



Ipiashe siphons water for irrigation, Gutu Province, Zimbabwe, September 2011. Photo: Annie Bungeroth/Oxfam

HUNGRY FOR COMMITMENT

Securing the right to food in a changing climate in southern Africa

Food security in southern Africa relies upon small-scale agriculture, a sector in which women take the lead. However, smallholder farmers are among the most vulnerable people to food insecurity, often lacking the resources and access needed to produce or procure adequate food. The effects of climate change exacerbate their vulnerability, which further compromises the food security of the entire region. Unless states ensure that small-scale farmers have the access and resources required to produce or procure adequate food for themselves—and ultimately their countries—climate change will make the right to food unattainable by millions more in southern Africa.

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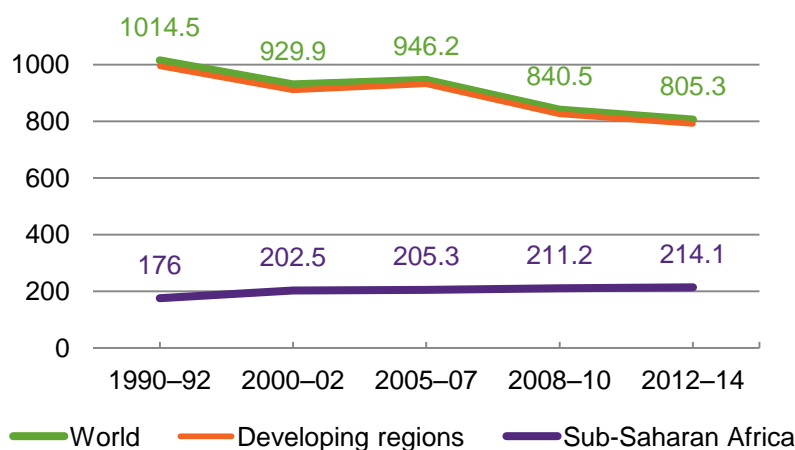
RECOMMENDATIONS

- The governments of southern Africa should provide secure access to land and water resources through policies deliberately aimed at supporting smallholder farmers, especially women.
- Governments should protect the interests of local communities when facilitating private investments, and should address the insecure tenure rules that leave many women and smallholder farmers vulnerable.
- States should allocate at least 10 percent of their national budgets to agriculture and invest in small-scale farmers, to address existing inequities of land distribution, and access to water and infrastructure.
- National governments must establish rights-based legal and policy frameworks, so that all citizens are entitled to hold states accountable to respect, protect and fulfil everyone's right to food.
- The Southern African Development Community should support its member states in fulfilling their commitments to invest in agriculture and ensure that small-scale farmers, particularly women, are prioritized. Member states' progress should be monitored.
- All developed countries must move to meet their pre-2020 commitments to reduce emissions and help developing countries adapt to their changing climates—this will require substantial increases on current investments.

1. HUNGER IN SOUTHERN AFRICA

Despite overall progress in hunger reduction globally, in sub-Saharan Africa (SSA), more than one in four people remain hungry. This is the highest prevalence of any region in the world, and more than double the global average.¹ **Figure 1** below shows how SSA has become home to more than a quarter of the world's undernourished people. As hunger has declined in developing regions as a whole by over twenty percent over the past two decades, hunger in SSA has increased by more than twenty percent.

Figure 1. Hunger (Millions of people)



Source: FAO, IFAD and WFP (2014) *The State of Food Insecurity in the World 2014: Strengthening the enabling environment for food security and nutrition*, <http://www.fao.org/publications/sofi/2014/en/>

Although Southern African Development Community (SADC)² states are signatories to a number of instruments³ enshrining the right to food, food insecurity remains a key development challenge in the subregion. For more than half of the states in SADC, hunger exceeds 25 percent.⁴ For example, even though the availability of food in terms of calories is sufficient in South Africa, some 26 percent of the population actually faces hunger, with a further 28 percent at risk.⁵

The 'right to food' entails multiple dimensions:

- availability: food is available from natural resources through production or harvesting, and for sale in markets and shops;
- accessibility: economic and physical access to food is assured; and
- adequacy: food must be fit for human consumption, culturally acceptable and satisfy dietary needs.⁶

It thus requires states to provide an enabling environment in which people can use their full potential to produce or procure adequate food for themselves and their families.⁷ To produce his or her own food, a person needs land, seeds, water and other resources; to buy it, one needs money and access to a market.⁸ One of the key stressors affecting all elements of food security is climate change.⁹ By failing to address climate change vulnerability, SADC member states are failing to realize their citizens' rights to food.

2. CLIMATE CHANGE AND FOOD INSECURITY

2.1 Effects of climate change on vulnerable farmers

The Human Rights Council and the African Commission on Human and Peoples' Rights have both recognized the impacts of climate change on human rights, including the right to food.¹⁰ Even with a relatively small change in climate, rate of undernourishment in the SSA population is projected to increase by 25-90 percent by 2050 compared to the present.¹¹ Poor people living in rural areas who depend on agriculture are most vulnerable to climate change.¹² This population makes up more than 70 percent of the people living in poverty in SSA.¹³

The risks posed to smallholder farmers by climate change could have wider repercussions. Small-scale agriculture is a major source of income for poor households. For example, it accounts for over 75 percent of the income for nearly two thirds of rural households in Mozambique and Zambia.¹⁴

About 80 percent of farms in SSA are smallholder farms.¹⁵ Small-scale farmers, 70 percent of whom are women,¹⁶ are responsible for up to 90 percent of food produced in some countries in the region.¹⁷ Indeed, women undertake 75 percent of the tasks involved in food production, 90 percent of food processing, and also derive a substantial proportion of household income from growing food crops.¹⁸ Some 65 percent of economically active women in SSA work in agriculture,¹⁹ with as many as 94 percent in Malawi and Mozambique.²⁰ Additionally, fetching wood for fuel and water for domestic use is largely done by women and girls on foot.²¹ Women in SSA collectively spend 40 billion hours every year collecting water.²² As these resources become scarcer with the changing climate, the distance and time required will increase. In addition, women bear the bulk of the responsibility for care work, which will also increase as climate change heightens the prevalence of various diseases and reduces the availability of food.²³ These overlapping burdens of economic work, household work and care work—all exacerbated by climate change—further compromise women's health and nutritional needs, impacting their ability to be productive. Decreased production implies reduced income, and hence further loss of the security and dignity of women in their homes and communities.

Agricultural systems in southern Africa are among the most vulnerable in the world. 98 percent of agriculture in SSA is rain-fed,²⁴ a mode of production that is highly climate dependent. More than 70% of the population in southern Africa, and the vast majority of the poor, are engaged in smallholder rain-fed agriculture and related activities.²⁵ The subregion has been identified as one of the most at risk, with yield losses for its maize-based systems estimated at 18 percent overall by 2050, and over 30 percent in South Africa and Zimbabwe.²⁶ Sub-Saharan Africa's climate is characterized by high intra- and inter-seasonal variability, as

well as recurrent droughts and floods.²⁷ Climate change will increase the frequency and scale of extreme weather events such as severe temperatures, droughts and floods. This will in turn impact food production both directly and indirectly, through effects on water, land and infrastructure.

2.2 Effects of climate change on water, land and infrastructure

It is projected that temperatures in southern Africa are likely to increase more than the global average, by an alarming 3.4–4.0°C by the end of the 21st century.²⁸ This is projected to significantly reduce soil moisture and run-off. Because groundwater in southern Africa is recharged by rainfall, a reduction in the rate at which it is replenished may result in prolonged drought and other precipitation anomalies more often.²⁹ An estimated 50–100 million people in southern Africa may experience new water shortages by 2050.³⁰

Changes in rainfall and increased evaporation could severely impact some lakes and reservoirs in SADC, with the subregion projected to have the greatest reduction in runoff by 2025.³¹ The Zambezi River has the worst scenario for decreased precipitation (about 15 percent), increased potential evaporative losses (about 15–25 percent), and diminishing runoff (about 30–40 percent).³²

Extreme hydrological events are already on the rise in southern Africa, both in intensity and duration. Over the last three decades, the number of extreme hydrological events in the countries of the Zambezi Basin³³ rose from twelve events that affected 2.1 million people between 1980 and 1989, to 92 events that affected over 12 million people in the period 2000–2009.³⁴

Table 1. Hydrological events in the Zambezi Basin countries

	1980–89	1990–99	2000–09
<i>Angola</i>	1	0	21
<i>Botswana</i>	1	1	4
<i>Malawi</i>	2	6	15
<i>Mozambique</i>	3	3	15
<i>Namibia</i>	0	0	9
<i>Tanzania</i>	4	11	12
<i>Zambia</i>	1	1	11
<i>Zimbabwe</i>	0	1	5
TOTAL	12	23	92

Source: The United Nations Statistics Division (2010) 'Environmental Indicators, Natural disasters: Hydrological Disasters', http://unstats.un.org/unsd/environment/Hydro_disasters.htm

In addition to displacing people, extreme weather events also erode livelihoods through the destruction of key productive infrastructure (e.g. dams and irrigation), and processing and market infrastructure (e.g. transportation, storage and processing). Lack of market infrastructure increases the chance of food spoilage, which is already heightened by

elevated average temperatures.³⁵

Floods, droughts and extreme temperatures also devastate land quality. 80 percent of rangeland and rain-fed cropland in southern Africa is already degraded.³⁶ As climate change progresses, areas previously well-suited to particular crops are shrinking.³⁷ The Intergovernmental Panel on Climate Change (IPCC) estimates that some 75 million hectares of land that is currently suitable for rain-fed agriculture will be lost in SSA by 2080.³⁸ Compounded by customary law and cultural practices that disfavour women, increasing competition pushes vulnerable groups towards more marginal and less productive resources³⁹.

Climate change thus further worsens the situation of smallholder farmers, especially women, who already lack access to productive resources and markets.

3. CLIMATE CHANGE AND FOOD SECURITY POLICIES

Climate change is not the only cause of hunger and food insecurity in southern Africa. Rather, it aggravates existing structural, policy and governance deficits. This section seeks to consider these conditions, with a view to making recommendations on how to turn the tide of hunger and food insecurity in the region.

3.1 Access to water

Ensuring equitable access to water as a productive resource—not just as safe, clean drinking water—for current and future generations is becoming increasingly difficult.⁴⁰ Sustainable access to water by smallholder farmers reduces vulnerability to climate change and can significantly improve their productivity⁴¹.

Box 1. Ruti irrigation scheme, Zimbabwe

A case study of the irrigation scheme based on the Ruti Dam in Zimbabwe, showed that, by the end of 2012, the participating farmers were producing three times more per hectare compared to 2009 when the scheme was initiated. Ipaishe Masvingise has been one of the leading smallholders in the irrigation scheme since its beginning. In interviews over the period she told Oxfam: 'Our land was fertile and we used to get good harvests but then the weather changed. The rain is really erratic. You work and work but get nothing back if there's no water. But now we have plots in the irrigation scheme we have got our lives back. We can be farmers again'.

Many of the farmers successfully increased the number of crop varieties they could grow each year; some were even able to diversify to cash crops such as wheat. Household incomes for the extremely poor increased by 286 percent, with incomes increasing by 173 percent for the poor and 47 percent for the middle-income groups. Those classified as extremely poor were able to consume more than their minimum daily calorie requirements.

Greater productivity translated to improved food availability and access, the diversity of crops improved food adequacy, and the new sources of income also enhanced food access and adequacy, because households could purchase food to supplement their production.

However, when a record drought in 2013 significantly reduced the level of the Ruti Dam in Zimbabwe, the water was diverted away from the small-scale farmers to serve only commercial sugar farms. This signifies the common tendency by governments to prioritise commercial interests at the expense of small scale agriculture. When the drought ended with heavy rains, overflowing the dam, the same farmers suffered serious floods in 2014. Despite the setbacks Ipaisha is optimistic that she will have good crops this year and once the river has gone down, that the farmers working together will think of a way to get the irrigation pipeline fixed. 'My five-year plan is still on track,' she says.

Source: Oxfam (2014) 'Irrigation schemes and Weather Extremes: the challenge for Zimbabwe', <http://policy-practice.oxfam.org.uk/publications/irrigation-schemes-and-weather-extremes-the-challenge-for-zimbabwe-322350>

SADC member states must endeavour to ensure that water pricing and valuation put an emphasis on improving smallholder farmers' sustainable access to water. Cross subsidisation of smallholder farmers through efficient and equitable cost-recovery systems must be established. A comprehensive review of the SADC Protocol on Shared Water Courses should take a holistic approach to addressing water problems and its management within a climate change adaptation framework. Member states in southern Africa must put in place customized policies aimed at supporting smallholder farmers, especially women, in the face of reduced water supplies due to drought and changing rainfall patterns. Such policies must entail the provision of irrigation and water harvesting schemes that are appropriate for small-scale producers, and ensure access to sufficient clean water for both household use and food production.

3.2 Land tenure

Secure land tenure matters for climate change adaptation, especially for smallholder and women farmers. Without secure land tenure, smallholders and women are generally the first to be dispossessed from their land and hence livelihoods. An estimated 90 percent of rural land in SSA is as yet unregistered, meaning that these land users have little or no legal protection from displacement without adequate compensation if investors claim the land.⁴² The absence of land tenure rights potentially fosters conflict and reduces the incentive for indigenous populations to actively engage in productive activities. A good case study is the ongoing land reform in Zimbabwe that has created uncertainty in land tenure and reduced the confidence of local communities to invest meaningfully in production and infrastructure.⁴³

Regrettably, land distribution in several southern African countries remains skewed. In Malawi, 70 percent of all smallholder farmers were found to possess less than one hectare of land.⁴⁴ In Zambia, 41.9 percent of total farming area is made up of smallholder farmers owning

less than one hectare of land⁴⁵. In South Africa, most black subsistence farmers are restricted to the former Bantustans,⁴⁶ which account for only 13 percent of land, while white farmers (with less than 40,000 farming units) own about 67 percent of the country's farmland.⁴⁷

While several countries in the region have worked to develop constitutional and legislative provisions intended to strengthen women's land rights, customary and patriarchal practices continue to disempower women farmers striving for sustainable and productive farming. Globally, men's landholdings average almost three times the size of women's.⁴⁸

It is imperative for southern Africa's governments to ensure the security of women and other smallholders' land rights. They should address through law the discriminatory practices that make women dependent on men for their access to land, and allocate more resources for the implementation of the 2008 Protocol on Gender and Development.

3.3 Investment in agriculture

Public investment for small-scale food production

Governments in southern Africa are not doing enough to invest in agriculture, especially in the infrastructure that is necessary for the smallholder farmers and women who are key to addressing hunger. Instead, investment in infrastructure for the transport, storage, processing and marketing of food tends to prioritise commercial interests over food security.

Poor agricultural and rural infrastructure has made access to food markets (for inputs, farming technologies, purchase of food stock and sale) extremely difficult for smallholder farmers. For example, less than 5 percent of rural areas have access to electricity, and less than half of the rural population lives close to adequate roads.⁴⁹ Climate change exacerbates this situation, as more frequent and severe weather extremes damage infrastructure, as exemplified by the flood damage sustained by the Ruti irrigation infrastructure.

Less than 3.7 percent of sub-Saharan agricultural land is irrigated, compared with 41 percent in South Asia.⁵⁰ In the 15 SADC member states, 11 have less than 10 percent of total cultivated land irrigated, 5 of which have less than 1 percent.⁵¹ The subregion as a whole is using only 16 percent of its irrigation potential of more than 20 million hectares, South Africa and Madagascar accounting for most of this.⁵² Little attention has been paid to investing in the irrigation systems that are critical for smallholder farmers. Dams and irrigation tend to be developed in the service of large-scale commercial agriculture, funded by private capital.

State prioritization of large- and industrial-scale agriculture at the expense of small-scale producers can have a negative impact on livelihoods and threaten the right to food. Governments must ensure that future infrastructure planning caters sufficiently for women and smallholder farmers by prioritizing rural and farm-to-market linkages.

Governments should address the wide-scale gaps that exist particularly in rural and remote areas by investing in irrigation, infrastructure for storage and transport, extension services, credit and market infrastructure, all of which should be appropriate for small-scale food production and designed to meet the needs of women. Key infrastructure serving women and smallholder farmers should be regularly maintained to minimize the risk of destruction from climatic events. In cases in which infrastructure serving these vulnerable groups is destroyed, their repair and replacement should be expedited. All of these measures should be enshrined in policy.

Box 2. Governments failing to meet agricultural investment targets

The Malabo Declaration,⁵³ signed by African Union (AU) leaders at the 23rd Heads of State Summit in Equatorial Guinea in June 2014, contains a weak commitment to invest in small-scale food production and women farmers.⁵⁴ However, it does recommit national governments in Africa to invest more than 10 percent of their total national budget in the agricultural sector.

Since the initial commitment was made in Maputo in 2003, progress towards this proportion has for the most part been slow. Analysing averages for the periods 1995–2003, 2003–2008 and 2008–2013, 38 out of 50 states have not reached the 10 percent target in any of the three periods.⁵⁵ 29 out of 50 have never gone beyond six percent. In fact, rather than progressively increasing their budgetary allocation for agriculture, many countries have lost ground—only 13 states have improved through the three periods, of which just two are currently allocating 10 percent or more (Malawi and Zimbabwe).⁵⁶

In line with recommendations by non-state actors made to African governments in 2014, SADC member states must live up to the commitments they made in 2003 of allocating 10 percent budget towards agriculture. They must also show commitment towards effective agricultural investments that target women and small-scale food producers through transparent and accountable budgets. The SADC must also put measures in place to monitor progress and implementation by member states. Governments that have not yet reached the 10 percent target should set timelines for doing so. All governments must examine ways to find the extra domestic resources needed for agriculture. Possibilities for this include reducing military spending, preventing tax evasion and reducing illegal capital flight.

FDI in agriculture for women and smallholders

Foreign direct investment (FDI) is increasing in African countries overall and in SADC⁵⁷. In particular, large land-based investments have risen dramatically since the international food price spikes in 2007 and 2008, driven by a range of factors including climate change.⁵⁸ Land acquisitions in Africa through FDI were estimated at 56.2 million hectares in the period 2002–12,⁵⁹ equivalent to the total land area of Botswana.⁶⁰ According to the Land Matrix Database,⁶¹ of the 84 countries reported to be targeted by foreign investors 70% of the reported targeted surface is concentrated in 11 countries, of which 7 are African, and 4 are SADC

states: Madagascar, Mozambique, Tanzania and Zambia.⁶² Far from building resilience to climate change, such investment risks local communities with dispossession, as poor land governance and a lack of legal tenure over land collide with the motivation to transfer land to investors.

Popular incentives for FDI include tax breaks and preferential access to natural resources—such as fertile land and water—which are not extended to struggling small-scale farmers and women. It is not uncommon for FDI deals to come with huge land lease or ownership incentives for private investors. In addition, the absence of tangible returns from these deals to the communities affected has created considerable controversy.⁶³

In 2013, it was revealed that the government of Mozambique was offering 50-year land leases at a cost of US\$1 per hectare per year to investors. This was complemented by reduced corporate tax rates of 2–5 percent and import duty exemptions. Comparatively, in Brazil, the same deal would have cost an investor \$15, 000 per hectare (for prime arable land) and \$2,000 in frontier regions with poor infrastructure. The Mozambican government is clearly undervaluing prime agricultural land in order to attract investors, placing customary users at acute risk of expropriation or dispossession.⁶⁴ State control over land use has also been evident in Zambia, where the Zambia Development Agency negotiates with local chiefs for parcels of customary land for the purposes of attracting FDI—and risking the displacement of local communities.⁶⁵ In Malawi, traditional authorities and local chiefs have the power, vested in them by the government, to evict local populations from land and allocate it to investors, because the proposed Land Bill that would allow local users to register customary land remains stuck in political gridlock in the national legislature.⁶⁶

Weaknesses in governance and lack of transparency in facilitating these investment deals could erode land tenure rights, particularly the rights of women and common property rights. They thus risk the right of southern African citizens to a sustainable livelihood and intensify their vulnerabilities. More importantly, they provide a clear indicator of policy and governance weaknesses. They reveal where agricultural policies are driven by FDI and fail to support smallholder farmers, where governance fails in terms of transparency, accountability and popular empowerment, and where deficits exist in economic governance, and investors are increasingly provided extensive legal protection at the expense of poor rural communities.⁶⁷

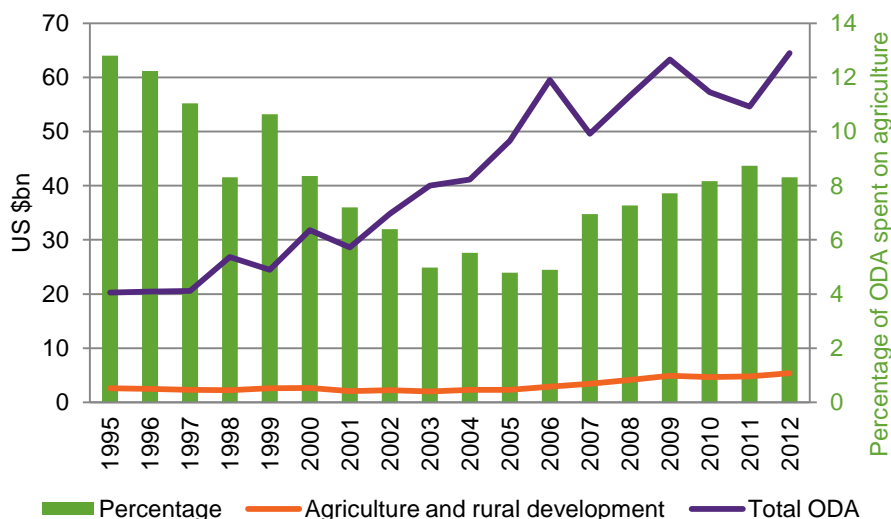
If governments are serious about addressing food insecurity and hunger, they must curb land grabs in the region by ensuring that the Guiding Principles on Large Land Based Investments are adhered to in the case of such investments. The AU Framework and Guidelines on Land Policy in Africa and the Committee on World Food Security's Voluntary Guidelines on the Governance of Tenure should be adopted and implemented. Governments should prioritise land reform in their development agendas, and align this to the commitments made under the AU Framework and Guidelines. SADC member states must also

operationalize and scale up the implementation of the SADC Land Reform Support Facility.

Adaptation finance

Aid spending on agriculture and rural development in SSA has been slashed over the last 30 years from around 25 percent of total official development assistance in the late 1970s and early 1980s, to 13 percent in the mid-1990s, to less than 5 percent in 2005–2006, before picking up again slightly following the global food price crisis in 2007–8.⁶⁸

Figure 2. Donor ODA spending on agriculture and rural development in sub-Saharan African countries (1995–2012)



Source: R. Willoughby (2014) 'Moral hazard? 'Mega' public-private partnerships in African agriculture', Oxfam, briefing paper, <http://policy-practice.oxfam.org.uk/publications/moral-hazard-mega-public-private-partnerships-in-african-agriculture-325221>

Investment in agriculture and food security also comes in the form of climate finance, particularly funding for adaptation.⁶⁹ Much of this funding is expected to come from the developed countries that are legally obliged, under the United Nations Framework Convention on Climate Change (UNFCCC), to help poor countries adapt to changing climates⁷⁰. The UNFCCC's adaptation funding interface⁷¹ contains 12 channels for adaptation finance for Africa that include 'Food security, agriculture, forestry and fisheries' in their sectoral focus. However, there seems to be a large disparity between pledges and actual transfers of funds; so far only US\$379 million in climate funds have been disbursed.⁷²

Box 3. Agriculture through National Adaptation Programmes of Action

At the national level, many African countries, including almost half the SADC member states, have made provision for adaptation funding by developing National Adaptation Programmes of Action (NAPAs).⁷³ NAPAs tend to prioritize agriculture, including adaptation measures for water resources and improved rural resilience; however, only a small percentage of NAPA activities have been funded to date.⁷⁴ The bulk of financial support for the development and implementation of NAPAs has been provided by the UNFCCC-linked Least Developed Countries Fund (39 percent of which is earmarked for food and agriculture) and the Adaptation Fund⁷⁵ (of which

almost all of the 18 projects involve agriculture and food security in some way).⁷⁶ However, according to the 2014 Climate Funds Update, total disbursements from these funds to countries in SSA between 2008 and 2011 amounted to less than \$130 million per year.⁷⁷ To put such spending in context, the response to German flood damage in 2013 cost \$10.9 billion.⁷⁸

In addition, climate finance is not evenly distributed between mitigation efforts and adaptation needs.⁷⁹ Through the Cancun Agreements of December 2010⁸⁰ developed countries formally committed to collectively provide resources approaching \$30 billion for the period 2010-2012, to be balanced between adaptation and mitigation. Oxfam analysis has revealed that only 24 percent of this 'Fast Start Finance' flowed to adaptation,⁸¹ while other studies estimate 18 percent⁸²

Considerable international attention been attracted by the Cancun commitment to mobilise \$100bn a year in global climate finance from 2020, a significant share of which should be channelled through the Green Climate Fund (GCF)⁸³ which should balance spending between adaptation and mitigation.^{84, 85} The level of funding that will ultimately materialize is still unclear,⁸⁶ but this commitment is likely to be too low. One of the most recent and comprehensive studies, published by the United Nations Environment Programme (UNEP) and formally adopted by the African Ministerial Conference on Environment in 2013⁸⁷, projects annual adaptation costs, not including mitigation, for developing countries in SSA alone at \$67bn per year by the 2050s, under a scenario consistent with limiting temperature increases to below 2°C.⁸⁸ Oxfam estimates the gap in current total public spending on adaptation⁸⁹ in this case to be at least \$60bn per year by 2050.⁹⁰ This rises to at least \$100bn for an agreement consistent with a 3.5°C rise, meaning the SSA region would require the entire pledge and for adaptation alone. Under a scenario consistent with a temperature increase of over 4°C, costs may reach \$180bn per year by the 2050s, and will continue to increase into hundreds of billions of dollars under all scenarios in the second half of the century⁹¹.

For this reason, any collective adaptation finance goal discussed, as anticipated at the 20th UNFCCC Conference of Parties in Peru in December 2014, must be explicitly linked to the level of mitigation ambition. Parties should collectively recognise the order of magnitude of the adaptation finance gap—the scale of the gap between what is being spent and what is needed—in the eventual agreement anticipated for Paris 2015, consistent with the level of ambition in that agreement. Achieving the required level of emissions reductions even to limit warming to 2°C means ambitious commitments from all countries, and increased financial and technical support from developed to developing countries for climate-change adaptation and disaster risk reduction.

Rich countries must support developing countries to enable them to protect their citizens against the impacts of climate change. Specifically, developed countries' pledges for the GCF should reach at least \$15bn by COP21 in Paris, to be divided equally between climate change adaptation and mitigation in order to better help countries adapt to, and

reduce the related risks of, climate change. Governments must achieve their goal of finalizing a new global agreement in Paris in 2015 (to be implemented from 2020). These actions are essential in order to achieve the international goal of limiting global warming to 2°C (or the 1.5°C that many countries rightly demand), beyond which adaptation may become impossible.

3.4 Food as a ‘sovereign right’

The right to food will be realized when every man, woman and child has *‘regular, permanent and unrestricted access, either directly or by means of financial purchases, to quantitatively and qualitatively adequate and sufficient food corresponding to the cultural traditions of the people to which the consumer belongs, and which ensures a physical and mental, individual and collective, fulfilling and dignified life free of fear’*.⁹²

This clearly identifies states’ obligations to respect, protect and fulfil the right to adequate food. Therefore, SADC countries should enforce appropriate laws and take relevant measures to prevent third parties—including individuals and corporations—from violating others’ right to food. States should also proactively strengthen people’s access to and utilization of the resources necessary to ensure their livelihoods, which includes food security.

Many SADC countries are signatories to the International Covenant on Economic, Social and Cultural Rights, which provides that state parties recognize the right of everyone to an adequate standard of living for one’s self and his/her family, including adequate food.⁹³ As such, many SADC countries have identified food as a constitutional right.

However, very few member states have legislative provisions or comprehensive frameworks to operationalize their commitments to make the right to food a practical reality. For example, although South Africa has an Integrated Food Security Strategy, this is not legislatively linked to section 27 of the Constitution, which makes provisions guaranteeing food security. By the start of 2014, Malawi, Mozambique and Tanzania were actively working towards building a right to food framework.⁹⁴ Although Malawi has taken positive steps, it still lacks an adequate legislative framework enshrining the provision of food as a basic human right. Government policy relating to the right to food is largely fragmented, and poorly coordinated and implemented.⁹⁵ This makes it difficult to translate constitutional provisions about the right to food into a reality for citizens, especially those most vulnerable to food insecurity.

Political will and commitment to ensuring that food is accessible to all is imperative. Laws must be enforceable and complemented with concrete actions. This requires removing all obstacles that may hinder sustainable food production and access.⁹⁶ States should respect and protect the rights of individuals with respect to resources such as land, water, forests, fisheries and livestock without discrimination. Where necessary and appropriate, states should carry out land reforms and other policy reforms consistent with their human rights obligations and in accordance with the rule of law, in order to secure efficient and equitable access to

land and strengthen pro-poor growth. Special attention may be given to the relation of groups such as pastoralists and indigenous peoples to natural resources.⁹⁷

National frameworks on the right to food must be developed through participatory processes that actively involve the groups most affected by hunger, such as smallholder producers and women, who are often considered the custodians of food provision at the community and household levels. It is imperative to understand that gender-based discrimination violates the right to food of women and girls and only works to make food insecurity more severe for everyone. Therefore, there must be a conscious effort to ensure that these processes are within the framework of women's empowerment. Maintaining effective governance and accountability parameters and including monitoring mechanisms is important for a national 'right to food framework'.

CONCLUSIONS

More commitment is required if governments in southern Africa are to curb the scourge of hunger and food insecurity in the region. This is particularly important in the context of climate change, which is increasing the vulnerability of the majority of rural communities and smallholder farmers whose livelihoods depend on rain-fed agriculture. This requires member states take seriously their citizens' constitutional rights to food, ensuring that these are promoted in national policy and legislative frameworks that enhance smallholder food production and access. Appropriate public investment—starting with the implementation of the 10 percent commitment for agriculture—is critical. Most of this needs to be targeted, prioritizing the women smallholder farmers who are already playing an important role in addressing food insecurity at household level.

Governments must use legal means to improve people's rights and access to productive natural resources. Key among these is enabling local communities to secure land tenure and access to water, including by promoting women's rights and recognizing the many types of tenure—including communal and pastoralist systems. Binding measures are required to ensure that transparency, accountability and the protection of the rights of affected communities, including the right to free prior and informed consent, characterize land transactions.

Bold steps are needed to build a solid rights-based legal and policy framework to increase people's resilience to climate change, and ensure access to productive resources. These frameworks should be based on the principles of participation, accountability, non-discrimination, transparency, human dignity, empowerment and rule of law. National governments must show leadership in realizing the right to adequate food of all their citizens, enabling especially the most vulnerable people to hold governments to account for this entitlement from the local to the national level.

RECOMMENDATIONS

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NOTES

All links last accessed November 2014, unless otherwise specified

- ¹ FAO, IFAD and WFP (2014) 'The State of Food Insecurity in the World 2014: Strengthening the enabling environment for food security and nutrition', <http://www.fao.org/publications/sofi/2014/en/>
- ² The Southern African Development Community is political and economic institution that provides a framework for regional integration in the region. The 15 member states are Angola, Botswana, Democratic Republic of the Congo, Lesotho, Madagascar, Malawi, Mauritius, Mozambique, Namibia, Seychelles, South Africa, Swaziland, Tanzania, Zambia and Zimbabwe. <http://www.sadc.int/media-centre/frequently-asked-questions>
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