

TEACHING GUIDE FOR: GM crops & Intellectual Property: Impacts on Innovation, Health, the Environmental and Society

Subject identification

Lecturer: Juan Antonio Vives-Vallés

Credits: 6 ECTS (total 150 hours)

Teaching language: ENGLISH

Teaching period and schedule:

Teaching period:

19/02

12/03

02/04

16/04

14/05

28/05

Schedule:

14:00-16:00

This is a "Campus Extens 50" course, which means that it has a lower number of face-to-face classes and therefore requires more distance work by students. In order to facilitate the distance work, the teacher provides students with a virtual space (the Campus Extens course page) in which he will post study material. The Campus Extens course page may also be used for certain evaluation activities, and students can use it to communicate electronically with the professor through the individualized tutorials forum.

Contextualization

This course focuses on the social, scientific, and legal debate around modern biotechnology and GM crops. Pros and cons of modern biotechnology and GM crops in comparison with alternative modalities of agriculture will be assessed, taking food security but also environmental and social impacts as benchmarks.

Requirements

Good command of English, written and spoken (min. A2 level): students should do the "Language level test for subjects taught in English" which is available on the intranet ("Campus Extens" > "Informació dels Estudis de Grau en Dret" > "Informació útil").

Skills

Specific

The student will learn some basics of Law, especially about IP and Competition Law, as well as the legal and scientific background governing the different modalities of agriculture (conventional, organic, and GM or transgenic), their statutory requirements, and other related issues like labelling, coexistence, GMO bans and restrictions. The

student will also learn to assess the impact on the society, of the different policy options in agriculture and the individual choices of costumers.

Generic

The student will:

- Learn to work in an international and multicultural context.
- Acquire specific knowledge in an international and multicultural environment.
- Learn about other practices and uses in other countries (mostly European countries, but also the US, India, African and South American countries).
- Acquire skills in legal and scientific writing in English.
- Develop the ability to think critically about controversial issues.
- Develop ethic and social commitment, especially regarding serious global problems like food security and the right to food, climate change, environmental problems, or the importance to fight misinformation.
- Gain experience in participating in debates with her/his classmates in an international environment.

Content

Assignment 1. Introduction to Agriculture

Basics of Agriculture from a scientific-technical perspective. The student will learn to understand the importance of agriculture worldwide and at the EU level, the main differences between regions as well as the main sensibilities on the issue in both Society and the Academia.

Assignment 2. Introduction to the main international and EU provisions on Agriculture

Basics of Law. Especially focused on international and overall EU rules related with Agriculture. The student will learn to differentiate the main agricultural modalities from a legal perspective. The EU CAP objectives, the EU GMO Directives, the EU Organic Farming Regulation, the EU Coexistence provisions and recommendations as well as some core international provisions on the subject, will be briefly analyzed.

Assignment 3. Introduction to the right to food and the farmers' rights

The student will learn about the humanitarian and strategic importance at a worldwide, regional and national level of food security and food safety. The concept of the farmers' rights will be also introduced. Some international treaties and statutes that will be briefly sketched are: The Universal Declaration of Human Rights, the European Convention of Human Rights, the Charter of Fundamental Rights of the EU, the CBD, the Nagoya Protocol, the Cartagena Protocol on Biosafety, the Plant Treaty, etc.

Assignment 4. Introduction to Intellectual Property and Competition Law on the field of Food and Agriculture

The student will learn some basics on Intellectual Property and Competition Law, with a strong focus on Agriculture. The Paris Convention, TRIPS, and arts. 101 and 102 TFEU will be briefly introduced, focusing mostly on the UPOV Convention, the Regulation EC 2100/94 on EU plant variety rights, as well as in the EPC and the Directive 98/44/EC.

Assignment 5. Interrelation between the main international EU statutes on Agriculture, Biotech and IP and Competition Law, and their impact on Agriculture and Food Security

In this assignment the student will understand the interrelation between the different topics studied in assignments 1 to 4, how the different modalities of agriculture affect the goals of food security and the right to food, and how the factual and legal situation affects innovation and the achievement of the aforementioned humanitarian goals. Assignment 5 is a key step for the further debate (see Assignment 6).

Assignment 6. Debate and main conclusions

In this assignment students, based on the reports they will have prepared and based also in the acquired knowledge throughout the course, will be able to confront their view and opinions with other classmates. The debate will be closed with a recap of the main conclusions. Eventually, this assignment could be opened to the participation of students from the Faculty of Law and the Degree in Food and Agriculture Engineering and the Rural Environment.

Teaching methodology

In-work class activities

Modality	Name	Type. Group.	Description
Theory classes	Lectures	Large group (G)	In these classes, the main theoretical contents will be presented and explained.

Distance education work activities

Modality	Name	Type. Group.	Description
Individual self-study	Individual study of the course content	Large group (G)	Students must study individually to assimilate the content of the course, in order to be in a position to draft the report, participate in the debate and, in case, pass the written exam.

Specific risks and protective measures

The learning activities of this course do not entail specific health or safety risks for the students, therefore no special protective measures are needed.

Workload estimate

Modality	Name	Hours	ECTS	%
Theory classes	Lectures	30	3	50%

Individual self-study	Individual study of the course content	30	3	50%
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Student learning assessment

Lecture classes

The attendance and active participation of the student in theoretical classes will be assessed by the professor (10% of the final grade).

Case study

The attendance and active participation of the student in the case study classes altogether with a brief report the student must deliver in the date stated by the professor will be assessed by the professor (25% of the final grade). The defense of the report in class will be also graded (15% of the final grade).

Homework

The student is expected to read the class materials before class.

Exams

The written exam/s will allow the professor to assess the theoretical knowledge, understanding, and critical ability acquired by each student. The written exam/s is/are worth 50% of the final grade; but if the performance of the students in the case study and their defense in class as well as class attendance and participation are good enough, this final exam could be spared (in this case the final grade will be the weighted average of the other graded competences).

Preparation of group work and projects

The report the students must prepare may be done either individually or in group. Due to the dynamics of the debate that will take place at the end of the course, the students may have to work in groups for this assignment.

Resources, bibliography and additional documentation

Basic bibliography

The professor will provide the students with the basic texts which they will be able to consult on-line through the Campus Extens webpage. The Professor will also refer the students to webpages and databases where they will find other materials they might need to prepare the course. The professor may provide his PowerPoint presentations as well.

Complementary bibliography

Reference material posted by the professor on the Campus Extens webpage of the course.

Other resources

The right to food:
<http://www.fao.org/right-to-food/en/>

Farmer's rights:

<http://www.fao.org/plant-treaty/areas-of-work/farmers-rights/en/>
<http://www.fao.org/plant-treaty/overview/en/>

Organic Farming:

https://ec.europa.eu/agriculture/organic/organic-farming_en
<https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2007:189:0001:0023:EN:PDF>

GMO:

https://ec.europa.eu/food/plant/gmo_en
<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:32001L0083>
<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32009L0041>
<https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX:32003R1829>
<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=LEGISSUM:l21170>
<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32015L0412>

The CAP objectives:

https://ec.europa.eu/info/food-farming-fisheries/key-policies/common-agricultural-policy_en

IP:

<http://www.wipo.int/treaties/en/ip/paris/>
https://www.wto.org/English/docs_e/legal_e/27-trips_01_e.htm
http://ec.europa.eu/competition/antitrust/overview_en.html
<http://upov.int/portal/index.html.en>
<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A31994R2100>
<https://www.epo.org/law-practice/legal-texts/epc.html>
<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A31998L0044>

Lecturers' office hours

Office/Location	Week day/s	Office hours	Contact details
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