex, especially where there is significant convergence among the relevant states, institutions, and stakeholders on the underlying principles and rules. However, regime complexes are far more likely to produce conflict when rules overlap and the question arises of which institution has executive authority. At present, there is no mechanism in global governance with the overarching authority that institutions or states can appeal to resolve such conflicts.

There are two important levels of potential conflict within the regime: rules and norms. Rules can come into conflict when the rules at one institution are inconsistent with the rules of another in the complex. Inconsistency in rules can occur unintentionally when states create new rules at various fora in an uncoordinated manner: this can happen organically over time as new rules are created at one institution without due regard to pre-existing rules in other fora, or when rules are negotiated simultaneously in multiple fora that have different meeting cycles making coordination difficult to manage. Norms can also come into conflict. They are the underlying cognitive frameworks which inform rule-making but which also provide the basis for international cooperation in a specific field. Regime complexes can link together institutions with dissimilar normative orientations. Rule and normative conflicts are often heightened by the lack of coordination or coherence at the national level, especially when different ministries manage different international portfolios and where domestic turf wars - a result of diverging mandates, interests and understandings of the policy problem and appropriate solutions - spill onto the global level.

In the current global political economy, there are significant incentives for states, as well as for institutions and other non-state actors, to challenge the underlying rules and objectives of the inter-state system, especially in an increasingly multipolar world and open global economy. Global governance today still primarily operates through multilateral institutions created in the context of a unipolar world (i.e., US hegemony) and a managed international economy. More than ever, the basic function of the international system has been brought under greater scrutiny by its constituent members. Moreover, in the era of globalization, political authority over many issue-areas has been delegated to global-level institutions. Authority is also increasingly legalized at the global level. This provides avenues for inter-state conflict resolution through international legal mechanisms in addition to traditional inter-state diplomacy to resolve conflicts (the binding dispute settlement system of the World Trade Organization and the International Criminal Court are two important examples of this process). The shift in the global balance of

power, deeper economic integration between states and delegation and legalization of political authority at the global level are likely to heighten conflict within regime complexes.

Even though conflict in the regime complex occurs at the transnational level, states are the principal actors with the capacity to mitigate conflict. In practice, states take measures to minimize overlapping rules and potential conflicts by indicating their preference for a specific international institution to “lead” on a particular issue. This can be done, for example, with a high level political statement.

### **3. The Regime Complex for Food Security**

Food security provides an interesting case to examine the global politics of regime complexity and from which to draw lessons on the inherent difficulty of managing regime complexes. As discussed earlier, eradicating world hunger has been a long-standing objective of international cooperation. However, the current global governance of food security reflects the multidimensionality of food insecurity and cuts across many areas of policy such as development, production, trade, science, and human rights. More recently, climate change has also become a prominent issue under the umbrella of food security.

There is no single international institution with the exclusive mandate to address food security; instead there are multiple institutions that are responsible for various aspects of food security. There are over half a dozen international institutions with explicit mandates to address food insecurity. In addition to the FAO, institutions with mandates related to food security governance range from the UN World Food Programme (WFP), which coordinates and delivers international food assistance, to the World Trade Organization (WTO), which includes binding international rules on agriculture policy and trade, including measures related to addressing domestic and international food security. Table 1 lists the key institutions that make up the regime complex for food security, including a breakdown of their mandates, year established, type of institution and the executive decision-making body.

The regime complex analysis in this policy brief incorporates a broad range of international institutions. Table 1 includes formal treaty-regimes but also other common types of international institutions, such as ministerial decisions, special programs or funds, and informal institutions. Although formalized, treaty-based regimes are the bricks and mortar of the existing global governance architecture, informal and non-treaty international institutions play ever greater roles in contemporary governance (e.g., the G8/G20). The institutions that make up the regime complex for food security vary considerably. In addition, non-traditional institutions are visible in the regime complex for food security, most notably in the case of the Special Procedures of the UN Human Rights Council.

Rules and functions for each institution in the regime complex are determined in distinct international fora. Institutions vary widely in terms of membership composition and decision-making procedures. The FAO, WTO, and the International Fund for Agricultural Development (IFAD) come closest to achieving universality with most nation-states holding membership, whereas institutions such as the G20 and Food Aid Convention (FAC) have few members. There is also a diversity of state interests represented at institutions within the regime complex: trade ministries holds sway at the WTO, agriculture ministries at the FAO, and finance ministries at the World Bank.

The difference in decision-making procedures is significant. Many institutions have executive decision-making bodies which consist of rotating subsets of the broader membership such as the FAO Conference or UN Human Rights Council, weighted voting according to contributions in the case of the World Bank, or consensus-based decision making at the WTO. In several institutions, states are not the only decision-makers: the Fund Forum of the Consultative Group on International Agricultural Research (CGIAR) includes international organizations and philanthropic donors such as the Rockefeller and Gates Foundations and the CFS includes

representatives of international organizations, non-governmental organizations (NGOs), and the private sector, in addition to states in its deliberations.

**Table 1: Institutions in the Regime Complex for Food Security**

Institution/year established	Mandate as it relates to food security	Type	Institutional locus	Executive decision-making body
Food and Agriculture Organization (FAO) of the United Nations/ 1945	<i>Eradicate world hunger.</i>	International Organization/ Specialized Agency	FAO	FAO Conference (191 members)
World Food Programme (WFP)/ 1963	<i>Eradicate hunger and malnutrition</i>	International Organization/ Specialized Agency	UN General Assembly	UN General Assembly/ WFP Executive Board (36 members)
Committee on Food Security/ 1974	<i>Coordinate a global approach to food security</i>	Inter-governmental Panel	FAO	FAO Conference (191 members)
International Fund for Agriculture Development (IFAD)/ 1977	<i>Eradicating rural poverty</i>	International Financial Institution	IFAD	Governing Council (185 member states)
Agreement on Agriculture (AoA)/ 1994	<i>Reform of agricultural trade, having regard for food security concerns.</i>	International Treaty	World Trade Organization (WTO)	Trade ministers (153 WTO members)
Marrakech Decision on Net-Food Importing Countries/ 1994	<i>Address food prices and food security concerns of least developed countries and net-food importing developing countries.</i>	Ministerial Declaration	WTO	WTO General Council (153 WTO members)
Consultative Group on International Agricultural Research (CGIAR)/ 1975	<i>To reduce poverty and hunger, improve human health and nutrition.</i>	Memoranda of Understanding	World Bank	Fund Forum (15 state donors; FAO, IFAD, World Bank, non-state funders)
International Food Policy research Institute (IFPRI) / 1975	<i>Provide policy solutions that reduce poverty and end hunger and malnutrition.</i>	International Organization	World Bank	Board of Trustees (16 national representatives).
G8-G20/ 1999	<i>High-level political commitment to a global partnership on agriculture and food/L'Aquila Food Security Initiative (AFSI)</i>	Informal Institution	None	Heads of State
Global Agriculture and Food Security Program (GAFSP)/ 2010	<i>Fund for agricultural investment.</i>	Multi-Donor Trust Fund	World Bank	Steering Committee (fund donors, World Bank, FAO, IFAD, and other stakeholders)
World Bank/ 1945	<i>Global Food Crisis Response Program (GFRP)</i>	International Financial Institution/Treaty-based	World Bank	World Bank Board of Governors (187 member states but voting proportional to contributions)
Voluntary Guidelines on the Right to Food/ 2003	<i>Promote progressive realization of the right to food.</i>	International Treaty	FAO	FAO Conference
Special Rapporteur on the right to food/ 2000	<i>Respond to violations of the right to food and promote implementation of the right to food.</i>	Special Procedures/ Declaration of the UN General Assembly	UN General Assembly	Human Rights Council of the United Nations (47 member states)
Food Aid Convention (FAC)/ 1967	<i>Contribute to world food security and to improve the ability of the international community to respond to emergency food situations.</i>	International Treaty	International Grains Council	International Grains Council (27 member states)
Consultative Sub-Committee on Surplus Disposal (CSSD)/ 1954	<i>Minimize the harmful impact of these shipments on commercial trade and agricultural production</i>	Declaration of FAO Council	FAO	FAO Council (49 rotating members)

#### **4. Conflict in the Regime Complex for Food Security**

Conflict within the regime complex for food security occurs at both the level of rules and norms. This section examines one case of rule- and norm-based conflict in the global governance of food security to illustrate some of the challenges posed by regime complexity.

##### ***Rule-based conflicts***

One example of rule-based conflict in the regime complex for food security is over international food aid rules. At present, four international institutions share authority for food aid, the Food Aid Convention (FAC), FAO Consultative Subcommittee on Surplus Disposal (CSSD), WTO Agreement on Agriculture (AoA), and the UN World Food Programme (WFP). Each institution has a distinct function: the FAC commits parties to provide a minimal level of food aid; the CSSD sets rules to minimize the impact of food aid shipments on commercial trade; the AoA establishes when food aid constitutes a prohibited export subsidy; and, the WFP coordinates multilateral food aid programming. The rules of these institutions overlap as they provide different benchmarks for distinguishing between legitimate food aid and transactions which are commercially-driven.

Currently states are simultaneously negotiating new food aid rules at the WTO and FAC, both with the intention of further clarifying the distinction between legitimate food aid and commercial activity. Food aid is only one of a handful of issues that fall under agricultural trade negotiations as part of the WTO Doha Round launched in 2001. The main concern at the WTO is to formulate rules that prevent states from using food aid to circumvent their export subsidy commitments. As a result, there has been a push in the negotiations to require all food aid to be in fully grant form (i.e., no commercial component) and for violations of this to be enforceable under WTO law. Similarly, at the FAC, members are also seeking to steer international food aid into fully grant form, but under a system of voluntary commitments. There are diverging views between states over whether food aid commitments should be voluntary or enforceable under international law, especially between the US, the world's largest food aid donor and one that continues to provide some of its food aid in concessional form (i.e., less than fully grant form), and other food aid donors, most of whom have transitioned to fully grant form food aid over the past decade.

A complicating factor is that the AoA and FAC are linked under international law: the AoA food aid rules refer to the FAC as a standard-setting body for determining if food aid is non-commercial. In the Doha Round negotiations, WTO members have indicated a preference for stand-alone food aid rules delinked from the FAC. The FAC expired in 2003 and members agreed to hold off on its renegotiation pending the outcome of the Doha Round. Yet the delayed conclusion of the Doha Round has had a "chilling effect" on the FAC: progress on reforming international food aid at the FAC, an exclusive forum for food aid donors, has stalled because of lack of progress in the multilateral trade system. These developments have heightened tensions between international development agencies who lead at the FAC and trade ministries who lead at the WTO. An outstanding concern and unresolved issue is whether proposed WTO rules are likely to reduce the overall level of international food aid.

These developments also have impacts on the WFP and CSSD. The WFP has expressed concern that proposed WTO rules on food aid may prohibit it from undertaking certain types of food aid assistance. In the case of the CSSD, proposed new WTO rules would duplicate its function and potentially make it redundant. States are more likely to prefer the WTO with its strong enforcement mechanism over the CSSD which lacks any enforcement mechanism. In the long-term, this may lead policymakers to call for the disbanding of the CSSD, which is likely to be resisted by the FAO on the principle that the WTO, as a trade body, is not well equipped to address food security-related aspects of food aid.

### ***Norm-based conflicts***

An example of norm-based conflict occurs between the WTO and UN human rights bodies. In this case, there is no formal overlap in rules, since the WTO has exclusive authority for the negotiation and enforcement of international trade agreements and the UN human rights system, through the joint work of the UN Economic and Social Council (ECOSOC), Commission on Human Rights (CHR) and Office of the High Commissioner for Human Rights (OHCHR), has exclusive authority to monitor and promote human rights at the international level.

Over the past decade, there has been an increasing debate, and nascent political conflict, among states and international institutions over whether agricultural trade liberalization is consistent with

the human right to food and the achievement of food security.<sup>4</sup> A primary issue is whether trade liberalization has positive or negative effects on food security and whether it can be undertaken in a manner consistent with states' obligations to respect, protect and fulfill the right to food. An increasing number of countries have enshrined the right to food in their constitutions since 2000.<sup>5</sup> This permits actors to hold these states to account under domestic and international law, thereby increasing uncertainty over how states should best reconcile potential conflicts between their international trade commitments at the WTO and domestic human rights obligations. Different states and institutions have taken different sides in this debate. In general, the WTO and many net-food exporting countries have argued that trade liberalization enhances food security directly by making it easier for food to travel from surplus to deficit countries and indirectly by providing poor developing countries with greater market access opportunities, which will generate economic growth and thereby reduce food insecurity. In sharp contrast, institutions in the UN human rights system and many developing countries have argued that trade liberalization can worsen food insecurity if countries negotiate away the capacity to curb the foreign dumping of subsidized food imports, which have the effect of displacing domestic food production and undermining food security.

The issue of agricultural trade liberalization is particularly controversial because the 500 million small-scale farmers in developing countries are one of the most food insecure, and therefore vulnerable, groups in society. The trade liberalization-right to food debate has intensified during the WTO Doha Round negotiations and spilled into the global political arena with the UN human rights bodies, many states, and global civil society organizations calling for the WTO agricultural trade negotiations to take into account the right to food. This importance of this issue is widely acknowledged by trade and human rights officials but there is no consensus on how best to move forward.

Reconciling the trade-human rights debate on food security is made difficult by conflicting norms between the WTO and the UN human rights system. The dominant paradigm at the WTO is deeply influenced by neoclassical economic theory, including the belief that international trade liberalization and limiting state intervention in markets increases general economic welfare. While this paradigm recognizes that trade liberalization produces both winners and losers, in theory, society is assumed to be better off and questions about compensating losers are left to national political processes. In sharp contrast, the principal normative orientation of the UN human rights system is to protect the most vulnerable members of society. As such, if vulnerable groups are made worse off as a result of a trade agreement, this could be deemed a failure by states to meet their human rights obligations. Moreover, the UN human rights system obligates states to intervene – potentially through trade and economic policy – in order to protect vulnerable groups, an orientation that contradicts the WTO's longer term objective of limiting the scope for state intervention.

These different normative orientations are not easily reconcilable and there is no supra-national mechanism to mediate between them.<sup>6</sup> Trade and human rights officials remain skeptical about each other's intentions, in large part because there is a concern that efforts to reconcile international trade and human rights law will lead to the weakening of one system at the expense of the other. This concern is also rooted in the fact that the creation of the WTO in 1995 included a strong dispute settlement system whereas the recently created UN Human Rights Council has an enforcement system that is relatively weak and underdeveloped. International legal scholars have argued this institutional situation makes it difficult to ensure that trade concerns will not trump human rights concerns in trade disputes.<sup>7</sup>

## **5. Conclusions**

There is presently a broad consensus that addressing world food security requires an effective system of global governance. This research note has argued that the global governance of food security is highly fragmented, with authority for food security spread out among multiple institutions. A critical challenge for policymakers is addressing the rule- and norm-based conflicts

that exist in the regime complex for food security. While the conflict examined occurs at the transnational level between international institutions, resolving conflict requires concerted action by states which constitute the membership of these institutions.

Rule-based conflicts, such as overlapping rules for international food aid, may undermine the coherence of international development assistance to address food insecurity. There are several avenues available to states to resolve rule-based conflict between international institutions. Improving inter-departmental coordination of foreign policy at the national level is critical: there are significant gains to be realized in cases where overlapping rules result from uncoordinated negotiating by states at different international institutions, especially when different ministries lead different international portfolios. In addition, states can call for better integration among international institutions with overlapping rules, such as by formally requesting greater inter-institutional cooperation and identifying technical solutions to overlapping rules.

Resolving norm-based conflicts poses a different type of challenge to policymakers. It is difficult for states to push for a negotiated international compromise to reconcile norm conflict without first achieving some sort of internal consensus at the national level on how these conflicting norms should be resolved. Achieving internal norm coherence may require states to undertake a process of establishing a national-level consensus among: 1) different government departments; 2) legislative and executive branches; and, 3) relevant non-state actors and other stakeholders. Once states have achieved a coherent internal position, they will be better prepared to engage in global debates on norm conflict.

To date, there has not been a concrete international process to discuss how to reconcile conflict between international trade commitments and human rights obligations. With key emerging developing countries increasingly moving to mainstream the right to food in their national legal systems and establishing the institutional framework for its justiciability, and with responding to food insecurity likely to remain a significant policy issue in these countries over the long-term, agreement on how to reconcile competing norms is likely to be a crucial issue on the global political agenda in the near future. States that have achieved internal coherence on how to balance competing norms will be best positioned to be constructive and influential interlocutors in global-level deliberations.

Looking forward, the regime complex for food security is likely to become even more complex: new rules are currently being negotiated on climate change and large-scale land acquisitions, and may soon be negotiated on financial speculation in agricultural commodities, which may directly overlap with the rules of existing institutions. States have been slow to recognize and respond to regime complexity in the global governance of food security. During the global food crisis, it was international institutions that took the initiative to address the global coordination problem by establishing the HLTF to better manage their policy interventions. However, states remain the only players that can resolve outstanding rule- and norm-based conflict in the regime complex for food security. This suggests the need for states to develop policymaking mechanisms better equipped to operate in the world of fragmented governance they have created.

---

<sup>1</sup> FAO. 2009. *The State of Food Insecurity*. Rome: FAO.

<sup>2</sup> Raustiala, Kal and David Victor. 2004. The Regime Complex for Plant Genetic Resources. *International Organization* 58 (2): 277-310.

<sup>3</sup> For a more detailed discussion on regime complexes, see the 2009 Symposium on Regime Complexity in *Perspectives in Politics* 7(1).

<sup>4</sup> The human right to adequate food is recognized in the 1948 *Universal Declaration of Human Rights* and the 1966 *International Covenant on Economic, Social and Cultural Rights*.

<sup>5</sup> 19 countries currently recognize the right to food in their national constitutions, including India, Brazil, South Africa, Pakistan and the Ukraine.

<sup>6</sup> Howse, Robert and Ruti G. Teitel. 2007. *Beyond the Divide: The Covenant on Economic, Social and Cultural Rights and the World Trade Organization*. Dialogue on Globalization Occasional Paper No. 30. Geneva: Friedrich-Ebert-Stiftung.

<sup>7</sup> Aaronson, Susan and Jamie M. Zimmerman. 2007. *Trade Imbalance: The Struggle to Weigh Human Rights Concerns in Trade Policymaking*. Cambridge: Cambridge University Press.