



ILS CENTRE FOR INTERNATIONAL LAW



# NEWSLETTER



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# LETTER

*from the*

# EDITOR

The right to food is a human right. It protects the right of all human beings to live in dignity, free from hunger, food insecurity and malnutrition. The right to food is protected under international human rights and humanitarian law. With almost 870 million people chronically undernourished in 2010–12, the number of hungry people in the world remains unacceptably high. The vast majority live in developing countries, where about 15 percent of the population are estimated to be undernourished. The right to food approach to food insecurity is based on the premise that tackling world hunger requires improving not the availability of food, but access to food for the vulnerable and deprived. This entry presents internationally agreed definitions of the human right to adequate food, conceptual developments in the last decades, and an overview of the challenges facing the full realization of this fundamental human right globally. Indeed, lack of access to food is almost never the result of a general scarcity of food. Instead, people are deprived of food because they have no opportunity to produce it, cannot earn a sufficient income to buy the food they

need, or are unable to work at all. Despite the development of new legal frameworks, institutions and mechanisms to monitor the implementation of the right to food, both at the national and international level, violations of the right to food remain a daily reality. Despite decades of growing global wealth, poverty and food insecurity remain pervasive and socioeconomic and gender inequalities endure across the world. Individuals and communities face the continuing deprivation and denial of access to essential lands, resources, goods and services by State and non-State actors alike. The full realization of the right to food will require structural changes both at the national and international levels. The elaboration of participatory right to food strategies, ensuring policy coherence across sectors, could go a long way towards addressing the specific needs of the most vulnerable segments of the population, either in urban settings or in the countryside.

*Regards*

# GMO WARS

## A Comparative Analysis of US and EU Laws

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*~Tejal Narwade, I BA LLB*

GMO stands for genetically modified organisms. It refers to plants, animals, or microorganisms in which genetic material has been altered using genetic engineering. GMOs are increasingly used in food production because they are more resilient than non-GMOs and may offer enhanced nutritional value. They can significantly increase crop yield, potentially solving food scarcity issues.

Despite their many benefits, GMOs raise potential health and food safety concerns, as genetic engineers do not yet fully understand their long-term effects. Some of the possible risks include gene flow to non-target species, the development of pest resistance, allergic

reactions, harm to beneficial organisms, and other toxic effects on health. As these consequences are unforeseen, various countries have different stances while looking over the GMOs, which then creates trade conflict between them.

The best example of this is the 'GM Cold War'- the trade conflict between the United States and the European Union. The first part of this conflict arises from how the two regions view GMOs. The United States treats GMOs as substantially equivalent to traditional food products. This doctrine of substantial equivalence assumes that if a GMO product is similar in composition and nutrition to its non-





GMO counterpart, it does not require special regulation.

In contrast, the EU's regulatory system is based on the precautionary principle and treats GMOs as unsafe until proven otherwise through reliable scientific research. The EU system places considerable weight on public opinion, which remains largely anti-GMO, unlike the US where regulatory decisions are less influenced by public sentiment.

Initially, the US relied on a voluntary GMO labelling system. However, following increasing pressure from state-level initiatives and public demand, it moved towards mandatory labelling, similar to the EU. Despite this shift, the US has struggled to achieve true transparency in GMO labelling.

Meanwhile, the EU requires its member states to ensure the traceability and labelling of authorised GMOs at every stage of their entry into the market. This guarantees that both operators and consumers receive accurate information. Additionally, the EU requires detailed applications and independent reviews before any GMO is approved for market entry. In contrast, the US Food and Drug Administration (FDA) does not conduct independent testing but instead relies on data provided by the manufacturers themselves.

In addition, the US has not ratified international biosafety protocols related to GMOs. Two major international instruments—the Cartagena Protocol on Biosafety and the Nagoya–Kuala Lumpur Supplementary Protocol on Liability and Redress, aim to conserve biodiversity and promote the sustainable use of GMOs. The US has refrained

from signing these protocols, stating that they have concerns over impact on free trade and the biotech industry, which has further complicated its relationship with the EU on this issue.

The different regulatory systems of the US and EU have resulted in trade disagreements. The EU is cautious about trading GMO foods because of concerns about US market dominance, consumer rights, environmental harm, and health risks. On the other hand, the US sees GMOs as a way to increase crop production and strengthen its position in global trade. Due to the EU's strict rules on GMO production, imports, and labelling, it is difficult for the US to export GMO products to the EU.

This regulatory divergence led to a WTO dispute titled *European Communities – Measures Affecting the Approval and Marketing of Biotech Products*. The US argued that the EU had failed to process GMO applications in a timely manner. The EU defended its position based on the precautionary principle. Ultimately, the WTO ruled against the EU, stating that it had not provided sufficient scientific justification for its delays. Despite the WTO's intervention, the regulatory divide between the US and the EU remains unresolved.

Moving forward, both parties should consider establishing a neutral international body through dialogue. This could focus not only on harmonising regulations but also on the structured distribution and oversight of GMOs. Such a body may help them to find the common ground on labelling, risk assessment, while respecting each other's values and consumer concerns.

# FLOUR SOAKED IN BLOOD

Inside Israel's war crimes in Occupied Palestine

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*~Sana Kulkarni, IV BA LLB*



On 29th February of 2024, when Gazans assembled at Harun-al-rashid street for aid trucks which were believed to be carrying flour, Israel tanks started firing on them and ran over many dead and injured ones. After the first round of shooting stopped, people returned to the trucks, only for the soldiers to open fire once more. At least 112 Palestinians have been killed after Israeli troops opened fire on hundreds waiting for food aid southwest of Gaza City. The 29th February massacre follows a pattern of Israeli attacks against Palestinian civilians seeking aid, by shooting, shelling and

targeting groups gathered to receive urgently needed supplies from trucks or airdrops in 2024. Israel's campaign of starvation and targeting of civilians is a textbook example of the many techniques employed to commit war crimes in Palestine.

Israel has created a situation of mass starvation that entails collective punishment to all civilians. Before this massacre, United Nations officials had warned of the imminent famine in Gaza. The Office for the Coordination of Humanitarian Affairs reported

that at least one-quarter of the population are “one step away from famine” and the humanitarian community is facing extreme obstacles in getting even “a bare minimum of supplies” into Gaza. Israeli aggression has resulted in the destruction of bakeries and farms destroying much of the agricultural produce. Gazans are at high risk of severe malnutrition, affected or threatened by infectious diseases. Without an immediate ceasefire, no adequate humanitarian effort can be launched to alleviate these conditions.

***Israel’s campaign of starvation and targeting of civilians is a textbook example of the many techniques employed to commit war crimes in Palestine.***

In its uncompromising continuation of aggressive actions to effectively block any effort towards humanitarian aid, along with the obstacles that it consistently creates in sending even the grossly inadequate aid, Israel and its Western enablers are committing a war crime in open sight. As early as October 2023, Israeli ministers have openly proclaimed their intent of laying a complete siege in Gaza, with “no food, no water.” This intent is evidently being backed by actions on the ground that use starvation as a weapon. The weaponization is taken to such a harrowing literal sense that testimonies of Gazans indicate that the Israeli army leaves bombs that look like canned meat and there have been several casualties, especially of children, resulting from their explosions. The illegality and criminality of these actions have been underscored by several UN agencies and countries from the global South in various international forums, most notably in International Court of Justice (ICJ), during the case initiated by South Africa.



Recognising the plausibility of Israel committing genocide, the ICJ had ordered it to allow the delivery of urgently needed basic services and humanitarian aid to Palestinians in the Gaza Strip.

Despite all hopelessness and despair, South Africa has continued to shine through as a beacon for the worldwide community seeking justice and peace. Following up on its ICJ case, it has moved the Court to pass additional emergency measures. The concluding lines of its application put not only ICJ but the entire international order to notice, with a last chance at redemption, to do what is within its power to save Palestinians in Gaza from genocidal starvation.





# The Ethical Responsibility of Corporations in Global Food Production

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*~Tanishka Elango, I BA LLB*

The food industry is rapidly growing and along with it, a chain of decisions that the corporates make, which shape the future of global markets and the sustainability of food production worldwide. It is well known that major corporates have both a legal and social responsibility to ensure that the quality of the food produced meets the necessary standards. International regulations like the Codex Alimentarius, which is a collection of food standards, codes of practice and guidelines established by the World Health Organization

(WHO) and Food and Agricultural Organization (FAO) have been established to ensure food safety practices.

Major food corporations have been notorious for evading these standards and putting public's health at risk for their financial benefit. One of the biggest food companies, Nestlé, has been involved in various scandals which have jeopardized the well-being of the public. In 1970, it aggressively marketed baby formulas in developing countries which led to



high rates of infant malnutrition and mortality in some regions. The Infant Formula Action Coalition (INFACT) led a boycott of Nestlé in the United States. After the scandal, the International Code of Marketing of Breast-milk Substitutes was established by the WHO to ensure the promotion of breast milk substitutes was regulated. A more recent misconduct by Nestlé, was the 2015 Maggi noodles controversy, where the Food Safety and Standards Authority of India (FSSAI), found that the noodles had 17 times more lead than the permissible amount which led to the government banning it for a duration.

Nestlé is not alone. In 2008, China faced a scandal where milk was adulterated with melamine, affecting thousands of children. Similarly, in 2013, Europe's horse meat scandal revealed widespread mislabelling across supply chains, raising questions about traceability and accountability. These examples show how global food corporations and industries violate food safety norms.

Due to this non-compliance, people often have to face health problems like chronic illnesses (obesity, heart diseases, high blood pressure, etc.) and foodborne diseases (vomiting, diarrhoea, etc.).

From a legal standpoint, food safety violations may constitute breaches of both national criminal and civil laws, including statutes related to consumer protection. However, enforcement varies significantly across jurisdictions. While the Codex provides global benchmarks, enforcement largely depends on national authorities. Furthermore, the absence of a global legal body to hold multinational corporations accountable reduces the impact of

regulation. Legal remedies, such as class-action lawsuits, regulatory fines, and in some cases, criminal charges, have been used to hold corporations accountable. However, such measures are often reactive rather than preventive.

This imbalance in control mechanisms and corporate liability reveals inadequacies in these regulatory systems. Strict measures have to be taken to ensure that companies don't get away with breaching these regulations.

### ***The tension between profit motives and public health highlights the need for stronger enforcement mechanisms and frameworks***

Strong monitoring systems have to be implemented to make sure that all food products are inspected thoroughly. Clear labeling laws have to be established wherein it must be mandatory for the companies to clearly indicate the use of artificial ingredients, nutritional value, source of ingredients, etc. Last but not the least, penalties have to be imposed on these companies in the form of fines, and in severe cases, revocation of licenses.

In conclusion, corporate misconduct in the food industry not only breaches consumer trust but also raises serious ethical and legal concerns. The tension between profit motives and public health highlights the need for stronger enforcement mechanisms and frameworks. Only then can global food systems become safer, fairer, and more transparent.

# NEWS AT A GLANCE



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The Council of Europe's Human Rights Rapporteur, Gudrun Mosler-Törnström, strongly criticized the demolition of Roma houses in Sofia, Bulgaria, despite an order from the European Court of Human Rights (ECHR) to stop it. Over 200 people were left homeless without basic help, according to the NGO Eurochild. The Rapporteur reminded Bulgaria that ECHR orders are legally binding. As a member of the European Convention on Human Rights, Bulgaria must follow the court's decisions. Repeated violations could lead to the EU cutting funding. The demolished homes were called unsafe by the state, but the ECHR had asked for a pause until the case was resolved. Human rights groups urged Bulgaria to protect the Roma and offer proper support. For more information, view [here](#).

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UN Special Envoy for Syria, Geir Pedersen, warned that Syria faces serious risks without real political inclusion and urgent economic help. He said Syria remains fragile due to years of conflict, poverty, and poor governance. Pedersen stressed that all Syrians must be included in shaping the country's future and that international support is key for lasting peace. Although a new Syrian cabinet was formed, it still lacks full representation—only one woman, Hind Kabawat, was appointed. Pedersen also raised concerns about recent violence and called for protection of all communities. He praised some regional support but warned that Syria's economy is still in crisis. The political transition needs both inclusive leadership and strong international backing to succeed. For more information, view [here](#).

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Amnesty International criticized a new health policy in the Dominican Republic that requires migrants to show documents and pay fees to access public health care. Under the April 6 protocol, migrants receiving emergency care, childbirth services, or hospital treatment may be deported afterward. Amnesty called the policy discriminatory and harmful, saying it may stop vulnerable groups—such as pregnant women and violence survivors—from seeking help. The policy violates human rights and the Dominican Constitution, which promises free healthcare for all. Over 180,000 people, mostly Haitians, have been deported since October 2024. Amnesty called for an end to these expulsions. Rising gang violence in Haiti has forced many to seek safety in the Dominican Republic. For more information, view [here](#).

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The International Criminal Court (ICC) ordered its pretrial chamber to reconsider Israel's challenge to its jurisdiction in a case involving arrest warrants for Israeli officials. Israel had claimed that its legal objections were dismissed too quickly without full review. The appeals chamber agreed and sent the matter back for reconsideration. The arrest warrants for Prime Minister Netanyahu and former Defense Minister Gallant remain valid for now. However, if the pretrial chamber later decides that the ICC lacks jurisdiction, the warrants will be invalid. The issue centers on whether crimes occurred in Palestinian territory, as Palestine is an ICC member, but Israel is not. In 2021, the ICC ruled that Palestinian territory includes Gaza, the West Bank, and East Jerusalem. For more information, view [here](#).



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The UN World Food Programme (WFP) warned that 3.6 million people in Ethiopia may lose food and nutrition aid unless urgent funding arrives. In 2024, WFP received only half of its expected funding, leading to cuts that now threaten lives. Over 10 million people in Ethiopia face food insecurity, including those displaced by conflict and climate events. WFP plans to assist 7.2 million people in 2025 but needs \$222 million by September. For more information, view [here](#).

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# UPCOMING ACTIVITIES

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## **EU-IndoPac Jean Monnet Module Teaching Programme 2025.**

The UCLouvain, IEE Saint-Louis Belgium, and the Department of Studies in Law, University of Mysore, India, are holding the EU-IndoPac Jean Monnet Module Teaching Programme 2025 virtually from 2 -4 June 2025, with an essay-type examination on 5 June 2025. For more information, see [here](#).

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## **EU's Role in Reviving Multilateralism Workshop.**

The T.M.C. Asser Instituut, the Centre for the Law of EU External Relations (CLEER), Utrecht University, and the University of Groningen have announced a two-day workshop for PhD and early-career scholars on the theme of the legal dimensions of the EU's role in reviving multilateralism. For more information, see [here](#).

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## **Summer School on The Use of Force in International Law.**

Hosted by the Centre for International Humanitarian and Operational Law (CIHOL), this inaugural summer school offers an

exploration of one of the most critical areas of international law — the regulation of the use of force. The summer school will take place from 14 – 25 July 2025 in Olomouc, Czech Republic and is open to students, early-career researchers, and professionals. The programme includes a field trip to Vienna, a guided tour of the UN Headquarters, and discussions with members of the Czech Armed Forces. For more information and registration, see [here](#).

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