



In pursuit of a benchmark for optimal food security and nutrition guidelines: a critical analysis of the policy of Regional Economic Communities in East and West Africa

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Dissertation accepted in fulfilment of the requirements for the degree *Master of Law in Perspectives on Law* at the North-West University

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Graduation ceremony: May 2019

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ABSTRACT

One of the most important aspects, in the interest of communities, countries and continents can be considered being food security and nutritional aspects affecting those communities. The United Nations and the African Union have been involved and at the forefront of the research and development of programmes which focus on specifically achieving food security and nutrition across the globe. With particular reference to developing countries on the African Continent the importance of food security and nutrition is apparent. The evolution and progress of these terms and the programmes aimed at achieving these objectives are evident from the history of food security and nutrition. Africa, as a developing country, has been divided up into several regional economic communities in terms of international law, which finds its purpose in dividing the continent up into smaller, more manageable regions, being East, West, North, Central and South. Each of these Regional Economic Communities have their own governing treaties, policies and programmes to be adhered to by each of their member states. In terms of these policies, several of the objectives set by the United Nations and the African Union are to be attained by the Regional Economic Communities. One of these objectives, is the attainment of zero hunger or, in other words, food security and nutrition. Although some guidelines are available, no single benchmark exists for Regional Economic Communities to serve as a basis for the effective attainment and implementation of these objectives. Critically analysing the different policy documents and programmes from Regional Economic Communities in East and West Africa, in order to extract similar principles and objectives which correlate with those of the United Nations and the African Union, would therefore create an opportunity to establish such a benchmark. This benchmark would serve as a tool with which the progress of reaching food security and nutrition could be improved while continuing to implement those aspects which are already applied successfully. In providing the Regional Economic Communities with such a tool or benchmark for best practice, more time would be available to the Regional Economic Communities to implement these tools rather than time spent on more research before such implementation would be a possibility.

KEYWORDS:

Regional Economic Communities; RECs; Sustainable Development Goals; SDGs; Millenium Development Goals; MDGs; Benchmark; Guidelines; Policy; Programmes; East Africa; West Africa; CAADP.

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LIST OF ABBREVIATIONS

ACC SCN	Administrative Committee on Coordination Subcommittee on Nutrition
ACCNNR	African Convention on the Conservation of Nature and Natural Resources
AEC	African Economic Community
AU	African Union
CEN-SAD	Community of Sahel-Saharan States
CESCR	Committee on Economic, Social and Cultural Rights
CFS	Committee on World Food Security
COMESA	Common Market for Eastern and Southern Africa
EAC	Eastern African Community
EC	European Commission (Previously Commission of European Communities)
ECDPM	European Centre for Development Policy Management
ECOWAS	Economic Community of West-African States
ELJ	European Law Journal
ESAFF	Eastern and Southern Africa Small Scale Farmers' Forum
ESC	Economic and Social Council of the United Nations
FANRPAN	Food, Agriculture and Natural Resources Policy Analysis Network
FAO	Food and Agriculture Organisation of the United Nations
GA	General Assembly of the United Nations
GGW	Great Green Wall

ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights
IFPRI	International Food Policy Research Institute
IGAD	Intergovernmental Authority on Development
LPA	Lagos Plan of Action
MDG	Millennium Development Goals
NEPAD	New Partnership for Africa's Development
OAU	Organisation of African Unity
OECD	Organisation for Economic Co-operation and Development
PTA	Preferential Trade Area for Eastern and Southern Africa
REC	Regional Economic Community
RPFS	Regional Programme for Food Security
SDG	Sustainable Development Goals
SRO-EA	Economic Commission for Africa Sub-Regional Office for Eastern Africa
UDHR	Universal Declaration of Human Rights
UN	United Nations
UNCCD	United Nations Convention to Combat Desertification
UNECA	United Nations Economic Commission for Africa
WFC	World Food Council
WFP	World Food Programme

WFS World Food Summit

WHO World Health Organisation

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Figure 1: Map of the African Continent depicting membership of RECS 50

1. Chapter 1: Introduction¹

1.1 Introduction

Food security and nutrition are themes that are relevant to both international and regional communities.² Since the 1970s, programmes developed by the United Nations (hereafter the UN) were focussed on the eradication of world hunger and on improving food security.³ More recent developments in the international arena focussing on food security and nutrition are the Millennium Development Goals⁴ (hereafter the MDGs) and the subsequent Sustainable Development Goals (hereafter the SDGs).⁵ The latter are incorporated in *Agenda 2030 for Sustainable Development* (hereafter referred to as *Agenda 2030*).⁶ The SDGs are not legally binding international law principles but voluntary government agreements.⁷ Governments are however expected to take

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- 1 This study was made possible by the Feed the Future Innovation Lab for Food Security Policy award EDH-A-00-07-00005-00 through the generous support of the American people through the *United States Agency for International Development (USAID)* under the Feed the Future initiative. The contents are the responsibility of the study author and do not necessarily reflect the views of *USAID* or the United States Government.
 - 2 See Mochoge and Zziwa "Agriculture Success in the Greater Horn of Africa" 1; Shaw J *History of Food Security from 1945-2007* 271-272; Eicher and Staatz "Food Security Policy in Sub-Saharan Africa: Agriculture in a Turbulent World Economy" 215-216; FAO 1985 <http://www.fao.org/docrep/x5562E/x5562e07.htm> accessed 15 March 2017; and Simon *Food Security: Definition, Four Dimensions, History* 10-21.
 - 3 Shaw *A History of Food Security from 1945-2007* 116-221, 235-265, 277-286, 304-312, 347-360, 364-368, 375-386. See for example: UN General Assembly *World Food Conference (A/RES/3348)* (1974); UN General Assembly *International Development Strategy for the Fourth Development Decade (A/RES/45/199)* (1990); *Universal Declaration on the Eradication of Hunger and Malnutrition* (1974); FAO *International Undertaking of World Food Security* (1974); UN *Conference on Environment and Development (Earth Summit)* (1992); UN *Agenda 21: Programme of Action for Sustainable Development* (1992); UN *International Conference on Nutrition* (1992); FAO *Rome Declaration on World Food Security* (1996).
 - 4 UN 2000 *Millennium Development Goals* http://www.undp.org/content/undp/en/home/sdgoverview/mdg_goals/ accessed 27 July 2017; Shaw *A History of Food Security from 1945-2007* 366.
 - 5 UN 2016 *Sustainable Development Goals* <http://www.un.org/sustainabledevelopment/development-agenda/> accessed 4 August 2017; Shaw *A History of Food Security from 1945-2007* 366.
 - 6 UN General Assembly *Transforming Our World: The 2030 Agenda for Sustainable Development (A/RES/70/1)* (2015).
 - 7 UN 2016 <http://www.un.org/sustainabledevelopment/development-agenda/>; Anonymous 2016 *A Critique of the Sustainable Development Goals' Potential to Realize the Human Rights of All: Why Being Better Than the MDGs is Not Good Enough* https://campuspress.yale.edu/thomaspogge/files/2015/10/SDG-HR_Rev-Jan-25-uugh97.pdf accessed on 4 August 2017; Miller Dawkins M 2014 *Global goals and international agreements: lessons for the design of Sustainable development goals* <https://www.odi.org/sites/odi.org.uk/files/odi-assets/publications-opinion-files/9295.pdf> Accessed 4 August 2017; Miller-Dawkins M 2014 *Global Goals and International Agreements: Lessons for the*

ownership and establish national frameworks for the achievement of the goals and to report on their progress pertaining to realising the goals on national, regional and global level.⁸ In aggregate, seventeen SDGs have been identified, with a multiplicity of focus areas.⁹ The importance attached to the eradication of world hunger, food insecurity and malnutrition is evident from the fact that SDG Goal 2 (hereafter referred to as SDG2) is specifically aimed at "ending hunger, achieving food security and improved nutrition as well as promoting sustainable agriculture".¹⁰ The Food and Agriculture Organisation of the UN¹¹ (hereafter the FAO) describes SDG2 as addressing:

...a complex condition with a holistic approach that involves a series of complementary actions targeting the access dimension of food security, all forms of malnutrition, the productivity and incomes of small-scale food producers, resilience of food production systems and the sustainable use of biodiversity and genetic resources.

Despite the prevalence of food insecurity and malnutrition on the African continent, it has been reported that "African countries have collectively made the least progress towards achieving the Millennium Development Goal of reducing hunger by half by 2015".¹² African member states proceeded to address this issue in 2013 by compiling *Agenda 2063 The Africa We Want (Agenda 2063)*¹³ focussing on issues identified in

Design of Sustainable Development Goals <https://www.odi.org/sites/odi.org.uk/files/odi-assets/publications-opinion-files/9295.pdf> accessed 4 August 2017.

8 UN 2016 <http://www.un.org/sustainabledevelopment/development-agenda/>.

9 UN General Assembly *Transforming Our World: The 2030 Agenda for Sustainable Development* (2015) par 23.

10 UN General Assembly *Transforming Our World: The 2030 Agenda for Sustainable Development* (2015) para 18-19; Word Wide Fund for Nature 2015 *What on Earth are Sustainable Development Goals?* <http://blogs.wwf.org.uk/blog/green-sustainable-living/what-on-earth-are-sustainable-development-goals/> accessed 4 August 2017.

11 FAO 2017 *Sustainable Development Goals: Goal 2* <http://www.fao.org/sustainable-development-goals/goals/goal-2/en/> accessed 4 August 2017.

12 Anon 2012 *Food Insecurity and Malnutrition in Africa: Current Trends, Causes and Consequences* <http://engineeringnews.co.za/article/food-insecurity-and-malnutrition-in-africa-current-trends-causes-and-consequences-2012-09-19> accessed 4 August 2017.

13 Casazza A 2015 *The Sustainable Development Goals and the African Union's Agenda 2063: A Comparative Analysis* <http://www.africa.undp.org/content/rba/en/home/ourperspective/ourperspectivearticles/2015/10/23/the-sustainable-development-goals-and-the-african-union-s-agenda-2063-a-comparative-analysis.html> accessed 4 August 2017; Anonymous 2016 *Status of African Integration: The Implications of Agenda 2063 and Agenda 2020 on African Integration* <https://www.tralac.org/news/article/9340-status-of-african-integration-the-implications-of-agenda-2063-and-agenda-2030-on-african-integration.html> accessed 4 August 2017; AU 2015 *Agenda 2063: The Africa We Want* https://au.int/web/sites/default/files/pages/3657-file-agenda2063_popular_version_en.pdf accessed 12 July 2017; UN General Assembly *Transforming Our World: The 2030 Agenda for Sustainable Development* (2015) para 14-16.

the MDGs as well as issues specifically related to the African context.¹⁴ *Agenda 2030* with its SDGs was therefore preceded on the African continent by *Agenda 2063*. In *Agenda 2063*, the African Union (hereafter AU) identified seven aspirations.¹⁵ It is stated by The New Partnership for Africa's Development¹⁶ (hereafter NEPAD) that:

The African Union has set a target to 'eliminate hunger and food insecurity by 2025'. Both *Agenda 2063* and the African Union Summit decision on Accelerated Growth and Transformation have reaffirmed this commitment.

The aspirations, as set out in *Agenda 2063*, pertaining to food security and nutrition indicate that the AU regards the eradication of food insecurity and malnutrition as a very important objective. These objectives must be achieved through *Agenda 2063*.¹⁷

The AU implements the goals set out in *Agenda 2063* through the assistance of Regional Economic Communities (hereafter RECs).¹⁸ These RECs were established by the *Abuja Treaty* in 1991 with the overarching goal of achieving economic, social and cultural development on the African continent.¹⁹ The relationship between the RECs and the AU is mandated not only by the *Abuja Treaty*, but also the AU Constitutive Act.²⁰ In addition, the *2008 Protocol on Relations between the RECs and the AU*²¹ and the *Memorandum of Understanding on Cooperation in the Area of Peace and Security between the AU, RECs and the Coordinating Mechanisms of the Regional Standby Brigades of Eastern and Northern Africa*²² guide the relationship between the AU and

14 Casazza 2015 <http://www.africa.undp.org/content/rba/en/home/ourperspective/ourperspectivearticles/2015/10/23/the-sustainable-development-goals-and-the-african-union-s-agenda-2063-a-comparative-analysis.html>.

15 AU 2015 https://au.int/web/sites/default/files/pages/3657-file-agenda2063_popular_version_en.pdf.

16 NEPAD Date unknown *Ending Hunger in Africa: The Elimination of Hunger and Food Insecurity on the African by 2025: Conditions for Success* <http://www.nepad.org/resource/ending-hunger-africa-elimination-hunger-and-food-insecurity-african-2025-conditions-success> accessed 4 August 2017.

17 AU 2015 https://au.int/web/sites/default/files/pages/3657-file-agenda2063_popular_version_en.pdf.

18 AU 2015 https://au.int/web/sites/default/files/pages/3657-file-agenda2063_popular_version_en.pdf par 3; A 46 of the AU *Treaty Establishing the African Economic Community (1991)*.

19 UN 2016 *Regional Economic Communities of the African Union* <http://www.un.org/en/africa/osaa/peace/recs.shtml> accessed 31 July 2017; AU *Treaty Establishing the African Economic Community (1991)*.

20 Constitutive Act of the AU.

21 Article 3 of the *Protocol on Relations between the RECs and the AU* (2008).

22 *Memorandum of Understanding on Cooperation in the Area of Peace and Security between the AU, RECs and the Coordinating Mechanisms of the Regional Standby brigades of Eastern and Northern Africa* (2008).

the RECs.²³ The RECs are therefore “increasingly involved in coordinating AU Member State’s interests in wider areas such as peace and security, development and governance.”²⁴

Eight RECs²⁵ are recognised and, together with NEPAD, the RECs are responsible for raising the standard of living of people of the African continent.²⁶ The *Abuja Treaty* emphasises the importance of the RECs to be actively involved with improving food security and sustainable agriculture as well as the “harmonisation of food security policies”.²⁷ The RECs are required to develop policy documents that will drive the development of food security and nutrition in the region.²⁸ With the RECs working in close relation with the AU to meet the objectives stated in *Agenda 2063*, it can be deduced that one of the common goals among all RECs, is the promotion of food security and nutrition on the African continent. In order to give effect to this common goal, a benchmark providing RECs with a best practice guideline with regard to food security and nutrition guidelines would be useful to RECs in East and West Africa²⁹ to the extent that this benchmark would provide best practice guidelines that could be implemented across all regions.³⁰

23 AU Date Unknown *Regional Economic Communities (REC's)* <https://www.au.int/en/organs/rec> accessed 5 April 2017.

24 AU Date Unknown <https://www.au.int/en/organs/rec> accessed 5 April 2017.

25 UMA: Arab Maghreb Union; COMESA: Common Market for Eastern and Southern Africa; CEN-SAD: Community of Sahel-Saharan States; EAC: Eastern African Community; ECCAS: Economic Community of Central African States; ECOWAS: Economic Community of West-African States; IGAD: Intergovernmental Authority on Development; and SADC: Southern African Development Community.

26 UN 2016 <http://www.un.org/sustainabledevelopment/development-agenda/>; Ruppel OC “Regional Economic Communities and Human Rights in Eastern and Western Africa” in Bosl A and Diescho (eds) *Human Rights in Africa* (Macmillan Education Windhoek 2009) 276; AU 2015 https://au.int/web/sites/default/files/pages/3657-file-agenda2063_popular_version_en.pdf 55-56; Landsberg 2012 *The African Union and the New Partnership for Africa's Development* <http://www.accord.org.za/ajcr-issues/%EF%BF%BCthe-african-union-and-the-new-partnership-for-africas-development-nepad/> accessed 4 August 2017.

27 Article 46 of the AU *Treaty Establishing the African Economic Community* (1991).

28 Article 46 of the AU *Treaty Establishing the African Economic Community* (1991).

29 A bursary was granted to the LLM candidate, as well as another LLM candidate simultaneously. The study is done in collaboration with the University of Pretoria and USAID. The funders of the study focus on “The governance of food security in Africa” and the author hereof was instructed by said bursars, to focus on the eastern and western RECs. The reason for this focus area being that the other LLM candidate mentioned, was instructed to focus on the southern region of Africa.

30 All five regions applicable to the current study.

In light of the above, the research question that underpins this study is: "which general food security and nutrition guidelines may be extracted from policy documents of RECs in East and West Africa to develop a benchmark of best practice for RECs in East and West Africa dedicated to addressing food insecurity and nutrition in their respective regions?"

The RECs that formed part of this study are:

- a. CEN-SAD: Community of Sahel-Saharan States;
- b. COMESA: Common Market for Eastern and Southern Africa;
- c. EAC: Eastern African Community;
- d. ECOWAS: Economic Community of West-African States; and
- e. IGAD: Intergovernmental Authority on Development.

In order to develop this benchmark, it is necessary to have a clear understanding of the meanings attributed to the terms "food security and nutrition". The second chapter of the study thus serves as an introduction to food security and nutrition, focussing in particular on defining "food security" and "nutrition" and related terms. Thereafter, the relationship between the objectives related to food security and nutrition as contained in the SGDs and *Agenda 2063* are discussed in Chapter 3.

A discussion focussing on the role of RECs in realising these objectives then ushers in the critical analyses of the existing policy of the identified RECs that are aimed at addressing food insecurity and malnutrition in Chapters 4 and 5. In the penultimate section of this dissertation, Chapter 6, a benchmark of best practice for RECs in East and West Africa dedicated to addressing food insecurity and nutrition in their respective regions is proposed.

The study concludes with specific recommendations that indicate the improvements that need to be considered to ensure that the respective identified RECs' policies with regard to food security and nutrition meets the requirements of the proposed benchmark of best practice in Chapter 7.

1.2 Research question

Which food security and nutrition guidelines may be extracted from policy documents of Regional Economic Communities in East and West Africa to develop a benchmark of best practice for RECs in East and West Africa to ensure adherence to applicable international legal instruments?

1.3 Assumptions and hypothesis

1.3.1 Assumptions

This study was based on the following assumptions:

- a. The UN has certain food security and nutrition strategies which are designed to be implemented throughout the world.
- b. The AU has identified objectives aimed at eradicating food insecurity and malnutrition on the continent.
- c. RECs have been established on the African continent in order to facilitate regional economic integration between the member states of the AU by dividing the African continent into smaller, more manageable economic regions.
- d. RECs are involved in coordinating the AU member states' interests in eradicating food insecurity and malnutrition.

1.3.2 Hypothesis

A critical analysis of the policy of RECs in East and West Africa pertaining to food security and nutrition may assist in creating a benchmark of best practice for RECs in East and West Africa dedicated to addressing food insecurity and malnutrition in their respective regions.

1.4 Research objectives

1.4.1 Primary objective

The primary objective of this study is to create a benchmark of best practice for RECs in East and West Africa, dedicated to addressing food insecurity and malnutrition in their respective regions.

1.4.2 Secondary objective

In order to be able to achieve the abovementioned primary objective, the following secondary objectives were identified namely:

1.4.2.1 To clarify the definition of food security and nutrition and related terms.

1.4.2.2 To analyse, interpret and align the food security and nutrition objectives contained in the UN's Agenda 2030 and the AU's Agenda 2063.

1.4.2.3 To critically analyse the policy documents of the RECs of East and West Africa respectively pertaining to food security and nutrition. These RECs are:

- CEN-SAD: Community of Sahel-Saharan States;
- COMESA: Common Market for Eastern and Southern Africa;
- EAC: Eastern African Community;
- ECOWAS: Economic Community of West-African States; and
- IGAD: Intergovernmental Authority on Development.

1.4.2.4 To develop a benchmark of best practice of food security and nutrition guidelines to be implemented by the various RECs.³¹

1.4.2.5 To draw specific conclusions and make recommendations that will indicate the improvements that need to be considered to ensure that the respective

³¹ The use of, and background on a benchmark will be explained in detail in chapter six of this study

identified RECs' policy pertaining to food security and nutrition meet the requirements of the proposed benchmark of best practice.

1.5 Framework of the dissertation

- 1 Introduction and problem statement.
- 2 The definition of food security and nutrition as well as related terms.
- 3 Food security and nutrition objectives contained in *Agenda 2030*³² and *Agenda 2063*.³³
- 4 A critical analysis of existing policy pertaining to food security and nutrition of RECs of East Africa.
- 5 A critical analysis of existing policy pertaining to food security and nutrition of RECs of West Africa.
- 6 Proposing a benchmark of best practice pertaining to food security and nutrition.
- 7 Conclusion and recommendations.

1.6 Research methodology

This study was based on a literature review comprising of the research and interpretation of relevant legislation, international documents and policies, text books, academic articles and available case law. The different RECs and their founding documents as well as their policies on food security and nutrition were the main focus hereof. Furthermore, it is of importance to note that, since this study is one of the first legal studies dealing with this theme, it is necessary to provide more detailed legal historical or background information in certain aspects to contextualise the study.

32 UN General Assembly *Transforming Our World: The 2030 Agenda for Sustainable Development* (2015).

33 AU 2015 https://au.int/web/sites/default/files/pages/3657-file-agenda2063_popular_version_en.pdf par 72(e); UN ESC *Report of the Secretary-General: Progress towards the Sustainable Development Goals* (2016).

2 Chapter 2: The definition of food security and nutrition and related terms

2.1 Introduction

There is a common notion that misunderstandings between scholars may be as a result of the different understandings or conceptions of words and terminology.³⁴ In attempting to diffuse a situation in which such misunderstandings arise, it is important to define terms which are essential to this study.³⁵ The defining of terms is an essential part of a study in order to ensure that the author and the readers have a common understanding of the terms used throughout the study.³⁶ Although one word may have a variety of different definitions, it is imperative that the author should explain the relevance of terms specific to the study.³⁷ This explanation is done in terms of the specific context applicable thereto.³⁸ Moreover, clear definitions are also necessary in instances where changes in the meaning of terms are to be measured over time.³⁹ The measurement of such change can be used in determining what progress has been made with regard to the specific field of study and what progress should still be made.⁴⁰

34 Anon 2017 https://www.masterpapers.com/key_terms.php; Nix 2011 <http://lukenixblog.blogspot.co.za/2011/04/importance-of-defining-terms.html>.

35 Goes and Simon 2015 <http://www.dissertationrecipes.com/definitions-terms-dissertations/>.

36 Particularly where the terms contained in the study are not general terms or known by the broad public See Goes and Simon 2015 <http://www.dissertationrecipes.com/definitions-terms-dissertations/>.

37 In general, important terms only need to be defined in two cases: a) when the term is not widely known or understood, and b) when the term has specific or unique meaning in the context of the study See Goes and Simon 2015 <http://www.dissertationrecipes.com/definitions-terms-dissertations/>, Nix 2011 <http://lukenixblog.blogspot.co.za/2011/04/importance-of-defining-terms.html>; Andrees 2014 http://www.ilo.org/global/about-the-ilo/newsroom/news/WCMS_234854/lang--en/index.htm; Anon 2017 https://www.masterpapers.com/key_terms.php.

38 In general, important terms only need to be defined in two cases: a) when the term is not widely known or understood, and b) when the term has specific or unique meaning in the context of the study See Goes and Simon 2015 <http://www.dissertationrecipes.com/definitions-terms-dissertations/>, Nix 2011 <http://lukenixblog.blogspot.co.za/2011/04/importance-of-defining-terms.html>; Andrees 2014 http://www.ilo.org/global/about-the-ilo/newsroom/news/WCMS_234854/lang--en/index.htm; Anon 2017 https://www.masterpapers.com/key_terms.php.

39 Andrees 2014 http://www.ilo.org/global/about-the-ilo/newsroom/news/WCMS_234854/lang--en/index.htm.

40 Andrees 2014 http://www.ilo.org/global/about-the-ilo/newsroom/news/WCMS_234854/lang--en/index.htm.

In this chapter, the definition of the right to adequate food is discussed as well as the definitions of food security and nutrition security. It is also indicated how these three terms are interrelated. It is necessary to establish the evolution in terms of the development of these definitions in order to understand what should still be done to reach the goals and objectives as set out by international instruments such as *Agenda 2063* and *Agenda 2030* respectively.⁴¹

Notably, many international instruments recognise the right to food by focussing on particular groups such as vulnerable groups, gender specific nutrition and other nutritional aspects.⁴² An exposition of these instruments is provided in Chapter 3 and therefore, the only focus of this chapter is on defining the right to food as well as food security, nutrition and other relevant terms.

2.2 The right to adequate food⁴³

When the right to food is under discussion, it is important to note that this concept originated from The Universal Declaration of Human Rights.⁴⁴ In this declaration it is stated that:

Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food⁴⁵

The Food and Agriculture Organisation of the United Nations (FAO) places the right to food in the same category as all other rights recognised in the United Nations (UN)

41 Andrees 2014 http://www.ilo.org/global/about-the-ilo/newsroom/news/WCMS_234854/lang-en/index.htm.

42 Mechlem 2004 *ELJ* 636-637 Some of the other international instruments are *inter alia* The Convention on the Elimination of all Forms of Discrimination Against Women of 1979 (in Article 24); The Convention on the Rights of the Child of 1989 (in Article 27); The Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa (2003); The World Declaration on Nutrition of 1992 and the Rome Declaration on World Food Security in 1996.

43 Article 25 *Universal Declaration of Human Rights* (1948).

44 *Universal Declaration of Human Rights* (1948); The rights in the Universal Declaration of Human Rights are considered by some as so important that it could be seen as customary international law. The UDHR also enjoy higher status than soft law status. See Vidar "The Right to Food in International Law: Critical Issues in Realising the Right to Food" 3.

45 Article 25 *Universal Declaration of Human Rights* (1948); EC "Communication from the Commission to the Council World Food Conference" 7.

Declaration of Human Rights and emphasises the interrelatedness of the right to food with other human rights contained therein.⁴⁶

During the 1960s, the UN adopted the International Covenant on Economic, Social and Cultural Rights (ICESCR)⁴⁷ as well as the International Covenant on Civil and Political Rights (ICCPR)⁴⁸ which included most of the human rights in the Universal Declaration of Human Rights⁴⁹ including *inter alia* on the "Right to Food".⁵⁰ The ICESCR which is often hailed as one of the most important sources of the right to food⁵¹ enshrined this right in Article 11 wherein the parties to the Covenant recognise:

... the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions.⁵²

The ICESCR further expands the right to food in Article 11.2 wherein a fundamental right is recognised by stating that "everyone has the right to be free from hunger".⁵³ Although the relationship between the right to food and food security is only discussed in paragraph 2.4, it remains important to note that focus is also drawn to the "equitable distribution of world food supplies in relation to the need" in terms of the right to *adequate*⁵⁴ food and therefore relates to the food security definition developed after the Hot Springs conference.⁵⁵

The ICESCR's focus is on economic, social and cultural rights which include issues such as food, education, health and shelter and is therefore relevant in discussions surrounding the right to food.⁵⁶ The importance of the ICESCR is further emphasised

46 FAO "Introduction to the Right to Adequate Food: Lesson 1" 3, 6-7, 9-10.

47 *International Covenant on Economic, Social and Cultural Rights* (1966).

48 *International Covenant on Civil and Political Rights* (1966).

49 Article 25 *Universal Declaration of Human Rights* (1948).

50 WHO 2007 http://www.who.int/hhr/Economic_social_cultural.pdf; Article 25 *Universal Declaration of Human Rights* (1948).

51 Mugabe *A Proposed Framework Act for Food Security in South Africa* 8; Vidar "The Right to Food in International Law: Critical Issues in Realising the Right to Food" 1-2.

52 Article 11.1 *International Covenant on Economic, Social and Cultural Rights* (1966).

53 Article 11.2 *International Covenant on Economic, Social and Cultural Rights* (1966).

54 Own emphasis.

55 Article 11.2(b) *International Covenant on Economic, Social and Cultural Rights* (1966); FAO "Coming to Terms with Terminology" 2; Vidar "The Right to Food in International Law: Critical Issues in Realising the Right to Food" 1-2; see also Vidar "The Right to Food in International Law: Critical Issues in Realising the Right to Food" 3-4.

56 Vidar "The Right to Food in International Law: Critical Issues in Realising the Right to Food" 8; FAO "Introduction to the Right to Adequate Food: Lesson 2" 13.

by the ratification of the Covenant by 153 states to date.⁵⁷ These 153 states have taken on the duty and have a corresponding responsibility to progressively realise the right to adequate food within their respective jurisdictions and in line with the ICESCR.⁵⁸ If, however, a state has not ratified the ICESCR, it is still under a universal obligation to adhere to human rights including the right to adequate food, which is an essential right.⁵⁹

2.2.1 Normative content of the right to food

Although the right to *adequate*⁶⁰ food is referred to commonly as the right to food, both terms are acceptable. The FAO is clear that, in any event, this right not only entails the right to food, but rather the right to *adequate* food.⁶¹ In supporting this statement, the *Special Rapporteur*⁶² on the right to food defined the right to adequate food as:

The right to have regular, permanent and free 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.⁶³

The above definition further confirmed the contents of *General Comment 12*⁶⁴ stating that the right to adequate food should be interpreted in a wider sense, rather than a

57 FAO "Introduction to the Right to Adequate Food: Lesson 2" 13; Vidar "The Right to Food in International Law: Critical Issues in Realising the Right to Food" 8.

58 Vidar "The Right to Food in International Law: Critical Issues in Realising the Right to Food" 8; FAO "Introduction to the Right to Adequate Food: Lesson 2" 13.

59 Flowers 1998 <http://hrlibrary.umn.edu/edumat/hreduseries/hereandnow/Part-1/short-history.htm>.

60 Own Emphasis.

61 (Own emphasis) The FAO describes the right to adequate food as an interdependent human right which needs to focus on the nutrition aspects of food to be effectively implemented See FAO "Introduction to the Right to Adequate Food: Lesson 2" 3.

62 The Special Rapporteur on the right to food was appointed at the 56th session of the Commission on Human Rights See *Report by the Special Rapporteur on the right to food, Mr Jean Ziegler submitted in accordance with Commission on Human Rights resolution 2001/25* UN ESC Report E/CN.4/2002/58 2002 5-6; see also Vidar "The Right to Food in International Law: Critical Issues in Realising the Right to Food" 7.

63 *Report by the Special Rapporteur on the right to food, Mr Jean Ziegler submitted in accordance with Commission on Human Rights resolution 2001/25* UN ESC Report E/CN.4/2002/58 2002 11; Vidar "The Right to Food in International Law: Critical Issues in Realising the Right to Food" 8.

64 General Comments are guidelines to the states who ratify the covenants which guide these states' obligations in respect of covenants. See *Committee on Economic, Social and Cultural Rights General Comment 12 The Right to Adequate Food (Article 11): 12/05/99* E/C 12/1999/5 1999.

narrow sense.⁶⁵ In the interpretation of the right to adequate food, the author found that such interpretations ought to include all methods of access to food including but not limited to the economic and physical access thereto.⁶⁶ It was in light of the above mentioned findings that further research had to be done to better understand what the right to food entailed.

The definition of the right to food by the *Special Rapporteur*⁶⁷ includes four distinctive elements, namely the availability of food, the adequacy of food, the accessibility of food and the stability of food supply.⁶⁸ Each of these elements is briefly discussed next in order to indicate how they relate to the definition as well as how they relate to the definition of food security in paragraph 2.4.

2.2.1.1 The availability of food

Availability of food refers to:

the possibilities either for feeding oneself directly from productive land or other natural resources, or for well-functioning distribution, processing and market systems that can move food from the site of production to where it is needed in accordance with demand.⁶⁹

An example of the application of the availability of food is where food production is reduced due to external factors such as drought or natural disasters, decreasing the

65 *Committee on Economic, Social and Cultural Rights General Comment 12 The Right to Adequate Food (Article 11): 12/05/99 E/C 12/1999/5 1999 para 6-8; FAO "Introduction to the Right to Adequate Food: Lesson 2" 3-4; Vidar "The Right to Food in International Law: Critical Issues in Realising the Right to Food" 7.*

66 In *The Social and Economic Rights Action Center and the Center for Economic and Social Rights v Nigeria*-case 155/96 it was held that the right to food is included in the right to economic, social and cultural development and linked further to inherent human dignity. See also *Committee on Economic, Social and Cultural Rights General Comment 12 The Right to Adequate Food (Article 11): 12/05/99 E/C 12/1999/5 1999 para 6-8; FAO "Introduction to the Right to Adequate Food: Lesson 2" 3-4; Vidar "The Right to Food in International Law: Critical Issues in Realising the Right to Food" 7.*

67 The Special Rapporteur on the right to food was appointed at the 56th session of the Commission on Human Rights See *Report by the Special Rapporteur on the right to food, Mr Jean Ziegler submitted in accordance with Commission on Human Rights resolution 2001/25 UN ESC Report E/CN.4/2002/58 2002 5-6; see also Vidar "The Right to Food in International Law: Critical Issues in Realising the Right to Food" 7.*

68 Vidar "The Right to Food in International Law: Critical Issues in Realising the Right to Food" 8; FAO "Introduction to the Right to Adequate Food: Lesson 2" 4-8; Mechlem 2004 *ELJ* 638-639.

69 FAO "Introduction to the Right to Adequate Food: Lesson 2" 4-5.

farming community's ability to provide consumers with food.⁷⁰ As a result of these external factors, there will be a decrease in the availability of food causing consumers to experience problems with the procurement of an adequate food supply, ultimately limiting their right to food. In effect, the demand for an adequate food supply will simply not be met by the actual supply of food.

2.2.1.2 The adequacy of food

The second element of the right to food is the adequacy of the food consumed in the sense that it relates directly to the dietary needs of consumers, their age, gender and occupation.⁷¹ In terms of adequate food, food products should be free from harmful substances or by-products as a result of agricultural processes. Moreover, these adequate foods should be culturally acceptable. Due to the vast cultural differences within the African continent, all consumers do not necessarily consume or utilise the same food products at the same levels.⁷²

It is therefore important to note that the adequacy of food products refers not only to the amount of food consumed but also to the nutritional content of food providing the consumers with adequate nutrient values. An example of such cultural acceptability is that the availability of pork will not be construed as adequate food supply to certain religious groups.⁷³ In this sense, food might be deemed to be available but would not be utilised by these particular religious groups and therefore will not be considered "adequate" by them.

70 *Committee on Economic, Social and Cultural Rights General Comment 12 The Right to Adequate Food (Article 11): 12/05/99 E/C 12/1999/5 1999 para 12; FAO "Introduction to the Right to Adequate Food: Lesson 2" 5.*

71 *Mugabe A Proposed Framework Act for Food Security in South Africa 11; FAO "Introduction to the Right to Adequate Food: Lesson 2" 6.*

72 *Idang 2015 "African Culture and Values" 1.*

73 *Committee on Economic, Social and Cultural Rights General Comment 12 The Right to Adequate Food (Article 11): 12/05/99 E/C 12/1999/5 1999 par 7-10; FAO "Introduction to the Right to Adequate Food: Lesson 2" 6.*

2.2.1.3 The accessibility of adequate food

The third element, namely the accessibility of adequate food, comprises of two forms of accessibility which are economic availability and physical availability.⁷⁴ The economic aspect of accessibility deals with the finances available to an individual or household to purchase the food needed by that person or household. This includes the accessibility of nutritious foods throughout the year.⁷⁵ On the other hand, the physical accessibility aspect deals with the vulnerable groups of people for whom it might be more difficult to acquire their own adequate food such as vulnerable groups.⁷⁶

These two forms of accessibility are interrelated which means that any change in the one, for example the financial difficulty in a household relating to economic accessibility, could ultimately lead to a decline in the physical availability of food products within that household. This would then mean that this household's right to adequate food would be hindered.

2.2.1.4 The stability of food supply

The fourth element related to the right to adequate food is the stability of food supply. This last element is a combination of the availability and accessibility of food in the sense that the food supply must reach a state of constancy where food products complying with all three of the above concepts are adhered to all year round. A continuous food supply would indicate that a certain stability of food exists and that the consumers would be able to access this food when needed.

An example of this would be where subsistence farmers only have their supply of food available at specific times in the year, making their access to adequate food seasonal

74 Mugabe *A Proposed Framework Act for Food Security in South Africa* 12; FAO "Introduction to the Right to Adequate Food: Lesson 2" 7.

75 *Committee on Economic, Social and Cultural Rights General Comment 12 The Right to Adequate Food (Article 11): 12/05/99* E/C 12/1999/5 1999 para 13; FAO "Introduction to the Right to Adequate Food: Lesson 2" 7.

76 Vulnerable groups include children, elderly, persons with medical disabilities, famine stricken groups and any other groups of people who will be unable to acquire their own food supply See *Committee on Economic, Social and Cultural Rights General Comment 12 The Right to Adequate Food (Article 11): 12/05/99* E/C 12/1999/5 1999 para 13; FAO "Introduction to the Right to Adequate Food: Lesson 2" 7.

and not constant.⁷⁷ This would leave the subsistence farmer without a continuous food supply for the remainder of the year, negatively affecting the stability of food supply and finally limiting their right to adequate food.

From the discussion of the four distinctive elements relating to the right to food, it is apparent that the right to food can be otherwise defined as: the stable availability of adequately nutritious food, independent of external factors and both physically and economically accessible to all consumers.⁷⁸ It can be concluded that, in all four of these aspects of the right to adequate food, state actors play an important role in progressively realising this right. This realisation can be depicted in terms of the state's obligations related to the right to adequate food as well as the importance of this right in terms of food security and nutrition.

2.2.2 State obligations in terms of the right to adequate food

In determining the obligations that any state can incur in terms of realising the right to food, a distinction must first be drawn between binding and non-binding international instruments. Binding instruments can be described as treaties or conventions entered into between states which are enforceable and applicable in the states' domestic legislation after the ratification of such treaties.⁷⁹ Upon entering into a treaty, states might have the option of ratifying such a treaty which, by definition, means that a state consents to be bound by such a treaty and commits to enforcing the aspects of the treaty in its own domestic law. This is in other terms referred to as hard law.⁸⁰

Non-binding international instruments however are considered soft law⁸¹ and include declarations, guidelines, recommendations and resolutions.⁸² These instruments are

77 FAO "Introduction to the Right to Adequate Food: Lesson 3" 2-3.

78 Own definition deduced from the discussion of the four elements of the right to adequate food in this paragraph.

79 Article 14 *Vienna Convention on the Law of Treaties between States and International Organisations or Between International Organisations* A/CONF.129/15 (1986); FAO "Introduction to the Right to Adequate Food: Lesson 3" 8.

80 Organisation for the Study of Treaty Law 2005 <https://www.treatylaw.org/vienna-convention-law-treaties-states-international-organizations-international-organizations/>.

81 Abbott and Snidal 2000 *International Organization* 421-423.

82 FAO "Introduction to the Right to Adequate Food: Lesson 3" 8.

not considered binding. They would have been if they were treaties but they are still used by states as a guideline for action.⁸³ The right to food is contained in various treaties and would, in light of the above distinctions, qualify as hard or binding law in states ratifying agreements enshrining the right to adequate food. If, however, a state has not ratified such a treaty, the state would still be obliged to consider the right to adequate food as a guideline in their actions.⁸⁴

The ICESCR, which is a treaty and has been ratified will therefore form part of binding law in the above instance.⁸⁵ This classification and *General Comment 12*⁸⁶ place certain obligations on the states which have ratified the ICESCR to respect, protect and to fulfil the right to adequate food.⁸⁷ The obligation to respect the right to adequate food requires that states and should not take any action to deprive people of their right to adequate food without valid reasoning.⁸⁸ An example of what states cannot do is the removal or the refusal of resources like water or animal resources, used for food, from communities or its people, without valid reasoning or compensation provided.⁸⁹

The obligation on the state to protect the right to adequate food means that states should enforce laws and any other measures to prevent any person or organisation from violating any other person's right to adequate food.⁹⁰ The state cannot allow any person or organisation to prevent people from exercising their right to food, for example by allowing farmlands to be used for non-agricultural purposes.⁹¹

83 Abbott and Snidal 2000 *International Organization* 421-423; FAO "Introduction to the Right to Adequate Food: Lesson 3" 8.

84 FAO "Introduction to the Right to Adequate Food: Lesson 3" 8-10; Abbott and Snidal 2000 *International Organization* 421-423.

85 FAO "Introduction to the Right to Adequate Food: Lesson 3" 13; Vidar "The Right to Food in International Law: Critical Issues in Realising the Right to Food" 8.

86 *Committee on Economic, Social and Cultural Rights General Comment 12 The Right to Adequate Food (Article 11): 12/05/99 E/C 12/1999/5 1999* para 15.

87 Mugabe *A Proposed Framework Act for Food Security in South Africa* 11; *Committee on Economic, Social and Cultural Rights General Comment 12 The Right to Adequate Food (Article 11): 12/05/99 E/C 12/1999/5 1999* par 15.

88 Ziegler 2012 <http://www.righttofood.org/work-of-jean-ziegler-at-the-un/what-is-the-right-to-food/>; Mugabe *A Proposed Framework Act for Food Security in South Africa* 11; FAO "Introduction to the Right to Adequate Food: Lesson 3" 11-12.

89 FAO "Introduction to the Right to Adequate Food: Lesson 3" 11-12.

90 Ziegler 2012 <http://www.righttofood.org/work-of-jean-ziegler-at-the-un/what-is-the-right-to-food/>; Mugabe *A Proposed Framework Act for Food Security in South Africa* 11.

91 FAO "Introduction to the Right to Adequate Food: Lesson 3" 12-13.

Lastly, the obligation of fulfilling the right to adequate food includes the state's facilitation and provision to pro-actively take part in activities to increase the people's access to adequate food.⁹² In increasing the people's access to adequate food, the right to adequate food is realised.⁹³ States are, for example, further prohibited from frustrating this obligation when authorising the use of agricultural land without conducting proper impact studies.⁹⁴ These impact studies should also account for the impacts on the right to adequate food and access thereto.⁹⁵

In realising these obligations, states should take the necessary steps to progressively realise the right to food and the access to adequate food.⁹⁶ The resources states are expected to use in the realisation of the right to adequate food, do not include using all of its available resources solely for the purpose of realising this right, but rather that the realisation should occur in relation to the resources available.⁹⁷

States should further adhere to Article 2 of the ICESCR when realising the right to adequate food by not discriminating against any person and providing equal opportunity for all to have access to adequate food.⁹⁸ From this discussion on the obligations imposed on states, it can be deduced that states are under immense pressure to ensure that the right to adequate food in terms of the ICESCR is progressively realised at all times.

92 Articles 2 and 11 *International Covenant on Economic, Social and Cultural Rights* (1966); Ziegler 2012 <http://www.righttofood.org/work-of-jean-ziegler-at-the-un/what-is-the-right-to-food/>; FAO "Introduction to the Right to Adequate Food: Lesson 3" 10; Mugabe *A Proposed Framework Act for Food Security in South Africa* 11.

93 Articles 2 and 11 *International Covenant on Economic, Social and Cultural Rights* (1966); Ziegler 2012 <http://www.righttofood.org/work-of-jean-ziegler-at-the-un/what-is-the-right-to-food/>; FAO "Introduction to the Right to Adequate Food: Lesson 3" 10; Mugabe *A Proposed Framework Act for Food Security in South Africa* 11.

94 FAO "Introduction to the Right to Adequate Food: Lesson 3" 14-18.

95 FAO "Introduction to the Right to Adequate Food: Lesson 3" 14-18.

96 FAO "Introduction to the Right to Adequate Food: Lesson 3" 6-7.

97 Mugabe *A Proposed Framework Act for Food Security in South Africa* 11; FAO "Introduction to the Right to Adequate Food: Lesson 3" 6-7.

98 The States Parties to the present Covenant undertake to guarantee that the rights enunciated in the present Covenant will be exercised without discrimination of any kind as to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. See Article 2.2 *International Covenant on Economic, Social and Cultural Rights* (1966); Ziegler 2012 <http://www.righttofood.org/work-of-jean-ziegler-at-the-un/what-is-the-right-to-food/>; FAO "Introduction to the Right to Adequate Food: Lesson 3" 9.

2.3 Historical development of the definition of food security and nutrition

Food security and nutrition as terms have developed over a long period and have evolved since their inception.⁹⁹ One of the first recorded definitions of the term food security was developed after the end of World War II in Virginia, United States of America at the Hot Springs conference, where food security was described as the "secure and adequate supply of food".¹⁰⁰ This conference led to the establishment of one of the most prominent organisations with regard to food security and nutrition, namely the Food and Agriculture Organisation of the United Nations (FAO).¹⁰¹ The purpose of this organization was the development of the FAO, as well as defining the term "food security" and to strive toward objectives such as people being "free from hunger".¹⁰²

Some of the earlier programmes focussing on the achievement of food security in the initial developmental period with regard to food security, focussed on the increase in production of staple foods.¹⁰³ It was however apparent that the goal in terms of the increase of production of staple foods succeeded to an extent, but also that the recurring problem with poverty remained.¹⁰⁴ Due to these remnants of poverty and increase in food insecurity as a result thereof, the use of food aid programmes and the World Food Programme (WFP) were established in 1961.¹⁰⁵ This resulted in a gradual recognition of the importance of the development of the global economy to assist in the eradication of the food insecurity problems.¹⁰⁶

99 FAO "Food Security Policy Brief"1.

100 FAO "Coming to Terms with Terminology" 2; Wëingartner "The Concept of Food and Nutrition Security" I-3; FAO "Food Security Policy Brief"1.

101 The FAO was established in 1945 in Quebec, Canada with primary goal to be a permanent organisation for food and agriculture; Shaw *A History of Food Security from 1945-2007* 3.

102 FAO "Food Security Policy Brief"1; FAO "Coming to Terms with Terminology" 2; Shaw *A History of Food Security from 1945-2007* 3-4.

103 Wëingartner "The Concept of Food and Nutrition Security" I-3; FAO "Coming to Terms with Terminology" 2; FAO "Food Security Policy Brief"1.

104 Wëingartner "The Concept of Food and Nutrition Security" I-3; FAO "Coming to Terms with Terminology" 2; FAO "Food Security Policy Brief"1.

105 WFP Date Unknown <http://www1.wfp.org/history>; Wëingartner "The Concept of Food and Nutrition Security" I-4.

106 FAO "Coming to Terms with Terminology" 2-3; Shaw *A History of Food Security from 1945-2007* 4.

Following the establishment of the WFP and the recognition of the importance of the global economy as part of the issues relating to food security and the importance of the "right to food", the first World Food Conference was held in 1974.¹⁰⁷ During this conference it was stated that:

...every man, woman and child has the inalienable right to be free from hunger and malnutrition in order to develop their physical and mental faculties¹⁰⁸

The main topics relating to food security discussed at this conference were the provision of food aid to vulnerable groups, reserve food stocks and early warning systems to assist with food insecurity.¹⁰⁹ To assist the FAO in achieving these food security and nutrition goals, the World Food Council (WFC), the Committee on World Food Security (CFS) as well as the Administrative Committee on Coordination Subcommittee on Nutrition (ACC SCN) were established.¹¹⁰ The main focus of these committees was however to increase production of staple foods and in turn stabilise world food market prices.¹¹¹ The objective of the ACC SCN was to focus on the UN to ensure that programmes were established to provide people with balanced nutrition.¹¹²

It was after this first World Food Conference that the definition of food security not only focussed on the production of food, but also on the availability and pricing of food, therefore encompassing the term food supply.¹¹³ The inclusion of food supply

107 FAO "Food Security Policy Brief"1; Shaw *A History of Food Security from 1945-2007* 121.

108 FAO 1996 <http://www.fao.org/WFS/>.

109 EC "Communication from the Commission to the Council World Food Conference" 1.

110 FAO "Coming to Terms with Terminology" 4; EC "Communication from the Commission to the Council World Food Conference" 5.

111 Shaw *A History of Food Security from 1945-2007* 124; FAO "Coming to Terms with Terminology" 4. See Also Shaw *A History of Food Security from 1945-2007* 131 Where Shaw stated that Henry Kissinger (US Secretary of State in 1974) outlined a five-point, 25-year plan to "free mankind from hunger": this included the following points: • increased food production in the developed nations; • accelerated food production in the developing world; • improving distribution of food throughout the world; • improving the quality and nutrition of food; and • creating worldwide reserves against food crises.

112 Shaw *A History of Food Security from 1945-2007* 124; FAO "Coming to Terms with Terminology" 4. See Also Shaw *A History of Food Security from 1945-2007* 131 Where Shaw stated that Henry Kissinger (US Secretary of State in 1974) outlined a five-point, 25-year plan to "free mankind from hunger": this included the following points: • increased food production in the developed nations; • accelerated food production in the developing world; • improving distribution of food throughout the world; • improving the quality and nutrition of food; and • creating worldwide reserves against food crises.

113 FAO "Food Security Policy Brief"1; Shaw *A History of Food Security from 1945-2007* 124-128.

indicated the importance of the economy in food security as a whole and was an important step taken in reaching global food security. The definition of food security after the first World Food Conference was noted as the:

Availability at all times of adequate world food supplies of basic foodstuffs to sustain a steady expansion of food consumption and to offset fluctuations in production and prices.¹¹⁴

During the 1980s, the WFC turned its attention to Africa and the prevailing food crisis.¹¹⁵ At the 12th session of the WFC in 1986, the status of hunger and malnutrition in Africa was discussed in particular. This was done with the view of establishing a programme in Africa to assist with these problems.¹¹⁶ It was during the 1980s that the definition of food security was expanded to include physical as well as economic access to food supply.¹¹⁷ The definition of food security in 1983 by the FAO was therefore set out as:

Ensuring that all people at all times have both physical and economic access to the basic food that they need.¹¹⁸

The above definition has been linked by the Committee on Food Security (CFS) and the World Bank to three main objectives, namely the adequacy of food supplies, the stability in food supplies and markets and the security of access to these food supplies.¹¹⁹ After the definition of food security was initially formulated in the 1980s, increasing focus was placed on the development of a new definition of food security as well as a food secure world. During the 1990s, the majority of development in the food security realm took place after growing attention was drawn to the importance of adequate food and food security. This was investigated by research organisations with one of the most important developments taking place in 1996 at the World Food

114 FAO "Food Security Policy Brief"1.

115 Shaw *A History of Food Security from 1945-2007* 180-182.

116 Shaw *A History of Food Security from 1945-2007* 180-182.

117 Wëingartner "The Concept of Food and Nutrition Security" I-5.

118 FAO "World Food Security: A Reappraisal of the Concepts and Approaches"; FAO *Trade Reforms and Food Security: Conceptualizing the Linkages* 27.

119 FAO "Coming to Terms with Terminology" 4-5.

Summit (WFS).¹²⁰ The WFS took place after the election of the new director-general of the FAO Jacques Diouf from Senegal in 1993.¹²¹

Although the aim of the WFS was to address the advancement of global food security, the main purpose for the meeting was to renew the global commitment to food security and to "redesign realistic approaches to food security".¹²² This re-evaluation was to be done by considering the change in market conditions as well as the progress that has already been made in terms of food security at that stage.¹²³ It was at this WFS where the most widely accepted definition of food security was established as:

Food security exists when all people at all times have physical and economic access to sufficient safe and nutritious food to meet their dietary needs and food preferences for an active and healthy life.¹²⁴

The development of the more current versions of the definition of food security, being the point of reference of this study, could not exist without the historical context of this development. It is therefore essential to understand the reasoning behind the current focus of food security and nutrition. The more recent definition of food security and nutrition is briefly discussed next.

120 International Food Policy Research Institute (IFPRI) in Washington, DC (the policy arm of the Consultative Group on International Agricultural Research (CGIAR) of 15 international agricultural research centres, 13 of which are located in developing countries, 'to mobilize agricultural science to reduce poverty, foster human wellbeing, promote agricultural growth and protect the environment'), became, in the words of its director-general, Per Pinstrup-Andersen, 'increasingly concerned at the apparent complacency of the international community about the future of the world's food situation'. As a result, in late 1993, IFPRI began an initiative looking forward to the year 2020 'to identify the critical issues that must be confronted if the world's growing population is to be fed and the livelihoods of today's poor and hungry are to be improved'. This initiative, called A 2020 Vision for Food, Agriculture and the Environment, had as its goals: 'to seek consensus about the problems of ensuring adequate future food supplies while protecting the world's natural resources for future generations, to create a vision of what the future should look like, and to recommend steps that must be taken immediately to make that vision come true'. See Shaw *A History of Food Security from 1945-2007* 334.

121 Shaw *A History of Food Security from 1945-2007* 347.

122 Shaw *A History of Food Security from 1945-2007* 347.

123 FAO *Trade Reforms and Food Security: Conceptualizing the Linkages* 28; Shaw *A History of Food Security from 1945-2007* 347.

124 FAO 2001 <http://www.fao.org/docrep/003/w3613e/w3613e00.HTM>; FAO "Food Security Policy Brief"1; FAO *Trade Reforms and Food Security: Conceptualizing the Linkages* 28; Wëingartner "The Concept of Food and Nutrition Security" I-5; FAO "Introduction to the Right to Adequate Food: Lesson 2" 15-16.

2.3.1 The four dimensions of food security

It is clear that the concept of food security and nutrition is not a one-dimensional concept but rather a more complex multidimensional idea.¹²⁵ As mentioned above, the most widely accepted definition of food security was set out in the mid-1990s by the WFS as:

...a situation that exists when all people, at all times, have physical, social and economic access to sufficient, safe and nutritious food that meets their dietary needs and food preferences for an active and healthy life.¹²⁶

From this amended definition of food security, it can be concluded that the focus has shifted from mainly supplying and the availability of food in terms of the first definitions of food security to that of a nutrition orientated view ensuring that food security and nutrition exist.

Food security can be broken up into four dimensions, namely food availability, food utilisation, economic and physical access to food and the stability of food supply (the first three dimensions being measured over time).¹²⁷ These four dimensions are further split into a double-tracked approach in terms of the FAO Special Programme for Food Security.¹²⁸ The first track is the approach to improve the long-term sustainability of food (in alignment with *General Comment 12*).¹²⁹ The second track is however to provide immediate relief for famine-stricken areas.¹³⁰

125 Gualtieri 2013 *Future of Food: Journal of Food, Agriculture and Society* 21; FAO "Food Security Information for Action: Lesson 1" 3; "Shaw *A History of Food Security from 1945-2007* 349; FAO "Coming to Terms with Terminology" 2; FAO "Introduction to the Right to Adequate Food: Lesson 2" 15-16; FAO *Trade Reforms and Food Security: Conceptualizing the Linkages* 25.

126 FAO *Trade Reforms and Food Security: Conceptualizing the Linkages* 28; FAO 2001 http://www.fao.org/docrep/003/y1500e/y1500e06.htm#P0_2; FAO "Food Security Policy Brief" 1; Wëingartner "The Concept of Food and Nutrition Security" I-5; FAO "Introduction to the Right to Adequate Food: Lesson 2" 15-16.

127 Gualtieri 2013 *Future of Food: Journal of Food, Agriculture and Society* 21; FAO "Food Security Information for Action: Lesson 1" 3.

128 FAO "Introduction to the Right to Adequate Food: Lesson 2" 17; *Committee on Economic, Social and Cultural Rights General Comment 12 The Right to Adequate Food (Article 11): 12/05/99 E/C 12/1999/5 1999* par 7-8; FAO "Food Security Information for Action: Lesson 1" 3; FAO 1996 <http://www.fao.org/FOCUS/E/SpeclPr/SProHm-e.htm>.

129 FAO "Introduction to the Right to Adequate Food: Lesson 2" 17; *Committee on Economic, Social and Cultural Rights General Comment 12 The Right to Adequate Food (Article 11): 12/05/99 E/C 12/1999/5 1999* par 7-8; FAO "Food Security Information for Action: Lesson 1" 3; FAO 1996 <http://www.fao.org/FOCUS/E/SpeclPr/SProHm-e.htm>.

130 FAO "Introduction to the Right to Adequate Food: Lesson 2" 17; *Committee on Economic, Social and Cultural Rights General Comment 12 The Right to Adequate Food (Article 11): 12/05/99 E/C*

While these four dimensions of food security remain paramount, the FAO Special Programme for Food Security continuously acknowledges multiple sectors like agriculture, nutrition and other sectors for reaching these goals in terms of the four dimensions.¹³¹

The four dimensions of food security can be described as:

Food availability:

The availability of sufficient quantities of food of appropriate quality, supplied through domestic production or imports (including food aid).¹³²

As the concept of food security developed however, it became clear that the availability of food alone would not be adequate in achieving world food security.¹³³

Economic and physical access to food:

Access by individuals to adequate resources (entitlements) for acquiring appropriate foods for a nutritious diet. Entitlements are defined as the set of all commodity bundles over which a person can establish command given the legal, political, economic and social arrangements of the community in which they live (including traditional rights such as access to common resources).¹³⁴

As can be seen from the discussion above, the definition of food security first included only physical access to food but as the definition and the understanding of food security developed, so did the methods of accessibility of food, to include both economic, social and physical access to food in order to be food secure.¹³⁵

Food utilisation:

12/1999/5 1999 par 7-8; FAO "Food Security Information for Action: Lesson 1" 3; FAO 1996 <http://www.fao.org/FOCUS/E/SpecPr/SProHm-e.htm>.
131 FAO 1996 <http://www.fao.org/FOCUS/E/SpecPr/SProHm-e.htm>; FAO "Introduction to the Right to Adequate Food: Lesson 2" 15-16.
132 FAO "Food Security Policy Brief"1.
133 Wëingartner "The Concept of Food and Nutrition Security" I-6; FAO "Food Security Information for Action: Lesson 1" 4.
134 FAO "Food Security Policy Brief"1.
135 FAO *Trade Reforms and Food Security: Conceptualizing the Linkages* 28; FAO 2001 http://www.fao.org/docrep/003/y1500e/y1500e06.htm#P0_2; FAO "Food Security Policy Brief"1; Wëingartner "The Concept of Food and Nutrition Security" I-8; FAO "Introduction to the Right to Adequate Food: Lesson 2" 15-16.

Utilisation of food through adequate diet, clean water, sanitation and health care to reach a state of nutritional well-being where all physiological needs are met. This brings out the importance of non-food inputs in food security.¹³⁶

The utilisation aspect of food security has only found its importance in the definition since the 1990s. These aspects of food security are the main focus areas which indirectly refer to the nutrition aspect of food security by focussing on the methods of utilisation of food by the human body and the prevention of hunger.¹³⁷

Stability of food supply:

To be food secure, a population, household or individual must have access to adequate food at all times. They should not risk losing access to food as a consequence of sudden shocks (e.g. an economic or climatic crisis) or cyclical events (e.g. seasonal food insecurity). The concept of stability can therefore refer to both the availability and access dimensions of food security.¹³⁸

The last dimension of the food security definition, the stability of food supply, focusses on the stability of all three of the other dimensions, namely food availability, access to food and food utilisation. This means that, to be food secure, the food must at all times be available, economically, socially and physically accessible and food must be utilised in such a way that the highest nutritional value is available to the consumers.¹³⁹

In reaction to the utilisation dimension in food security and the importance of nutrition security which should be linked to food security, various definitions have been proposed for nutrition security as a separate term.¹⁴⁰ In response to the definitions of nutrition security combined with the increased importance of food security, the FAO has developed a draft definition of Nutrition security which reads as follows:

136 FAO "Food Security Policy Brief"1.

137 Gualtieri 2013 *Future of Food: Journal of Food, Agriculture and Society* 21; FAO "Food Security Information for Action: Lesson 1" 5-6; Wëingartner "The Concept of Food and Nutrition Security" I-7.

138 FAO "Food Security Policy Brief"1.

139 Wëingartner "The Concept of Food and Nutrition Security" I-7; FAO "Food Security Information for Action: Lesson 1" 6; Gualtieri 2013 *Future of Food: Journal of Food, Agriculture and Society* 21; FAO "Coming to Terms with Terminology" 5.

140 IFPRI proposed the following definition in 1995: "Nutrition security can be defined as adequate nutritional status in terms of protein, energy, vitamins, and minerals for all household members at all times." Where after the World Bank and The WHO amended the definition to "Nutrition security exists when food security is combined with a sanitary environment, adequate health services, and proper care and feeding practices to ensure a healthy life for all household members." See FAO "Coming to Terms with Terminology" 6.

Nutrition security exists when all people at all times consume food of sufficient quantity and quality in terms of variety, diversity, nutrient content and safety to meet their dietary needs and food preferences for an active and healthy life, coupled with a sanitary environment, adequate health, education and care.¹⁴¹

It is clear from this definition that certain aspects of both the definitions of food and nutrition security overlap and when combined, create a holistic overview thereof. From the development of the concept of food security as it was discussed above, it can be seen that food security, as a concept, emanates from the right to adequate food as it is contained in the UDHR.¹⁴²

2.3.2 Indicators of Nutrition Security

Nutrition, in terms of an aspect of the term food security and nutrition, can be measured by results in terms of medical tests done on individuals.¹⁴³ In terms of these results, the most common nutrition indicators, especially focussing on the nutrition status of children, were identified to create a clear picture of how nutrition can be measured.¹⁴⁴ There are a variety of factors that will influence a community's nutrition status which include agriculture, water, consumption patterns and food safety.¹⁴⁵ The factors influencing nutrition status and the factors influencing food security are expected to overlap in some instances due to the similar effect they will have on the consumers.¹⁴⁶

Communities tend to experience a variety of forms of malnutrition which was clarified in the Global Nutrition Report in 2016 to include the following form: child stunting, child wasting, overweight children and overweight adults, micronutrient deficiency,

141 FAO "Coming to Terms with Terminology" 6; Wëingartner "The Concept of Food and Nutrition Security" I-5.

142 Article 25 *Universal Declaration of Human Rights* (1948); FAO "Coming to Terms with Terminology" 7-8.

143 Wëingartner "The Concept of Food and Nutrition Security" I-11; IFPRI 2016 "Global Nutrition Report 2016" xix; Hendriks 2017 "Guide on Food Security and Nutrition" 5.

144 Wëingartner "The Concept of Food and Nutrition Security" I-11; IFPRI 2016 "Global Nutrition Report 2016" xix; Hendriks 2017 "Guide on Food Security and Nutrition" 5.

145 FAO "Coming to Terms with Terminology"; Hendriks 2017 "Guide on Food Security and Nutrition" 4.

146 Wëingartner "The Concept of Food and Nutrition Security" I-8-I-9; Hendriks 2017 "Guide on Food Security and Nutrition" 6.

obesity and non-communicable diseases.¹⁴⁷ The importance of nutrition in terms of food security and nutrition as a combined term in the SDGs is emphasised again by the Global Nutrition Support upon stating that 12 out of the 17 SDGs include some or other form of indicator as it relates to nutrition.¹⁴⁸ Throughout the SDGs as well as *Agenda 2063*, measures in terms of nutrition are linked to wasting, stunting, overweight and underweight.¹⁴⁹ To be able to later understand the relevance of these concepts, a short description of each is provided next.

Underweight is defined as:

...children who have low weight for age (underweight) can reflect wasting, stunting, or both. Thus, underweight is a composite indicator and may therefore be difficult to interpret.¹⁵⁰

This requires a definition for each of the terms referred to in terms of underweight as an indicator for malnutrition. Wasting however can be defined as "low weight for height" which can be interpreted as an indicator for acute weight loss.¹⁵¹ Wasting therefore means that a child is very thin and has lost essential fat as well as muscle mass which could be caused by a lack of nutritious food or due to illness.¹⁵²

Although the indicators of malnutrition may be interlinked, the definition of stunting may be reflected by a child who, on international growth charts, reflects a short height-for-age, indicating that malnutrition may be the cause of the retardation of growth.¹⁵³ Stunting therefore means that a child is quite short in stature or has not achieve the required length according to his or her age.¹⁵⁴ Stunting can also be considered a

147 IFPRI 2016 "Global Nutrition Report 2016" xix; Wëingartner "The Concept of Food and Nutrition Security" I-11.

148 Hendriks 2017 "Guide on Food Security and Nutrition" 7; IFPRI 2016 "Global Nutrition Report 2016" xxi, 3.

149 The relevance of malnutrition and food security will be discussed in Chapter 3 to follow.

150 WHO 2010 "Interpretation Guide" 1.

151 Dop 2016 <http://www.masterhdfs.org/masterHDFS/wp-content/uploads/2014/05/malnutriton-dop-part-I.pdf>; WHO 2010 "Interpretation Guide" 1; IFPRI 2016 "Global Nutrition Report 2016" xix, 16.

152 Dop 2016 <http://www.masterhdfs.org/masterHDFS/wp-content/uploads/2014/05/malnutriton-dop-part-I.pdf>.

153 IFPRI 2016 "Global Nutrition Report 2016" xix, 16; WHO 2010 "Interpretation Guide" 1; Dop 2016 <http://www.masterhdfs.org/masterHDFS/wp-content/uploads/2014/05/malnutriton-dop-part-I.pdf>.

154 Dop 2016 <http://www.masterhdfs.org/masterHDFS/wp-content/uploads/2014/05/malnutriton-dop-part-I.pdf>.

serious indicator of malnutrition as it is caused by a long-term progression of malnutrition starting with the malnutrition of the expectant mother.¹⁵⁵ It is important to note that the prevalence of either stunting or wasting does not exclude the presence of the other indicator. The last indicator in terms of malnutrition is the overweight of children as well as adults. Although this might not seem as serious as the other indicators reverting back to a 'lack' of nutrition, it can still be considered a form of malnutrition which negatively affects an individual's health and nutrition status.¹⁵⁶ The prevalence of overweight or obesity may be due to the excessive intake of energy without the proper utilisation thereof.¹⁵⁷

2.4 The link between the right to adequate food and food security

The right to adequate food and food security as relevant, interdependent concepts and in particular to this study, has been interlaced. Evidence of this can be seen from the detailed discussions above where the one constantly overlaps with the other. Both concepts continually complement each other, where principles such as human dignity, accountability, empowerment and non-discrimination are involved.¹⁵⁸

Although food security is based on the four dimensions mentioned above,¹⁵⁹ it differs from the right to adequate food in that food security is mainly based on a need-based approach.¹⁶⁰ This means that food security and the existence of food security can be determined and measured by analysing the needs of communities or people. However, when analysing the right to adequate food, it is self-explanatory that the right to adequate food is founded on a rights-based approach.¹⁶¹ This means that, when the

155 Dop 2016 <http://www.masterhdfs.org/masterHDFS/wp-content/uploads/2014/05/malnutriton-dop-part-I.pdf>.

156 WHO 2010 "Interpretation Guide" 1; IFPRI 2016 "Global Nutrition Report 2016" xix, 16; Hendriks 2017 "Guide on Food Security and Nutrition" 7; Dop 2016 <http://www.masterhdfs.org/masterHDFS/wp-content/uploads/2014/05/malnutriton-dop-part-I.pdf>.

157 Dop 2016 <http://www.masterhdfs.org/masterHDFS/wp-content/uploads/2014/05/malnutriton-dop-part-I.pdf>.

158 FAO "Introduction to the Right to Adequate Food: Lesson 2" 17.

159 Food availability; food utilisation; economic and physical access to food and stability of food supply and the other three dimensions of food security over time See Gualtieri 2013 *Future of Food: Journal of Food, Agriculture and Society* 21; FAO "Food Security Information for Action: Lesson 1" 3.

160 FAO "Introduction to the Right to Adequate Food: Lesson 2" 17.

161 FAO "Introduction to the Right to Adequate Food: Lesson 2" 18.

right to adequate food is involved, the needs of communities and people are not the determining factor, but rather the right to adequate food applicable to all. When combining these two concepts, the approach followed in terms of food security changes the foundation thereof from a needs-based to a rights-based approach. This approach identifies its primary goal, which is to realise the right to adequate food.¹⁶² The result is that the goals underlining food security will focus on similar goals as with the right to adequate food.¹⁶³

2.5 Summary

In this chapter, it was established that there is a definite correlation between the right to adequate food as it is contained in the UDHR and the terms food security and nutrition.¹⁶⁴ This can be seen from the similarities in the respective definitions and the objectives to be realised in each respect. The importance of the implementation of policies in terms of food security and nutrition has also been stated as it relates to the distinction between hard law and soft law and the universal obligation to realise human rights (which include the right to adequate food).¹⁶⁵

It was also been stated that the presence of either food security and nutrition or the right to adequate food does not exclude the other but rather builds upon and influences the presence of each other.¹⁶⁶ In referring to the advancement of the definition of food security and nutrition, it is clear that these definitions have indeed evolved over time, to include a broader sense of consumer consciousness.¹⁶⁷ The most apparent change with regard to the definition of food security and nutrition is that of the change

162 FAO "Introduction to the Right to Adequate Food: Lesson 2" 18.

163 Gualtieri 2013 *Future of Food: Journal of Food, Agriculture and Society* 21; FAO "Introduction to the Right to Adequate Food: Lesson 2" 18-19.

164 Article 25 *Universal Declaration of Human Rights* (1948); EC "Communication from the Commission to the Council World Food Conference" 7.

165 Articles 2 and 11 *International Covenant on Economic, Social and Cultural Rights* (1966); Ziegler 2012 <http://www.righttofood.org/work-of-jean-ziegler-at-the-un/what-is-the-right-to-food/>; FAO "Introduction to the Right to Adequate Food: Lesson 3" 10; Mugabe *A Proposed Framework Act for Food Security in South Africa* 11.

166 Article 25 *Universal Declaration of Human Rights* (1948); EC "Communication from the Commission to the Council World Food Conference" 7.

167 Gualtieri 2013 *Future of Food: Journal of Food, Agriculture and Society* 21; FAO "Food Security Information for Action: Lesson 1" 3; Shaw *A History of Food Security from 1945-2007* 349; FAO "Coming to Terms with Terminology" 2; FAO "Introduction to the Right to Adequate Food: Lesson 2" 15-16; FAO *Trade Reforms and Food Security: Conceptualizing the Linkages* 25.

of the supply-orientated perspective to the perspective of including the four elements of the definition. These four elements, which were discussed in detail above, are food availability, food utilisation, economic and physical access to food and stability of food supply.¹⁶⁸

This chapter further emphasised that food security and nutrition should direct the focus to both elements of this combined term. Moreover, food should not only be available but it should positively impact the nutrition status of individuals.¹⁶⁹ The definitions and the discussions are of great importance for this study as these terms are used continuously in order to evaluate the guidelines set to reach a food secure state in communities with high regard for their nutrition status. These definitions will also be of importance when attempting to introduce such a benchmark for food security and nutrition.

168 FAO "Food Security Policy Brief" 1; Hendriks 2017 "Guide on Food Security and Nutrition" 3; Gualtieri 2013 *Future of Food: Journal of Food, Agriculture and Society* 21; FAO "Food Security Information for Action: Lesson 1" 3.

169 Wëingartner "The Concept of Food and Nutrition Security" I-8-I-9; Hendriks 2017 "Guide on Food Security and Nutrition" 6.

3 Chapter 3: Food security and nutrition objectives contained in Agenda 2030¹⁷⁰ and Agenda 2063¹⁷¹

3.1 Introduction

From the development of the definitions of food security, nutrition security and the right to food, it can be inferred that food insecurity and malnutrition have been continuous problem areas in history as well as in recent years.¹⁷² It is clear from Chapter 2 that programmes developed by the United Nations (hereafter UN) as well as different stakeholders were greatly focussed on the eradication of world hunger and on improving food security.¹⁷³ The desperate need for the development of more comprehensive measures to combat food insecurity lead to various international conferences held since the 1970s with its core focus on food security and how to promote food security within various fields of expertise.¹⁷⁴ In this chapter, the relevance of both *Agenda 2063* and *Agenda 2030* (SDGs) in its chronological development and its application to food security and nutrition guidelines are subsequently discussed.

3.2 Background of the United Nations and African Union

In order to understand the context of both *Agenda 2030* and *Agenda 2063* as well as the guidelines relating to food security and nutrition as provided for in these two instruments, it is necessary to provide an overview of the development and the importance of the UN and African Union (hereafter AU), the respective policy

170 Resolution 70/1 Transforming our World: the 2030 Agenda for Sustainable Development UN GA Res 70/1 UN Doc A/RES/70/1 2015.

171 AU 2015 https://au.int/web/sites/default/files/pages/3657-file-agenda2063_popular_version_en.pdf par 72(e); Report of the Secretary-General: Progress towards the Sustainable Development Goals UN ESC Report 2016/75 UN Doc E/2016/75* 2016.

172 Mochoge and Zziwa "Agriculture Success in the Greater Horn of Africa" 1; Shaw *A History of Food Security from 1945-2007* 271-272; Eicher and Staatz "Food Security Policy in Sub-Saharan Africa" 215; FAO 2017 <http://www.fao.org/3/a-mu208e.pdf>.

173 See paragraph 2.2 above. See also Eicher and Staatz "Food Security Policy in Sub-Saharan Africa" 215-216; Shaw *A History of Food Security from 1945-2007* 271-272; Simon *Food Security: Definition, Four Dimensions, History* 10-21.

174 Two of these conferences included the *UN Millennium Summit* in 2000 and the *UN Conference on Sustainable Development* in 2012. See Shaw *A History of Food Security from 1945-2007* 274-278.

documents, the relevance of these conferences and the legal structure in which they operate.

The impact of decisions made by the UN and in particular the General Assembly (hereafter GA), can be explained by the main purpose as well as the context of the decisions made by the UN. According to Duggar,¹⁷⁵ "the main purpose of the UN is the maintenance of international peace and security" and the organs which form a part of the UN include the Security Council, the GA and the Office of the Secretary-General (Secretariat).¹⁷⁶ The GA meets annually to report and discuss issues as identified during the past year and comprises of all member states to the UN, each having one vote in these meetings.¹⁷⁷

The GA may discuss any problem that relate to the Charter of the UN,¹⁷⁸ which is the founding document of the UN and issue a resolution based on the outcome of the meeting if supported by at least two-thirds of the member states of the UN.¹⁷⁹ Any resolution pertaining to the internal management of the GA are to be considered legally binding whereas resolutions made with regard to member states are not legally binding.¹⁸⁰ Although this is the case, Dugard¹⁸¹ is of the opinion that this doesn't decrease the value of such decisions made by the GA but that these resolutions should have an important political effect.

Article 13(2)(b)¹⁸² of the UN Charter further makes provision for decisions to be made where issues of health and fundamental rights and freedoms are involved. It is in this area where the issue of food security and nutrition will form part of the GA's jurisdiction

175 Dugard *International Law a South African Perspective* 474; United Nations Charter UN Doc 1 UNTS XVI (1945) Article 1.

176 Dugard *International Law a South African Perspective* 474; United Nations Charter UN Doc 1 UNTS XVI (1945) Article 7.

177 Dugard *International Law a South African Perspective* 475.

178 United Nations Charter UN Doc 1 UNTS XVI (1945) Article 11.

179 United Nations Charter UN Doc 1 UNTS XVI (1945) Article 18; Dugard *International Law a South African Perspective* 475 – 476.

180 United Nations Charter UN Doc 1 UNTS XVI (1945) Articles 4-6, 17; Dugard *International Law a South African Perspective* 476; See also Chapter 2's discussion on hard- and soft law.

181 Dugard *International Law a South African Perspective* 476.

182 United Nations Charter UN Doc 1 UNTS XVI (1945) Article 13.

as part of the economic and social goals within the UN Charter which in turn focusses on a higher standard of living, health problems and environmental freedoms.¹⁸³

The UN held various meetings and conferences on the matter of world poverty and chronic hunger.¹⁸⁴ Furthermore, food insecurity and sustainable development have become some of the most important factors concerning to the economic growth and development of the international community.¹⁸⁵

Although the UN focusses on global reduction of food insecurity and malnutrition,¹⁸⁶ it continuously stresses the importance of the sovereignty of individual states on continents which should be preserved and promoted when implementing the objectives of the UN, and therefore include East and West African RECs.¹⁸⁷ In 2000, the UN focussed mainly on the factors influencing global economic growth and development of communities and held the *Millennium Summit* to establish objectives and targets to achieve these goals.¹⁸⁸

In achieving these UN objectives on the African continent, the AU was established.¹⁸⁹ The AU was established as the Organisation of African Unity (hereafter OAU) in 1963 and was replaced by the AU in 2002 with over 50 African member states and was depicted as a "regional intergovernmental organisation with its aim to promote unity amongst African states".¹⁹⁰ The objectives of the AU are set out in the *AU's Constitutive Act*¹⁹¹ which, like the UN, also focus on sustainable development, human

183 United Nations Charter UN Doc 1 UNTS XVI (1945) Article 55, 61-72.

184 Two of these conferences included the *UN Millennium Summit* in 2000 and the *UN Conference on Sustainable Development* in 2012. See Shaw *A History of Food Security from 1945-2007* 274-278; Eicher and Staatz "Food Security Policy in Sub-Saharan Africa" 216.

185 Resolution 70/1 Transforming our world: the 2030 Agenda for Sustainable Development UN GA Res 70/1 UN Doc A/RES/70/1 2015 p1-4; Eicher and Staatz "Food Security Policy in Sub-Saharan Africa" 215.

186 AU 2015 https://au.int/web/sites/default/files/pages/3657-file-agenda2063_popular_version_en.pdf par 66(f).

187 Resolution 70/1 Transforming our world: the 2030 Agenda for Sustainable Development UN GA Res 70/1 UN Doc A/RES/70/1 2015 para 38, 40 - 41.

188 United Nations *Millennium Development Goals* (2000).

189 Dugard *International Law a South African Perspective* 493; United Nations Charter UN Doc 1 UNTS XVI (1945) Article 22, 52-54.

190 Dugard *International Law a South African Perspective* 540.

191 Article 3 of the *Constitutive Act of the AU*.

rights and good health as part of their goals and would indirectly also include food security and nutrition as an important aspect of the development of the continent.¹⁹²

3.2.1 Millennium Development Goals (MDGs)

One of the most recent developments, which focussed on the eradication of hunger and the promotion of food security and nutrition, is the UN *Millennium Summit* held in 2000.¹⁹³ This resulted in the aim of the *Millennium Summit* being to establish an action plan for reaching those targets as set out in the Secretary-general's report.¹⁹⁴ The bringing about of the *UN Millennium Declaration* and eventually identifying certain targets to achieve these objectives, later became known as the Millennium Development Goals (hereafter MDGs).¹⁹⁵

The MDGs included eight goals, namely to eradicate extreme poverty and hunger, to achieve universal primary education, to promote gender equality and empower women, to reduce child mortality, to improve maternal health, to combat HIV/AIDS, Malaria and other diseases, to ensure environmental sustainability and to develop a global partnership for development.¹⁹⁶ Each of these eight goals' targets was set to be achieved within 15 years.¹⁹⁷ This resulted in one of the "most effective anti-poverty movements in history".¹⁹⁸

Although the MDG's brought about a significant decrease in poverty and hunger, certain areas of shortfall remained.¹⁹⁹ However, some of the poorest parts of communities were not sufficiently provided with effective change in their

192 Dugard *International Law a South African Perspective* 544-545, 552.

193 United Nations *Millennium Development Goals* (2000).

194 Shaw A History of Food Security from 1945-2007 366.

195 Shaw A History of Food Security from 1945-2007 366.

196 Shaw A History of Food Security from 1945-2007 366-368; United Nations *Millennium Development Goals* (2000).

197 UN 2015 <http://www.undp.org/content/undp/en/home/librarypage/mdg/the-millennium-development-goals-report-2015.html>.

198 UN 2015 <http://www.undp.org/content/undp/en/home/librarypage/mdg/the-millennium-development-goals-report-2015.html>.

199 UN 2015 <http://www.undp.org/content/undp/en/home/librarypage/mdg/the-millennium-development-goals-report-2015.html>; The report mentions that more than 1 billion people have been lifted out of extreme poverty, as well as the decrease of the child mortality rate and the out of school child rate by half and that the HIV/AIDS infections decreased by nearly 40% since 2000.

circumstances.²⁰⁰ The eradication of world hunger as well as food insecurity and malnutrition remained of the utmost importance and as a result, the UN continued to build on the success of the MDGs in the subsequent *Sustainable Development Goals* (hereafter SDGs).²⁰¹ Furthermore, the UN specifically focussed on the development in African countries and the most vulnerable groups within African countries in developing these goals.²⁰² Despite the prevalence of food insecurity and malnutrition on the African continent, it has been reported that "African countries have collectively made the least progress towards achieving the MDG of reducing hunger by half by 2015".²⁰³ In reaction to this, African member states proceeded to address this issue in 2013 by compiling *Agenda 2063 The Africa We Want (Agenda 2063)*²⁰⁴ focussing on issues identified in the MDGs as well as issues specifically related to the African context.²⁰⁵ *Agenda 2030* was therefore preceded on the African continent by *Agenda 2063*.

200 *Resolution 70/1 Transforming our world: the 2030 Agenda for Sustainable Development* UN GA Res 70/1 UN Doc A/RES/70/1 2015 par 2.

201 *Resolution 70/1 Transforming our world: the 2030 Agenda for Sustainable Development* UN GA Res 70/1 UN Doc A/RES/70/1 2015 1-4; Eicher and Staatz "Food Security Policy in Sub-Saharan Africa" p 215.

202 Vulnerable groups include children, elderly, persons with medical disabilities, famine stricken groups and any other groups of people who will be unable to acquire their own food supply See *Committee on Economic, Social and Cultural Rights General Comment 12 The Right to Adequate Food (Article 11): 12/05/99* E/C 12/1999/5 1999 para 13; FAO "Introduction to the Right to Adequate Food: Lesson 2" 7; *Resolution 70/1 Transforming our world: the 2030 Agenda for Sustainable Development* UN GA Res 70/1 UN Doc A/RES/70/1 2015 par 22; Report of the Secretary-General: Progress towards the Sustainable Development Goals UN ESC Report 2016/75 UN Doc E/2016/75* 2016 par 13; Lisowska 2016 "Sustainable Development Goal 2: joining-up standards for ending hunger" 8.

203 Anon 2012 <http://www.polity.org.za/article/food-insecurity-and-malnutrition-in-africa-current-trends-causes-and-consequences-2012-09-19>.

204 Casazza 2015 <http://www.africa.undp.org/content/rba/en/home/ourperspective/ourperspectivearticles/2015/10/23/the-sustainable-development-goals-and-the-african-union-s-agenda-2063-a-comparative-analysis.html>; Anon 2016 <https://www.tralac.org/news/article/9340-status-of-african-integration-the-implications-of-agenda-2063-and-agenda-2030-on-african-integration.html>;

AU 2015 https://au.int/web/sites/default/files/pages/3657-file-agenda2063_popular_version_en.pdf; *Resolution 70/1 Transforming our world: the 2030 Agenda for Sustainable Development* UN GA Res 70/1 UN Doc A/RES/70/1 2015 para 14 – 16.

205 Casazza 2015 <http://www.africa.undp.org/content/rba/en/home/ourperspective/ourperspectivearticles/2015/10/23/the-sustainable-development-goals-and-the-african-union-s-agenda-2063-a-comparative-analysis.html>.

3.3 Agenda 2063

In 2013, the AU met at the 50th anniversary of the AU with the vision of re-dedicating the AU to its vision and mission.²⁰⁶ The AU entered into deliberations regarding *Agenda 2063* with the purpose of looking toward the next 50 years and the goals to be achieved during this time. One of the factors to be considered during these deliberations was the MDGs as set out by the UN.²⁰⁷ The development of *Agenda 2063* did not take place in isolation but rather through extensive research concerning various stakeholders²⁰⁸ and with the UN's goals on development already in place in the form of the MDGs.

Through this extensive research, the AU was able to compile *Agenda 2063* with a vision of representing the people of the African continent's shared ambitions.²⁰⁹ The ambitions forming the basis of *Agenda 2063* were expressed in the principles of "unity, integration human progress, welfare and freedom" and were recorded as "the seven aspirations of *Agenda 2063*".²¹⁰ Each of these aspirations has been divided into various goals and priority areas in order to interpret each aspiration and to reach the ultimate objective. The aspirations, goals and priority areas as they are applicable to food security and nutrition guidelines are discussed hereafter. Of these seven aspirations, those which are applicable to this study are discussed. The relevant aspirations are aspiration 1 and aspiration 3.²¹¹

206 AU *African Union Agenda 2063 Background Note 3*; African Union Agenda 2063 Framework Document: The Africa We Want (2015) 1.

207 African Union Agenda 2063 Framework Document: The Africa We Want (2015) 1.

208 These stakeholders include the following: youth, women, Civil Society Organizations, the Diaspora, African Think Tanks and Research Institutions, Government planners, Private Sector, the African media, inter-faith leaders, the Forum for Former African Heads of State and Government, African Islands States and others. In addition (ideas captured from continent wide sector ministerial meetings and meetings with the Regional Economic Communities are included). See African Union Agenda 2063 Framework Document: The Africa We Want (2015) iii, 5.

209 African Union Agenda 2063 Framework Document: The Africa We Want (2015) 2.2.

210 A prosperous Africa based on inclusive growth and sustainable development; An integrated continent politically united based on the ideals of Pan Africanism and the vision of Africa's Renaissance; An Africa of good governance respect for human rights justice and the rule of law; A peaceful and secure Africa; An Africa with a strong cultural identity common heritage values and ethics; An Africa whose development is people-driven relying on the potential of African people especially its women and youth and caring for children; and Africa as a strong united resilient and influential global player and partner See African Union Agenda 2063 Framework Document: The Africa We Want (2015) 2.2.

211 See paragraph 3.3.1 and 3.3.2 below.

Agenda 2063 clarifies the importance of food security and nutrition throughout the framework document when proclaiming that "Africa will be a continent without any form of food or nutrition insecurity and hunger by 2025".²¹² This statement may be seen as one of the statements most indicative of food security and nutrition contained in *Agenda 2063*.

3.3.1 Aspiration 1: A prosperous Africa, based on inclusive growth and sustainable development

The first aspiration applicable to this study is aspiration 1 "A prosperous Africa, based on inclusive growth and sustainable development".²¹³ *Agenda 2063* states in its framework that the first aspiration will be realised with the achievement of shared prosperity including managing its own finances, economic growth and transformation.²¹⁴ The first goal included in this aspiration is "high standard of living, quality life and well-being for all citizens".²¹⁵ This goal should be attained through focussing on priority areas such as the increase of income of individuals, more available jobs, decrease in hunger and inequality which will result in a higher standard of living.²¹⁶

The achievement of this goal can be measured by making use of indicators and strategies which distinguish between those applicable at national and regional level.²¹⁷ In determining if the higher standard of living-goal is reached, the use of a "vulnerability index" as measurement tool is suggested in the *Agenda 2063* framework document.²¹⁸

Furthermore, inequality and hunger, which are the indicators to control the measurement of the goal and where it is placed on the vulnerability index, are the following: (a) whether the country (on national level) has implemented CAADP;²¹⁹ and

212 African Union Agenda 2063 Framework Document: The Africa We Want (2015) 4.

213 African Union Agenda 2063 Framework Document: The Africa We Want (2015) 2.

214 African Union Agenda 2063 Framework Document: The Africa We Want (2015) 2-3.

215 African Union Agenda 2063 Framework Document: The Africa We Want (2015) vii.

216 African Union Agenda 2063 Framework Document: The Africa We Want (2015) vii.

217 African Union Agenda 2063 Framework Document: The Africa We Want (2015) 131.

218 African Union Agenda 2063 Framework Document: The Africa We Want (2015) 131-132.

219 CAADP is Africa's policy framework for agriculture and agriculture-led development. It is an integral part of the NEPAD. It is within the NEPAD context, that CAADP is able to link and align with

(b) whether there are policies in place within the country focussing on food and nutrition improvement as well as access to adequate food.²²⁰ *Agenda 2063* does however not provide for indicators or strategies to reach food security and nutrition objectives on regional and continental level.²²¹ This could be interpreted to be an oversight. Alternatively it may be deduced that the drafters of *Agenda 2063* intended that the same strategies were to be implemented on regional level.

Another goal set to achieve the first aspiration is "healthy and well-nourished citizens" to be reached by focussing on enhancing the health and nutrition of all citizens.²²² Three other goals to be achieved with regard to the first aspiration include "modern agriculture for increased agriculture and production", "ocean economy for accelerated growth", and "environmentally sustainable and climate resilient economies and communities".²²³ With these three goals, the focus was placed on priority areas such as the sustainable management and usage of resources including both ocean and agricultural resources.²²⁴

The relevance of this first aspiration relates to the supply and production of food that will be nutritionally adequate and will eventually result in a food secure population as required by the right to adequate food²²⁵ as well as the definition of food security as critically discussed in Chapter 2 of this study.²²⁶ In focussing on the nutrition aspect of food security and nutrition within *Agenda 2063's* framework document, the indicators aimed at promoting regional and international health and nutrition goals

development objectives in other sectors, thereby providing for comprehensive and harmonised development policies, strategies and programmes. In CAADP, Africa believes that agriculture and the food industry can be the engine for growth in Africa's largely agrarian economies, with tangible and sustainable impact on improving food security and nutrition, contributing to wealth and job creation, empowering women and enabling the expansion of exports See NEPAD Date unknown <http://www.nepad.org/resource/introducing-comprehensive-africa-agriculture-development-programme>.

220 African Union Agenda 2063 Framework Document: The Africa We Want (2015) 132.

221 African Union Agenda 2063 Framework Document: The Africa We Want (2015) 166.

222 African Union Agenda 2063 Framework Document: The Africa We Want (2015) vii.

223 African Union Agenda 2063 Framework Document: The Africa We Want (2015) vii.

224 African Union Agenda 2063 Framework Document: The Africa We Want (2015) vii.

225 Article 25 *Universal Declaration of Human Rights* (1948).

226 *Report by the Special Rapporteur on the right to food, Mr Jean Ziegler submitted in accordance with Commission on Human Rights resolution 2001/25* UN ESC Report E/CN.4/2002/58 2002 11; Vidar "The Right to Food in International Law: Critical Issues in Realising the Right to Food" 8; FAO "Introduction to the Right to Adequate Food: Lesson 2" 4-5;

include the implementation of action plans within the regions and countries and furthermore also on national level.²²⁷ The greater focus on nutrition policies within *Agenda 2063*, however, falls on the national level goals. The proposed indicators to follow in attaining nutrition goals in terms of *Agenda 2063*, include the implementation of the African Nutrition Strategy,²²⁸ promoting policies which will increase access of people to balanced diets and developing and implementing nutrition programmes which will promote healthy lifestyles and decrease health risks.²²⁹

In achieving this aspiration, *Agenda 2063* further focusses on modernising agriculture for the purpose of increasing production and productivity through developing effective policies and plans and the promotion of agribusinesses in both regional and global markets.²³⁰ The focus of modernising agriculture does not only fall on the modernisation of production methods, but also on the collection methods of data to accurately establish a database for current levels and desired future production levels.²³¹ With modernising agriculture, the aim according to *Agenda 2063* is to decrease food imports and to rather produce enough food to establish a surplus and to be able to export this surplus to increase the income of African countries.²³² In order to achieve these goals, the AU has predicted that the commercialisation of agriculture will be inevitable.²³³

Agenda 2063 approaches the blue-ocean economy in the same way as with agriculture in that policies are to be developed for monitoring the relevant ecosystems and planning government policies aimed at sustainable development.²³⁴

Food consumption as well as food production influence the levels of food security.²³⁵ This relates to the next goal to be reached by *Agenda 2063* which focusses on the

227 African Union Agenda 2063 Framework Document: *The Africa We Want* (2015) 136-137, 167.

228 AU *Africa Regional Nutrition Strategy 2015-2025*.

229 African Union Agenda 2063 Framework Document: *The Africa We Want* (2015) 136-137.

230 African Union *Agenda 2063 Framework Document: The Africa We Want* (2015) 141.

231 African Union *Agenda 2063 Framework Document: The Africa We Want* (2015) 7-8, 141-142.

232 African Union *Agenda 2063 Framework Document: The Africa We Want* (2015) 7-8.

233 African Union *Agenda 2063 Framework Document: The Africa We Want* (2015) 8.

234 African Union *Agenda 2063 Framework Document: The Africa We Want* (2015) 142-143.

235 See paragraph 2.2.1 above. See also Gualtieri 2013 *Future of Food: Journal of Food, Agriculture and Society* 21; FAO "Food Security Information for Action: Lesson 1" 3; FAO "Food Security Policy Brief"1; Wëingartner "The Concept of Food and Nutrition Security" I-7.

environment, sustainable development as well as sustainable agricultural methods.²³⁶ *Agenda 2063* further attends to the importance of climate change and the resilience thereto in the sense that it would influence sustainable production and consumption patterns in line with the MDGs.²³⁷ The indicators aimed at promoting sustainable production and consumption practices emphasise the importance of creating an awareness within communities as well as governments about sustainable practices and eventually implementing national regulatory frameworks for the same.²³⁸

In terms of regional and international strategies related to sustainable development, the focus falls on the ratification of the African Convention on the Conservation of Nature and Natural Resources (ACCNNR)²³⁹ which emphasises the commitment to sustainable development and natural resources in article XIV.²⁴⁰ The importance of this convention is found in the conservation of the global environment for generations to come and in turn ensures the availability of nutritional food production and ultimately assists in reaching a food secure community.²⁴¹

3.3.2 Aspiration 3: An Africa of good governance, democracy, respect for human rights, justice and the rule of law

This aspiration does not focus on food security and nutrition guidelines directly, but impacts human rights, which also include the right to food as well as food security and nutrition.²⁴² This paragraph therefore only includes a brief statement of the content thereof as well as its relevance. Aspiration three does however confirm the commitment to human rights in the Universal Declaration of Human Rights (UDHR) which includes the right to adequate food as stated in Chapter 2 of this study.²⁴³ *Agenda 2063* further states that countries are to adapt national laws to adhere to the

236 African Union *Agenda 2063 Framework Document: The Africa We Want* (2015) 145.

237 Goal 7 United Nations *Millennium Development Goals* (2000); African Union *Agenda 2063 Framework Document: The Africa We Want* (2015) 145.

238 African Union *Agenda 2063 Framework Document: The Africa We Want* (2015) 7, 145.

239 *African Convention on the Conservation of Nature and Natural Resources* (2003); African Union *Agenda 2063 Framework Document: The Africa We Want* (2015) 169.

240 *African Convention on the Conservation of Nature and Natural Resources* (2003) 10.

241 *African Convention on the Conservation of Nature and Natural Resources* (2003) 1.

242 See paragraph 2.2 above.

243 Article 25 *Universal Declaration of Human Rights* (1948); FAO "Introduction to the Right to Adequate Food: Lesson 1" 3, 6-7, 9-10; Vidar "The Right to Food in International Law: Critical Issues in Realising the Right to Food" 3-4.

UDHR and to develop programmes to create awareness of human rights amongst the communities.²⁴⁴ The implementation of human rights should flow through to regional and international law in the same sense as with national legislation and implementation of programmes to inform communities of their rights.²⁴⁵

3.4 Agenda 2030: Sustainable Development Goals (SDGs)

Although the MDGs resulted in some success by approaching the set targets and decreasing the levels of poverty and hunger and food and nutrition insecurity, some of the targets were, however, not met to satisfaction.²⁴⁶ At the General Assembly's annual meeting in 2015, new SDGs were identified and the UN further discussed the need for the revision of the MDGs.²⁴⁷ The poorest parts of communities were however not sufficiently provided with effective change in their circumstances and a revisit of the MDGs in the form of SDGs became necessary.²⁴⁸ The UN reiterated the success of the MDGs and stated that the formulation of *Agenda 2030* was meant to "build upon the achievements" of the MDGs in such a way as to finish what has been started.²⁴⁹

The UN made specific reference to the eradication of world hunger and the promotion of food security and nutrition as part of the 17 new SDGs together with their corresponding 169 targets.²⁵⁰ The UN refers to these targets and SDGs as "Agenda 2030 for Sustainable Development", where targets are set to be achieved within the next 15-year period, by the year 2030.²⁵¹

244 African Union Agenda 2063 Framework Document: The Africa We Want (2015) 153.

245 African Union Agenda 2063 Framework Document: The Africa We Want (2015) 172.

246. The report mentions that more than 1 billion people have been lifted out of extreme poverty, as well as the decrease of the child mortality rate and the out of school child rate by half and that the HIV/AIDS infections decreased by nearly 40% since 2000. See UN 2015 <http://www.undp.org/content/undp/en/home/librarypage/mdg/the-millennium-development-goals-report-2015.html>.

247 Resolution 70/1 *Transforming our world: the 2030 Agenda for Sustainable Development* UN GA Res 70/1 UN Doc A/RES/70/1 2015 par 2.

248 Resolution 70/1 *Transforming our world: the 2030 Agenda for Sustainable Development* UN GA Res 70/1 UN Doc A/RES/70/1 2015 para 14, 16.

249 Resolution 70/1 *Transforming our world: the 2030 Agenda for Sustainable Development* UN GA Res 70/1 UN Doc A/RES/70/1 2015 par 23.

250 Resolution 70/1 *Transforming our world: the 2030 Agenda for Sustainable Development* UN GA Res 70/1 UN Doc A/RES/70/1 2015 para 18 - 19.

251 Resolution 70/1 *Transforming our world: the 2030 Agenda for Sustainable Development* UN GA Res 70/1 UN Doc A/RES/70/1 2015 par 23.

The 17 SDGs include: (a) no poverty; (b) zero hunger; (c) good health and well-being; (d) quality education; (e) gender equality; (f) clean water and sanitation; (g) affordable and clean energy; (h) decent work and economic growth; (i) industry innovation and infrastructure; (j) reduced inequalities; (k) sustainable cities and communities; (l) responsible consumption and production; (m) climate action; (n) life below water; (o) life on land; (p) peace, (q) justice and strong institutions; and lastly (r) partnerships for the goals.²⁵² These SDGs, like the MDGs and *Agenda 2063*, are not legally binding international law principles but voluntary government agreements.²⁵³ Governments are however expected to take ownership and establish national frameworks for the achievement of the goals and to report on their progress pertaining to the realising of the goals on national, regional and global level.²⁵⁴ *Agenda 2030* confirms this by stating that the agenda as well as its contents are applicable to all countries and should be implemented on national as well as regional level.²⁵⁵ Accordingly, although *Agenda 2030* is globally applicable and relevant, it is also specifically focussed on Africa with its vulnerable countries and serious challenges.²⁵⁶

The importance attached to the eradication of world hunger, food insecurity and malnutrition is evident from the fact that SDG Goal 2 (SDG2) is specifically aimed at "ending hunger, achieving food security and improved nutrition as well as promoting sustainable agriculture".²⁵⁷ The Food and Agriculture Organisation of the UN (FAO) describes SDG2 as addressing

252 UN 2015 www.undp.org/content/undp/en/home/sustainable-development-goals.html.

253 UN 2016 <http://www.un.org/en/africa/osaa/peace/recs.shtml>; Yale Campus Press 2016 https://campuspress.yale.edu/thomaspogge/files/2015/10/SDG-HR_Rev-Jan-25-uugh97.pdf; Miller-Dawkins 2014 <https://www.odi.org/sites/odi.org.uk/files/odi-assets/publications-opinion-files/9295.pdf>.

254 UN 2016 <http://www.un.org/en/africa/osaa/peace/recs.shtml>; *Resolution 70/1 Transforming our world: the 2030 Agenda for Sustainable Development* UN GA Res 70/1 UN Doc A/RES/70/1 2015 par 47.

255 *Resolution 70/1 Transforming our world: the 2030 Agenda for Sustainable Development* UN GA Res 70/1 UN Doc A/RES/70/1 2015 par 5.

256 The UN reaffirms the importance of supporting the African Union's *Agenda 2063* and the programme of the New Partnership for Africa's Development, both of which are integral to the new Agenda. See *Resolution 70/1 Transforming our world: the 2030 Agenda for Sustainable Development* UN GA Res 70/1 UN Doc A/RES/70/1 2015 par 42-43.

257 *Resolution 70/1 Transforming our world: the 2030 Agenda for Sustainable Development* UN GA Res 70/1 UN Doc A/RES/70/1 2015 para 18 – 19; WWF 2015 <http://blogs.wwf.org.uk/blog/green-sustainable-living/what-on-earth-are-sustainable-development-goals/>.

...a complex condition with a holistic approach that involves a series of complementary actions targeting the access dimension of food security, all forms of malnutrition, the productivity and incomes of small-scale food producers, resilience of food production systems and the sustainable use of biodiversity and genetic resources.²⁵⁸

Agenda 2030 further supports the advancement of sustainable production and consumption patterns of agricultural products in order to change how societies consume and produce goods and services.²⁵⁹ In anticipation of sustainable development, the UN acknowledges the importance of climate change and the global response thereto.²⁶⁰

3.4.1 Sustainable development goals and targets

The goals set out in *Agenda 2030* are explicitly stated as being universally applicable while continuously considering the different circumstances and developmental stages within individual countries and regions.²⁶¹ It is also recognised that countries which face more stringent challenges with regard to sustainable development include African countries and amendments need to be made to the targets to be achieved through SDGs to make provision for those specific challenges.²⁶²

Although *Agenda 2030* contains 17 SDGs, upon the critical analysis of the SDGs, it was found that the SDG which will have the most relevance in the realisation of food security and nutrition and the targets set to be reached in terms of food security and nutrition, of which the most important to be mentioned is SDG 2: "End hunger, achieve food security and improved nutrition and promote sustainable agriculture".²⁶³ Other goals which will also influence food security and nutrition would include SDG 12, namely ensuring sustainable consumption and production patterns; SDG 13: namely

258 FAO *Sustainable Development Goals: Goal 2*.

259 *Resolution 70/1 Transforming our world: the 2030 Agenda for Sustainable Development* UN GA Res 70/1 UN Doc A/RES/70/1 2015 par 28.

260 United Nations *Framework Convention on Climate Change* (1992); *Resolution 70/1 Transforming our world: the 2030 Agenda for Sustainable Development* UN GA Res 70/1 UN Doc A/RES/70/1 2015 par 30-31.

261 *Resolution 70/1 Transforming our world: the 2030 Agenda for Sustainable Development* UN GA Res 70/1 UN Doc A/RES/70/1 2015 par 55

262 *Resolution 70/1 Transforming our world: the 2030 Agenda for Sustainable Development* UN GA Res 70/1 UN Doc A/RES/70/1 2015 par 56-57, 59.

263 *Resolution 70/1 Transforming our world: the 2030 Agenda for Sustainable Development* UN GA Res 70/1 UN Doc A/RES/70/1 2015 15.

taking urgent action to combat climate change and its impacts as well as SDG 14 namely the conservation and sustainably use the oceans, seas and marine resources for sustainable development".²⁶⁴

Agenda 2030 sets out broad guidelines pertaining to the implementation and follow up of the SDGs contained therein on national, regional and global level and requires further that states should remain accountable to both the UN as well as their citizens in effectively implementing these SDGs.²⁶⁵ This confirms the importance attached to the SDGs and in eventually reaching a point at which food security and nutrition security are reached.

3.4.2 SDG 2: End hunger, achieve food security and improved nutrition and promote sustainable agriculture

SDG2 creates a conceptual link between food security and nutrition as well as sustainable development and specifically sustainable agriculture, which can be related back to the MDGs in terms of "eradicating extreme poverty and hunger".²⁶⁶ This link is created by the influence that agriculture has on food systems and the inevitable effect on food security and the eradication of hunger and malnutrition.²⁶⁷ *Agenda 2030's* vision in terms of SDG2 is to achieve "zero-hunger" by the year 2030 and in terms of shorter term focus the 10-year implementation plan has been established.²⁶⁸ The effective implementation of SDG2 is reliant on eight targets to be achieved by 2030.

264 *Resolution 70/1 Transforming our world: the 2030 Agenda for Sustainable Development* UN GA Res 70/1 UN Doc A/RES/70/1 2015 14.

265 Lisowska 2016 "Sustainable Development Goal 2: joining-up standards for ending hunger" 3, 9; *Resolution 70/1 Transforming our world: the 2030 Agenda for Sustainable Development* UN GA Res 70/1 UN Doc A/RES/70/1 2015 par 73.

266 Lisowska 2016 "Sustainable Development Goal 2: Joining-Up Standards for Ending Hunger" 2; UN "2017 HLPF Thematic Review of SDG2: End Hunger, Achieve Food Security and Improved Nutrition and Promote Sustainable Agriculture" 1; Mollier et al. "SDG2 End Hunger, Achieve Food Security and Improved Nutrition and Promote Sustainable Agriculture" 34.

267 UN "2017 HLPF Thematic Review of SDG2: End Hunger, Achieve Food Security and Improved Nutrition and Promote Sustainable Agriculture" 1.

268 *Resolution 70/1 Transforming our world: the 2030 Agenda for Sustainable Development* UN GA Res 70/1 UN Doc A/RES/70/1 2015 15; UN "2017 HLPF Thematic Review of SDG2: End Hunger 2, Achieve Food Security and Improved Nutrition and Promote Sustainable Agriculture" 1.

Although all of the targets to be achieved are aimed at reaching the same goal, each target focusses on different aspects of ending hunger, achieving food security and improved nutrition, and promoting sustainable agriculture.²⁶⁹ The first target focusses on "ending hunger" which includes that all people and in particular vulnerable people should have access to safe, nutritious food".²⁷⁰ The second of these targets are aimed at improving the nutritional status of all people by eradicating all forms of malnutrition and is also specifically aimed at the measures of malnutrition and hidden hunger relevant to child nutrition.²⁷¹

In terms of agricultural activity it is the aim of *Agenda 2030* to double the agricultural productivity by 2030 which will in turn create a larger supply and availability of food products and through this decrease the prevalence of food insecurity and malnutrition.²⁷² When referring to sustainable agriculture the fourth target in terms of SDG2 is to ensure sustainable food production systems as well as implementing agricultural practices that are resilient to external challenges such as climate change, weather conditions which might be undesirable and any conditions which may negatively impact the soil quality.²⁷³ The fifth target and also related to agricultural methods, is aimed at maintaining a genetically diverse seed and plant variety and that this diversity be managed in a sustainable manner.²⁷⁴ This target should be applied on

269 *Resolution 70/1 Transforming our world: the 2030 Agenda for Sustainable Development* UN GA Res 70/1 UN Doc A/RES/70/1 2015 15; UN "2017 HLPF Thematic Review of SDG2: End Hunger; Mollier et al. "SDG2 End Hunger, Achieve Food Security and Improved Nutrition and Promote Sustainable Agriculture" 34.

270 *Resolution 70/1 Transforming our world: the 2030 Agenda for Sustainable Development* UN GA Res 70/1 UN Doc A/RES/70/1 2015 15; UN "2017 HLPF Thematic Review of SDG2: End Hunger 11; Mollier et al. "SDG2 End Hunger, Achieve Food Security and Improved Nutrition and Promote Sustainable Agriculture" 34.

271 WFP "Enhancing the Evaluability of SDG2" 16; *Resolution 70/1 Transforming our world: the 2030 Agenda for Sustainable Development* UN GA Res 70/1 UN Doc A/RES/70/1 2015 15.

272 Swiderska 2016 <http://pubs.iied.org/17410IIED>; Lisowska 2016 "Sustainable Development Goal 2: Joining-Up Standards for Ending Hunger" 2; *Resolution 70/1 Transforming our world: the 2030 Agenda for Sustainable Development* UN GA Res 70/1 UN Doc A/RES/70/1 2015 15.

273 UN 2017 <https://sustainabledevelopment.un.org/sdg2>; *Resolution 70/1 Transforming our world: the 2030 Agenda for Sustainable Development* UN GA Res 70/1 UN Doc A/RES/70/1 2015 15; UN "2017 HLPF Thematic Review of SDG2: End Hunger, Achieve Food Security and Improved Nutrition and Promote Sustainable Agriculture" 11; Lisowska 2016 "Sustainable Development Goal 2: Joining-Up Standards for Ending Hunger" 6.

274 UN 2017 <https://sustainabledevelopment.un.org/sdg2>; *Resolution 70/1 Transforming our world: the 2030 Agenda for Sustainable Development* UN GA Res 70/1 UN Doc A/RES/70/1 2015 15; UN "2017 HLPF Thematic Review of SDG2: End Hunger, Achieve Food Security and Improved Nutrition and Promote Sustainable Agriculture" 11; Lisowska 2016 "Sustainable Development Goal 2: Joining-Up Standards for Ending Hunger" 6.

national regional and international level in order to provide all with access to a diverse food supply.²⁷⁵

The third set of targets to be achieved by SDG2 are specifically directed at the methods in which the other targets are to be implemented. The first of which entail to increase international investment in agricultural research and methods to be implemented in order to implement the previous three targets.²⁷⁶ The second of these targets provide for the amendments and prevention of trade restrictions in world agriculture markets in order to maintain correct levels of food supply.²⁷⁷ The last measures set out to reach SDG2 is to adopt measures to ensure the proper functioning of food commodity markets and to supply information on these markets and food reserves. The rationale behind this is to be able to monitor the food prices and to be able to measure the ease of access to food in terms of financial means and SDG1.²⁷⁸ Although SDG2 can be described as the most important goal with which food security and nutrition security may be achieved it is also necessary to briefly discuss three other SDGs which will have an influence on food security and nutrition.²⁷⁹

3.4.3 SDG 12: Ensure sustainable consumption and production patterns

Agenda 2030 mentions that SDG12 may be realised by the implementation of a 10-year Framework Programme focussing on sustainable consumption and production

275 *Resolution 70/1 Transforming our world: the 2030 Agenda for Sustainable Development* UN GA Res 70/1 UN Doc A/RES/70/1 2015 16; UN "2017 HLPF Thematic Review of SDG2: End Hunger, Achieve Food Security and Improved Nutrition and Promote Sustainable Agriculture" 11.

276 *Resolution 70/1 Transforming our world: the 2030 Agenda for Sustainable Development* UN GA Res 70/1 UN Doc A/RES/70/1 2015 15; UN "2017 HLPF Thematic Review of SDG2: End Hunger, Achieve Food Security and Improved Nutrition and Promote Sustainable Agriculture" 11; Swiderska 2016 <http://pubs.iied.org/17410IIED>; WFP "Enhancing the Evaluability of SDG2" 15.

277 *Resolution 70/1 Transforming our world: the 2030 Agenda for Sustainable Development* UN GA Res 70/1 UN Doc A/RES/70/1 2015 16; UN "2017 HLPF Thematic Review of SDG2: End Hunger, Achieve Food Security and Improved Nutrition and Promote Sustainable Agriculture" 11; WFP "Enhancing the Evaluability of SDG2" 15.

278 SDG1 focusses on ending poverty in all its forms everywhere and is closely linked to SDG2 due to the fact that if no finances are available to purchase food, food insecurity and malnutrition may follow inevitably See Mollier et al. 2017 "SDG2 End Hunger, Achieve Food Security and Improved Nutrition and Promote Sustainable Agriculture" 36; *Resolution 70/1 Transforming our world: the 2030 Agenda for Sustainable Development* UN GA Res 70/1 UN Doc A/RES/70/1 2015 16; UN "2017 HLPF Thematic Review of SDG2: End Hunger, Achieve Food Security and Improved Nutrition and Promote Sustainable Agriculture" 11; WFP "Enhancing the Evaluability of SDG2" 15.

279 *Resolution 70/1 Transforming our world: the 2030 Agenda for Sustainable Development* UN GA Res 70/1 UN Doc A/RES/70/1 2015 16; Mollier et al. "SDG2 End Hunger, Achieve Food Security and Improved Nutrition and Promote Sustainable Agriculture" 34.

patterns in all countries individually.²⁸⁰ This framework will include targets such as the sustainable management of resources in line with SDG2 and in line with *Agenda 2030*.²⁸¹ In terms of the Framework the focus on SDG12 is on both national and regional level implementation and development of sustainable consumption and production patterns as well as the sustainable management and efficient use of natural resources.²⁸²

In order to achieve this SDG, it is necessary to decrease the amount of food wastage at both retail and consumer levels and to reduce any food losses in food production chains which include post-harvest losses experienced in agriculture and will in turn increase the food availability in terms of food security.²⁸³ It is clear that SDG2 focusses more on the production and nutritional outcomes to reach food security and nutrition objectives and that SDG12 focus more on the processing and the supply of these produced food products. Although these SDGs can be applied to all countries and regions it can be said that the implementation thereof should be tailor made to fit the circumstances of each country and region for optimal results.²⁸⁴

3.4.4 SDG 13: Take urgent action to combat climate change and its impacts

Climate change is one of the external factors which will influence food security in an indirect manner and cannot be controlled by the countries or regions as such. It should however be considered as one of the most important influences on food security and nutrition as it has a great influence on agriculture and the production of nutritious

280 UN 2014 https://sustainabledevelopment.un.org/content/documents/1444HLPF_10YFP2.pdf.

281 Mollier et al. 2017 "SDG2 End Hunger, Achieve Food Security and Improved Nutrition and Promote Sustainable Agriculture" 40; *Resolution 70/1 Transforming our world: the 2030 Agenda for Sustainable Development* UN GA Res 70/1 UN Doc A/RES/70/1 2015 22.

282 UN 2014 https://sustainabledevelopment.un.org/content/documents/1444HLPF_10YFP2.pdf; Mollier et al. 2017 "SDG2 End Hunger, Achieve Food Security and Improved Nutrition and Promote Sustainable Agriculture" 40; *Resolution 70/1 Transforming our world: the 2030 Agenda for Sustainable Development* UN GA Res 70/1 UN Doc A/RES/70/1 2015 22.

283 UN 2014 https://sustainabledevelopment.un.org/content/documents/1444HLPF_10YFP2.pdf; *Resolution 70/1 Transforming our world: the 2030 Agenda for Sustainable Development* UN GA Res 70/1 UN Doc A/RES/70/1 2015 22.

284 Mollier et al. 2017 "SDG2 End Hunger, Achieve Food Security and Improved Nutrition and Promote Sustainable Agriculture" 40; *Resolution 70/1 Transforming our world: the 2030 Agenda for Sustainable Development* UN GA Res 70/1 UN Doc A/RES/70/1 2015 22.

foods.²⁸⁵ In developing countries and in vulnerable communities it is deemed even more important to implement measures to combat climate change due to the vulnerability of the agriculture sector in these areas.²⁸⁶

3.4.5 SDG 14: Conserve and sustainably use the oceans, seas and marine resources for sustainable development

The relevance of SDG14 to food security and nutrition can be found in the nutrition content and variety of diets in the world and according to diets of different cultures.²⁸⁷ However, the advancement of SDG14 is deemed by some writers as a potential threat to the realisation of SDG2 in terms of short-term implementation of the targets set out therein.²⁸⁸ The interrelatedness between SDG14 and SDG14 is considered by Mollier²⁸⁹ who conceives that it is caused by the negative impact that some of the by-products of the agricultural process might have on the ocean economy.

3.5 Conclusion

Upon evaluating the guidelines pertaining to food security and nutrition in *Agenda 2063* as well as *Agenda 2030* it is apparent that the goals to be achieved in these documents align with each other and create a clear understanding of the purpose thereof. The golden thread throughout these documents remain the eradication of hunger through means of incorporating sustainable agricultural methods and thereby pursuing food and nutrition security. This will serve as a baseline for the benchmark of best practice for food security and nutrition in chapter six. Furthermore, the analysis of *Agenda 2063* and *Agenda 2030* was necessary to comprehend what will be analysed in the policy documents of the RECs in chapter four and five.

285 Mollier et al. 2017 "SDG2 End Hunger, Achieve Food Security and Improved Nutrition and Promote Sustainable Agriculture" 40.

286 Mollier et al. 2017 "SDG2 End Hunger, Achieve Food Security and Improved Nutrition and Promote Sustainable Agriculture" 40.

287 Mollier et al. 2017 "SDG2 End Hunger, Achieve Food Security and Improved Nutrition and Promote Sustainable Agriculture" 41.

288 Mollier et al. 2017 "SDG2 End Hunger, Achieve Food Security and Improved Nutrition and Promote Sustainable Agriculture" 41.

289 Mollier et al. 2017 "SDG2 End Hunger, Achieve Food Security and Improved Nutrition and Promote Sustainable Agriculture" 41.

4 Chapter 4: An analysis of existing policies and programmes pertaining to food security and nutrition of Regional Economic Communities of East Africa.

4.1 Introduction

Chapter 3 provided a brief outline of certain guidelines that are contained in *Agenda 2063* and in *Agenda 2030* which focus specifically on achieving global food security and nutrition objectives. These guidelines are to be implemented by the Regional Economic Communities (hereafter RECs) as a method of assistance to the UN and the AU.²⁹⁰ The aim with the establishment of the RECs were to divide Africa into smaller, more manageable areas in which to implement these guidelines.²⁹¹ It will be necessary to outline the purpose and function of the RECs in order to understand how these economic communities are expected to operate.

In this chapter, the various policies and programmes implemented by the RECs in Eastern Africa aiming to achieve guidelines set by *Agenda 2063* and *Agenda 2030* are analysed and compared to establish whether these targets are met. This chapter also focusses on a discussion of the importance and the operation of RECs within the African continent. This will create a better understanding of the importance of the guidelines, in terms of food security and nutrition to be implemented here.

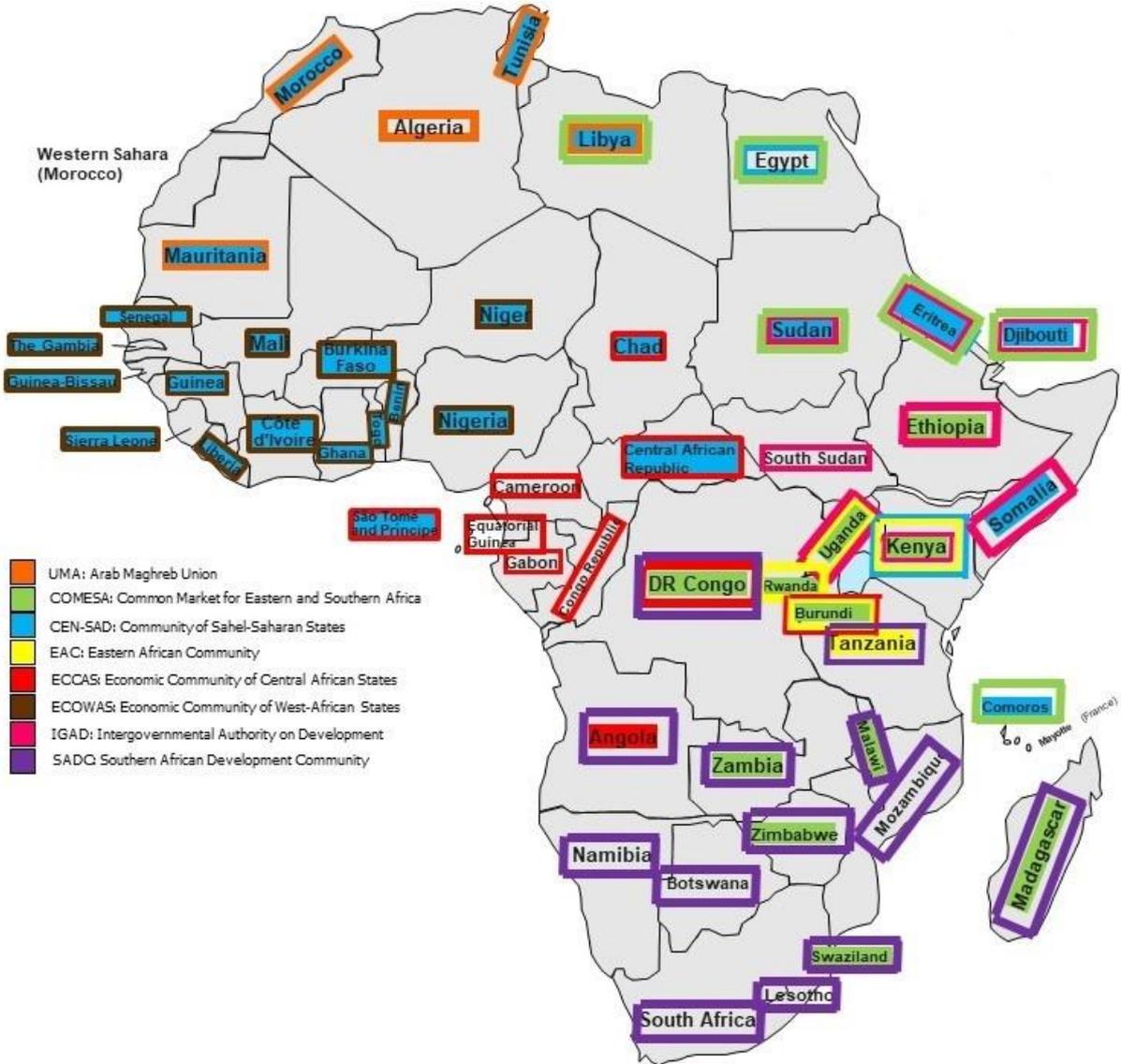
Furthermore, in order to provide the reader with a clearer perspective of the RECs and the areas in which they operate on the African Continent, a map of the continent will be used to illustrate in which regions the applicable RECs' policies find application and to illustrate where these RECs overlap and have more than one area of application in this chapter and in Chapter 5.²⁹²

290 See Chapter 3, paragraph 3.4 above. AU 2015 https://au.int/web/sites/default/files/pages/3657-file-agenda2063_popular_version_en.pdf par 3; A 46 *Treaty Establishing the African Economic Community* (1991).

291 See Chapter 3, paragraph 3.4 above. AU 2015 https://au.int/web/sites/default/files/pages/3657-file-agenda2063_popular_version_en.pdf par 3; A 46 *Treaty Establishing the African Economic Community* (1991).

292 See figure 1: Map of the African Continent depicting membership of RECs.

Figure 1: Map of the African Continent depicting membership of RECs.



4.2 Regional Economic Communities

During 1980 in conjunction with the African Economic Community (AEC), African leaders attempted to develop a regional integration system throughout the continent.²⁹³ This integration system focussed *inter alia* on the integration of economic

293 Hartzenberg *Regional Integration in Africa* 5; De Melo 2017 <https://www.ictsd.org/bridges-news/bridges-africa/news/a-fresh-look-at-africa%e2%80%99s-integration-in-regional-economic>; FAO Date Unknown <http://www.fao.org/docrep/004/y4793e/y4793e0a.htm>.

objectives, safety and security, governance and development in general.²⁹⁴ Furthermore, this integration was initiated with the Lagos Plan of Action (LPA) as an initiative of the Organisation of African Unity (OAU) (which was to later become the AU).²⁹⁵

The LPA was developed to address the rapid population growth in Africa which caused the current food production and agriculture methods to be insufficient and in turn fell short in meeting nutritional requirements.²⁹⁶ The LPA therefore recognised the importance of agriculture, increased production of food as well as the decrease in food wastage that was needed in order to improve the nutritional status of the communities of member states.²⁹⁷ The focus of the LPA was not only on the development of more advanced agricultural methods but also on that of economic and social development of these communities.²⁹⁸ The areas of focus fell on areas including the (a) limitation of food losses, (b) food security, and (c) food production.²⁹⁹ In terms of the food losses the LPA focussed on the reduction of food wasted through the development of incentives to farmers and improved methods of food preservation.³⁰⁰

Moreover, in terms of achieving food security as such, the obligations fell on the member states of the LPA to set up their own national food reserves as well as adopting relevant national food security policies in order to address the problems at hand.³⁰¹ Food production in terms of assisting the decrease of levels of food insecurity, however were directed at the member states' obligations to implement existing regional food

294 De Melo 2017 <https://www.ictsd.org/bridges-news/bridges-africa/news/a-fresh-look-at-africa%e2%80%99s-integration-in-regional-economic;> FAO Date Unknown
<http://www.fao.org/docrep/004/y4793e/y4793e0a.htm>.

295 See paragraph 3.2 above. See also Hartzenberg *Regional Integration in Africa* 5; De Melo 2017 <https://www.ictsd.org/bridges-news/bridges-africa/news/a-fresh-look-at-africa%e2%80%99s-integration-in-regional-economic;> FAO Date Unknown
<http://www.fao.org/docrep/004/y4793e/y4793e0a.htm>.

296 *Lagos Plan of Action for the Economic Development of Africa 1980 - 2000* (1980) para 16.

297 Founou-Tchuigoua 1990 *Food Self-sufficiency" Crisis of the Collective Ideology; Lagos Plan of Action for the Economic Development of Africa 1980 - 2000* (1980) para 17.

298 *Lagos Plan of Action for the Economic Development of Africa 1980 - 2000* (1980) para 18.

299 *Lagos Plan of Action for the Economic Development of Africa 1980 - 2000* (1980) 8-10; Shaw *A History of Food Security from 1945-2007* 253.

300 Shaw *A History of Food Security from 1945-2007* 252; *Lagos Plan of Action for the Economic Development of Africa 1980 - 2000* (1980) 9-10.

301 These strategies included the implementation of early warning systems as well as increased storage facilities for reserve food stocks. See *Lagos Plan of Action for the Economic Development of Africa 1980 - 2000* (1980) 9.

plans.³⁰² The overall objective to be achieved with this was increasing both the quantity and quality of food products resulting in the treatment of malnutrition.³⁰³

The overarching objectives of the LPA was aimed at the promotion of self-sustaining member states which was to result in the decrease of malnutrition across the African continent.³⁰⁴ These objectives were to be attained over a period of 20 years and stages of implementation focussed on the strengthening of the economic communities in terms of economic development, and furthering social integration through the harmonising of policies.

Following the partial implementation of the LPA, RECs were established in terms of the *Abuja Treaty* in 1991, which came into force in 1994 with the objective of achieving economic and social and cultural development on the African continent.³⁰⁵ The *Abuja Treaty* focussed even more on the regional integration in Africa establishing the African Economic Community (AEC) which is referred to by Ruppel³⁰⁶ as the RECs' "umbrella institution" with its framework for continental economic integration.³⁰⁷

The objectives of the *Abuja Treaty* are set out in Article 4 of the treaty and are the following: (a) that resources should be mobilised and utilised; (b) that the standard of living of African people be raised; and that (c) policies amongst regional communities should be harmonised.³⁰⁸ These objectives are to be reached by the strengthening of the current RECs as well as through the conclusion of agreements between member states which will aim at enforcing the objectives of the *Abuja Treaty*.³⁰⁹ The objectives

302 Shaw *A History of Food Security from 1945-2007* 244; *Lagos Plan of Action for the Economic Development of Africa 1980 - 2000* (1980) 9.

303 Shaw *A History of Food Security from 1945-2007* 244; *Lagos Plan of Action for the Economic Development of Africa 1980 - 2000* (1980) 9.

304 Sako *Challenges Facing Africa's Regional Economic Communities in Capacity Building 3*; *Lagos Plan of Action for the Economic Development of Africa 1980 - 2000* (1980) 98-99.

305 Article 4(a) *Treaty Establishing the African Economic Community* (1991); UN 2016 <http://www.un.org/en/africa/osaa/peace/recs.shtml>; *Treaty Establishing the African Economic Community* (1991).

306 Ruppel *Regional Economic Communities and Human Rights* 275.

307 UN 2011 <http://unohrlls.org/meetings-conferences-and-special-events/statement-on-the-work-of-african-regional-economic-communities/>; Sako *Challenges Facing Africa's Regional Economic Communities in Capacity Building 3*.

308 Article 4 *Treaty Establishing the African Economic Community* (1991).

309 Article 4(2) *Treaty Establishing the African Economic Community* (1991); UN 2016 <http://www.un.org/en/africa/osaa/peace/recs.shtml>; *Treaty Establishing the African Economic Community* (1991).

of the *Abuja Treaty* were to be implemented over a period of 34 years, divided up into six different stages with each stage focussing on the strengthening of the RECs and the ultimate integration of the African regions.³¹⁰

The *Abuja Treaty* further specifically focusses on "food and agriculture" in article 46.³¹¹ This emphasises the importance of the RECs to be actively involved with improving food security and implementing sustainable agricultural methods which will eventually result in the harmonisation of food security policies.³¹² In building on the LPA the *Abuja Treaty* strives to harmonise the African agricultural development strategies which should be done through the reduction of food losses and food waste, managing natural disasters, reaching regional food security agreements between RECs, and providing emergency food aid to countries or regions in need.³¹³ These objectives are to be attained by creating and implementing policy documents that will drive the development of food security and nutrition in each of their specific regions of operation.³¹⁴ With the RECs working in close relation with the AU to meet the objectives stated in *Agenda 2063* it can be deduced that one of the common goals among all RECs is the promotion of food security and nutrition on the African continent.

The relationship between the RECs and the AU are mandated not only by the *Abuja Treaty*, but also the AU Constitutive Act.³¹⁵ In addition the *2008 Protocol on Relations between the RECs and the AU*,³¹⁶ and the *Memorandum of Understanding on Cooperation in the Area of Peace and Security between the AU, RECs and the Coordinating Mechanisms of the Regional Standby brigades of Eastern and Northern Africa*,³¹⁷ also guide the relationship between the AU and RECs.³¹⁸ The RECs are

310 Article 6, 28 *Treaty Establishing the African Economic Community* (1991).

311 Article 46 *Treaty Establishing the African Economic Community* (1991).

312 Article 46 *Treaty Establishing the African Economic Community* (1991).

313 Article 46 *Treaty Establishing the African Economic Community* (1991).

314 Article 46 *Treaty Establishing the African Economic Community* (1991).

315 *Constitutive Act of the African Union* (2000) See also Striebinger *Coordination Between the African Union and the Regional Economic Communities* 4.

316 Article 3 AU 2008 <https://caast-net-plus.org/object/document/239/attach/AU-RECs-Protocol.pdf>

317 AU 2008 <http://www.peaceau.org/uploads/mou-au-rec-eng.pdf>.

318 UN 2011 <http://unohrlls.org/meetings-conferences-and-special-events/statement-on-the-work-of-african-regional-economic-communities/>; AU Date Unknown <https://www.au.int/en/organs/rec>.

therefore “increasingly involved in coordinating AU Member State’s interests in wider areas such as peace and security, development and governance.”³¹⁹

Eight RECs³²⁰ are recognised by the UN and together with the New Partnership for Africa's Development (NEPAD), these RECs are responsible for raising the standard of living of people of the five regions of the African continent.³²¹ It is apparent from this section that a continuous thread remained throughout the development of the RECs in that the regional integration amongst African countries and regions were to be considered highly important. It remained imperative throughout the design of the LPA as well as the *Abuja Treaty* that the regions within the African continent should eventually harmonise regional and national policies and in particular policies relating to food security and nutrition.³²²

Within the following chapter as well as in Chapter five, the goal is to critically analyse the policy documents and programmes of the RECs of East and West Africa³²³ respectively pertaining to food security and nutrition and how these policy documents relate to the guidelines set out in *Agenda 2030* and *Agenda 2063*. The RECs that form part of the analysis in both Chapter 4 and 5 respectively are listed below. The focus of Chapter 4 is on the following three RECs:³²⁴

- COMESA: Common Market for Eastern and Southern Africa;
- EAC: East African Community; and
- IGAD: Intergovernmental Authority on Development.

319 AU Date Unknown <https://www.au.int/en/organs/rec>.

320 UMA: Arab Maghreb Union; COMESA: Common Market for Eastern and Southern Africa; CEN-SAD: Community of Sahel-Saharan States; EAC: Eastern African Community; ECCAS: Economic Community of Central African States; ECOWAS: Economic Community of West-African States; IGAD: Intergovernmental Authority on Development; and SADC: Southern African Development Community See Ruppel *Regional Economic Communities and Human Rights* 276-278.

321 UN 2016 <http://www.un.org/sustainabledevelopment/development-agenda/>; Ruppel *Regional Economic Communities and Human Rights* 276; AU 2015 https://au.int/web/sites/default/files/pages/3657-file-agenda2063_popular_version_en.pdf 55-56; Landsberg 2012 <http://www.accord.org.za/ajcr-issues/%EF%BF%BCthe-african-union-and-the-new-partnership-for-africas-development-nepad/>; Sako *Challenges Facing Africa's Regional Economic Communities in Capacity Building* 4.

322 Article 16 *Treaty Establishing the African Economic Community* (1991).

323 To follow in Chapter 5.

324 The RECs here are listed in alphabetical order, and the RECs in this chapter are discussed because they include countries that are mostly situated in the Eastern part of the African continent.

The analysis of the policies and programmes of the RECs that is done in Chapter 5 is on the remaining two RECs as they are relevant to West Africa and are the following:

- CEN-SAD: Community of Sahel-Saharan States; and
- ECOWAS: Economic Community of West-African States.³²⁵

4.3 COMESA: Common Market for Eastern and Southern Africa

4.3.1 Introduction

The Common Market for Eastern and Southern Africa (hereafter COMESA) was established in 1994, following in the footsteps of the Preferential Trade Area for Eastern and Southern Africa (PTA) which had been established in 1981.³²⁶ COMESA was established to address the effective implementation of the previous PTA treaty to establish a common market within the jurisdictional area of the PTA.³²⁷ COMESA as a REC is governed by its founding document, the *Treaty Establishing the Common Market for Eastern and Southern Africa* (1993) (*COMESA Treaty*) which clearly contains the objectives of the REC as well as obligations which member states should achieve in relation to economic integration, development and food security and nutrition objectives.³²⁸ Herein it states that membership to COMESA would be limited to some states which has formed part of the previous PTA but that the REC may also admit a member state if it is a neighbouring state to an existing COMESA member state.³²⁹

325 The current state of food security and nutrition in East and West Africa is a comprehensive topic, which cannot be discussed at a specific moment in time, and will be mentioned and discussed throughout the study and analysis of the various policy documents. See De Melo 2017 <https://www.ictsd.org/bridges-news/bridges-africa/news/a-fresh-look-at-africa%e2%80%99s-integration-in-regional-economic>. Although the first of the two RECs to be discussed in Chapter 5, namely CEN-SAD, also include member states from the Eastern part of the African continent, its policy documents will be analysed here as it is considered one of the RECs with the largest number of member states from both East and West Africa. See CEN-SAD 2017 <http://censad.org/>; Anon 2017 <http://www.polity.org.za/article/africas-regional-economic-communities-the-pieces-assembling-africas-economic-and-security-mosaic-2017-08-02>.

326 Preamble *Treaty Establishing the Common Market for Eastern and Southern Africa* (1993); See Also Madyo *The Importance of Regional Economic Integration in Africa* 78; Ndomo *Regional Economic Communities in Africa a Progress Overview* 30; Ruppel *Regional Economic Communities and Human Rights* 284; 2017 <http://www.comesa.int/overview-of-comesa/>.

327 Madyo *The Importance of Regional Economic Integration in Africa* 78; Ndomo *Regional Economic Communities in Africa a Progress Overview* 30.

328 *Treaty Establishing the Common Market for Eastern and Southern Africa* (1993).

329 Article 1 *Treaty Establishing the Common Market for Eastern and Southern Africa* (1993).

The current member states of COMESA include the following countries located in the eastern and southern part of the African continent: Burundi, Comoros, Democratic Republic of the Congo, Djibouti, Egypt, Eritrea, Ethiopia, Kenya, Libya, Madagascar, Malawi, Mauritius, Rwanda, Seychelles, Sudan, Swaziland, Uganda, Zambia and Zimbabwe.³³⁰ These states are all under the obligation to promote the general aims and objectives of COMESA as contained in Article 3 of the *COMESA Treaty*.³³¹ Member states are expected to conform to the provisions of the *COMESA Treaty* due to the commitment made to the *Abuja Treaty*.³³² These provisions focus on the following: (a) equality and inter-dependence of member states, (b) self-reliance of member states, (c) harmonisation of policies and integration of programmes amongst member states and (d) recognition as well as protection of human rights by these member states.³³³

4.3.2 Aims and objectives of COMESA

The *COMESA Treaty* focusses on six main aims and objectives to be achieved by its member states which also form the basis of all other objectives and programmes implemented by COMESA.³³⁴ These aims and objectives focus primarily on promoting "sustainable economic development" in the formation of an economic trade unit amongst its member states.³³⁵ The first objective is to promote sustainable growth and development within each member state through the harmonisation of the state's production and promotion structures.³³⁶ The second objective includes the improvement of the standard of living of the inhabitants of the member states and promoting joint economic development.³³⁷ The third, fourth and fifth objectives focus

330 COMESA 2017 <http://www.comesa.int/comesa-members-states/>; UNECA 2016 <https://www.uneca.org/oria/pages/comesa-common-market-eastern-and-southern-africa>.

331 Article 5 *Treaty Establishing the Common Market for Eastern and Southern Africa* (1993); UNECA 2016 <https://www.uneca.org/oria/pages/comesa-common-market-eastern-and-southern-africa>.

332 Article 6 *Treaty Establishing the Common Market for Eastern and Southern Africa* (1993).

333 Article 6 *Treaty Establishing the Common Market for Eastern and Southern Africa* (1993).

334 Article 3 *Treaty Establishing the Common Market for Eastern and Southern Africa* (1993); Ruppel *Regional Economic Communities and Human Rights* 285.

335 UNECA 2016 <https://www.uneca.org/oria/pages/comesa-common-market-eastern-and-southern-africa>.

336 Article 3(a) *Treaty Establishing the Common Market for Eastern and Southern Africa* (1993); UNECA 2016 <https://www.uneca.org/oria/pages/comesa-common-market-eastern-and-southern-africa>.

337 Article 3(b) *Treaty Establishing the Common Market for Eastern and Southern Africa* (1993); UNECA 2016 <https://www.uneca.org/oria/pages/comesa-common-market-eastern-and-southern-africa>; Ruppel *Regional Economic Communities and Human Rights* 285.

mainly on research to be done and developments within the fields of technology and economic development within the COMESA region and to co-operate with other RECs in order to achieve international harmony in terms of similar policies.³³⁸ The sixth and last objective in terms of the *COMESA Treaty* entails the contribution that member states of COMESA are to make in order to reach the objectives as set out by the AEC.³³⁹

In terms of objectives specifically relevant to food security and nutrition contained in the *COMESA Treaty*, article 4(5) focusses on the agricultural objectives influencing food security.³⁴⁰ In terms of these agricultural objectives relating to food security member states are expected to (a) co-operate in agricultural development, (b) adopt common agricultural policies, (c) enhance regional food sufficiency, and (d) enhance rural development to name a few sub objectives.³⁴¹ The objectives as set out above can be evaluated against the background of the AU and UN objectives as discussed in Chapter 3.

In terms of a comparison with the objectives of *Agenda 2063*, the *COMESA Treaty* greatly supports the goals to be achieved by *Agenda 2063* focussing on the acceleration of economic growth and integration, reducing poverty, achieving sustainable economic development and increasing the standard of living of all African people.³⁴²

With the specific focus of food security and nutrition in relation to this study, it is important to note that Chapter 18 of the *COMESA Treaty* gives attention to the agricultural and rural development and the importance it holds within COMESA.³⁴³ The

338 Article 3(a-e), 134 *Treaty Establishing the Common Market for Eastern and Southern Africa* (1993); UNECA 2016 <https://www.uneca.org/oria/pages/comesa-common-market-eastern-and-southern-africa>; Ndomo *Regional Economic Communities in Africa a Progress Overview* 30.

339 As discussed earlier in this chapter under paragraph 4.2. Article 3(f) *Treaty Establishing the Common Market for Eastern and Southern Africa* (1993); UNECA 2016 <https://www.uneca.org/oria/pages/comesa-common-market-eastern-and-southern-africa>; Ruppel *Regional Economic Communities and Human Rights* 285.

340 Article 4 *Treaty Establishing the Common Market for Eastern and Southern Africa* (1993).

341 Article 4(5) *Treaty Establishing the Common Market for Eastern and Southern Africa* (1993).

342 Ruppel *Regional Economic Communities and Human Rights* 285; See also SDG2 *Resolution 70/1 Transforming our world: the 2030 Agenda for Sustainable Development* UN GA Res 70/1 UN Doc A/RES/70/1 2015 15; UN "2017 HLPF Thematic Review of SDG2: End Hunger 2, Achieve Food Security and Improved Nutrition and Promote Sustainable Agriculture" 1; See further *Agenda 2063 Aspiration 1 African Union Agenda 2063 Framework Document: The Africa We Want* (2015) vii, 131.

343 *Treaty Establishing the Common Market for Eastern and Southern Africa* (1993) 175-184.

overall focus in terms of the agricultural development is placed on the co-operation of the agricultural sector in achieving regional food security by ways of adopting agricultural policies which will eventually reach this goal.³⁴⁴ The *COMESA Treaty* clearly sets out the objectives to be reached by member states in terms of the agricultural policy in Article 129 in terms of which member states should implement common agricultural policies to ultimately ensure regional food sufficiency.³⁴⁵ This should be done through increased crop production both for domestic consumption as well as for export in terms of the Common Market within COMESA member states.³⁴⁶

In order to achieve the objectives set out by COMESA in Article 129, member states should focus their attention on Article 130 stating that their agricultural policies should be in harmony with those of other COMESA member states and conduct research and exchange technical information accordingly.³⁴⁷ These policies should not only focus on their agricultural production plans but should also include any climate change management and utilisation policies of water resources.³⁴⁸ These objectives are once again aligned with the objectives set out in *Agenda 2063* as well as with MDGs preceding the SDGs in *Agenda 2030*.³⁴⁹ The importance of COMESA's approach to climate change and building a resilience thereto is furthermore also supported by the UN and the SDGs.³⁵⁰ Moreover, the *COMESA Treaty* urges member states to ensure that the supply and availability of food should be adequate and that provision should be made for adequate storage to this effect.³⁵¹ The *COMESA Treaty* also makes mention of the decrease of pre- and post-harvest food losses which will in turn increase the availability of food supply and positively affect the level of food security in member

344 Article 129 *Treaty Establishing the Common Market for Eastern and Southern Africa* (1993).

345 Article 129(a-b) *Treaty Establishing the Common Market for Eastern and Southern Africa* (1993).

346 Article 129(c), 132 *Treaty Establishing the Common Market for Eastern and Southern Africa* (1993).

347 Article 130 *Treaty Establishing the Common Market for Eastern and Southern Africa* (1993).

348 Article 130, 135 *Treaty Establishing the Common Market for Eastern and Southern Africa* (1993).

349 Goal 7 United Nations *Millennium Development Goals* (2000); African Union *Agenda 2063 Framework Document: The Africa We Want* (2015) 145.

350 See paragraph 3.4 above. See also United Nations *Framework Convention on Climate Change* (1992); See also SDG13 *Resolution 70/1 Transforming our world: the 2030 Agenda for Sustainable Development* UN GA Res 70/1 UN Doc A/RES/70/1 2015 par 30-31; Mollier et al. 2017 "SDG2 End Hunger, Achieve Food Security and Improved Nutrition and Promote Sustainable Agriculture" 40.

351 Article 131 *Treaty Establishing the Common Market for Eastern and Southern Africa* (1993).

states.³⁵² These objectives are once again a reiteration of the SDGs contained in *Agenda 2030* which effects implementation of the SDGs on regional level.³⁵³

4.3.3 Programmes aimed at food security and nutrition

In its effort to implement the *COMESA Treaty* and in reaching the objectives contained therein, COMESA has implemented various programmes with the primary goal of reaching those food security and nutrition objectives.³⁵⁴ In 2002 COMESA drafted the Regional Programme for Food Security (RPFS) in collaboration with FAO which was to be implemented across all COMESA member states.³⁵⁵ COMESA's objective with the RPFS was to combine the strengths of the member states within its region in order to utilise the full development potential available.³⁵⁶ In terms of the RPFS one of the main objectives of COMESA was to reach a level of regional, national, and household food security and to coordinate their efforts with those of other RECs in order to maximise the affect.³⁵⁷ In its rationale for the regional approach to food security, COMESA mentioned that although most of the food security problems may be solved at national level, some instances remain where a regional approach would be the only effective way in which to effect change.³⁵⁸

In continuing with developments of the RPFS, COMESA further discussed the importance of the need to follow a regional approach to food security and to stimulate regional agricultural growth in order to reach the food security objectives as set out in the MDGs in 2009.³⁵⁹ During this discussion it was stated that the proper management of national food surpluses required the existence of a regional framework or policy to assist in the distribution of these surpluses.³⁶⁰ It was as a result of this discussion that

352 Article 131 *Treaty Establishing the Common Market for Eastern and Southern Africa* (1993).

353 See paragraph 3.4 above. See also UN 2014 https://sustainabledevelopment.un.org/content/documents/1444HLPF_10YFP2.pdf; *Resolution 70/1 Transforming our world: the 2030 Agenda for Sustainable Development* UN GA Res 70/1 UN Doc A/RES/70/1 2015 22.

354 Siame 2014 <https://www.tralac.org/news/article/5991-comesa-acts-on-food-security.html>.

355 *COMESA Regional Policy for Food Security* (2002).

356 *COMESA Regional Policy for Food Security* (2002) para 5.

357 *COMESA Regional Policy for Food Security* (2002) para 10.

358 *COMESA Regional Policy for Food Security* (2002) par 24-26.

359 *COMESA Staple Food Trade in the COMESA Region 1*.

360 *COMESA Staple Food Trade in the COMESA Region 1*, 9.

COMESA consulted with stakeholders³⁶¹ through the *Food, Agriculture and Natural Resources Policy Analysis Network (FANRPAN)* in order to compile a draft regional food security policy that would adhere to CAADP principles and which would focus *inter alia* on food security, the increase of food production and utilisation of wasted food products across the COMESA region.³⁶² It was due to the consistent demand of the COMESA Ministers of Agriculture that the development of a regional compact was considered as a priority area within the region.³⁶³ One of the main areas of focus of this regional compact was deemed to be the enhanced regional integration as well as the attainment of "sustainable food security".³⁶⁴

The rationale for the development of a regional plan to address similar issues that would be addressed by a CAADP national plan was laid out by COMESA for the following two reasons. Firstly, COMESA was of the opinion that the nature of the political borders of countries within the COMESA region was of such a design that the food surpluses was frequently distributed across the region, decreasing the prospect of food security.³⁶⁵ Therefore, a regional approach to the distribution of surplus food products would aid in diffusing this situation.³⁶⁶ Secondly, COMESA considered the advantages of research to be done across countries within the region and the technological advancements to assist in achieving regional economic growth through collaboration

361 Stakeholders included the following: COMESA Secretariat, COMESA Ministers of Agriculture, Private sector within the region, Farmers organisations, Regional research institutions within the region, Regional policy institutions and Regional investment institutions. See FANRPAN *COMESA Regional -CAADP Compact* 7-8.

362 FANRPAN *COMESA Regional CAADP Compact* 6; Rampa et al. *Regional Approaches to Food Security in Africa: The CAADP and Other Policies and Programmes in COMESA* vi; FANRPAN 2010 <http://www.fanrpan.org/archive/documents/d00996/>;

363 Rampa 2012 <http://ecdpm.org/great-insights/more-effective-efficient-public-expenditure/food-security-eastern-southern-africa-comesa-tripartite/>; FANRPAN *COMESA Regional CAADP Compact* 6, 9; Rampa et al. *Regional Approaches to Food Security in Africa: The CAADP and Other Policies and Programmes in COMESA* 4-5.

364 The basis for the main objective of the regional compact was found in Article 129 of the *COMESA Treaty* in which the aim was to achieve food self-sufficiency and increased agricultural productivity. See Article 130 *Treaty Establishing the Common Market for Eastern and Southern Africa* (1993); See also FANRPAN *COMESA Regional CAADP Compact* 7, 10.

365 Rampa 2012 <http://ecdpm.org/great-insights/more-effective-efficient-public-expenditure/food-security-eastern-southern-africa-comesa-tripartite/>; FANRPAN *COMESA Regional CAADP Compact* 11-12, 14.

366 Rampa et al. *Regional Approaches to Food Security in Africa: The CAADP and Other Policies and Programmes in COMESA* 1.

amongst national agricultural sectors.³⁶⁷ Although these two reasons for aiming at implementing a regional compact which focus *inter alia* on food security could be considered as a necessary step in reaching the MDGs and the objectives relating to food security and nutrition in *Agenda 2063*, some writers and stakeholders are of the opinion that the drafting of this compact in 2010 was premature.³⁶⁸ Rampa³⁶⁹ wrote that COMESA should first focus on the implementation within its own region before a Tripartite regional compact should be considered.³⁷⁰

In 2014 reports of improvement in terms of the food security situation in member states of COMESA were widespread with the FAO reporting significant improvement.³⁷¹ Some of the most recent programmes developed by COMESA in terms of food security and nutrition focus on the distribution of quality seed among member states in an effort to positively impact the food security levels within the region.³⁷² The "domestication of harmonised seed trade regulations within COMESA" has been implemented on national level within the COMESA region in order to provide farmers with the opportunity of producing the most possible staple food products with the best quality seed.³⁷³ COMESA's aim with the domestication of seed policy is to ensure

367 Rampa 2012 <http://ecdpm.org/great-insights/more-effective-efficient-public-expenditure/food-security-eastern-southern-africa-comesa-tripartite/>; FANRPAN *COMESA Regional CAADP Compact* 12.

368 Rampa 2012 <http://ecdpm.org/great-insights/more-effective-efficient-public-expenditure/food-security-eastern-southern-africa-comesa-tripartite/>.

369 Rampa 2012 <http://ecdpm.org/great-insights/more-effective-efficient-public-expenditure/food-security-eastern-southern-africa-comesa-tripartite/>; Rampa et al. *Regional Approaches to Food Security in Africa: The CAADP and Other Policies and Programmes in COMESA* viii.

370 The Tripartite is a project process currently under development for establishing a Free Trade Area "from Cape to Cairo", bringing together the regional markets of COMESA, the East African Community (EAC), and the Southern African Development Community (SADC). See Rampa 2012 <http://ecdpm.org/great-insights/more-effective-efficient-public-expenditure/food-security-eastern-southern-africa-comesa-tripartite/>; See also Rampa et al. *Regional Approaches to Food Security in Africa: The CAADP and Other Policies and Programmes in COMESA* vii, 3

371 Bucyensenge 2014 <http://www.newtimes.co.rw/section/read/183072/>.

372 Implementation of the Domestication of seed programme has commenced in January 2015 and has been implemented by five countries in terms of their national legislation within the COMESA region. See COMESA 2017 <http://www.comesa.int/country-harmonized-comesa-seed-regulations-have-been-launched/>.

372 COMESA 2017 <http://www.comesa.int/country-harmonized-comesa-seed-regulations-have-been-launched/>; Mashiri 2017 <http://spiked.co.zw/comesa-seed-regulation-to-improve-food-security/>; Anon 2015 <http://www.chronicle.co.zw/comesa-sets-up-committee-to-improve-food-security/>.

373 Implementation of the Domestication of seed programme has commenced in January 2015 and has been implemented by five countries in terms of their national legislation within the COMESA region. See COMESA 2017 <http://www.comesa.int/country-harmonized-comesa-seed-regulations-have-been-launched/>.

consistent improvement in staple food production and to be able to utilise the surpluses produced on national level in the COMESA region to decrease the levels of food insecurity.³⁷⁴

The programmes mentioned in this section show that COMESA has indeed attempted to implement the objectives aimed at reaching a food secure Africa and have focussed greatly on the development of the agricultural sector within the COMESA region. It is however clear that progress should be made within the COMESA region itself before any attempts should be made at implementing a larger programme incorporating multiple RECs in one food security compact.³⁷⁵

4.4 EAC: East African Community

4.4.1 Introduction

The East African Community (EAC) was initially founded in 1967 but it was dissolved a year later.³⁷⁶ After the EAC was dissolved the Heads of State from Kenya, Tanzania and Uganda negotiated the "Permanent Tripartite Commission for East African Co-operation" which was established in 1993 and effectively launched in 1996 using the EAC's headquarters in Tanzania.³⁷⁷ A year later the Permanent Tripartite Commission initiated discussions to proceed to establish the EAC once again, upgrading the Commission into a treaty.³⁷⁸ The discussions lead to the acceptance and signing of the *Treaty for the Establishment of the East African Community*³⁷⁹ (EAC Treaty) in Tanzania in 1999.³⁸⁰ The EAC was finally established again after the *EAC Treaty*

374 COMESA 2017 <http://www.comesa.int/country-harmonized-comesa-seed-regulations-have-been-launched/>; Mashiri 2017 <http://spiked.co.zw/comesa-seed-regulation-to-improve-food-security/>; Anon 2015 <http://www.chronicle.co.zw/comesa-sets-up-committee-to-improve-food-security/>.

375 Rampa 2012 <http://ecdpm.org/great-insights/more-effective-efficient-public-expenditure/food-security-eastern-southern-africa-comesa-tripartite/>; Rampa et al. *Regional Approaches to Food Security in Africa: The CAADP and Other Policies and Programmes in COMESA* viii.

376 UNECA 2017 <https://www.uneca.org/oria/pages/eac-%E2%80%93-east-african-community>; Grail Research 2012 http://www.integreon.com/pdf/Blog/Grail-Research-The-East-African-Community_239.pdf.

377 EAC 2017 <https://www.eac.int/eac-history>; AU date unknown <https://www.au.int/en/organs/recs>.

378 UNECA 2017 <https://www.uneca.org/oria/pages/eac-%E2%80%93-east-african-community>; EAC 2017 <https://www.eac.int/eac-history>.

379 *Treaty for the Establishment of the East African Community* (2007).

380 UNECA 2017 <https://www.uneca.org/oria/pages/eac-%E2%80%93-east-african-community>.

entered into force on 7 July 2000, following the ratification of the treaty by all three Heads of State initialising the re-establishment of the EAC.³⁸¹ The EAC was established with the overarching objectives of establishing a Common Market, Customs Union and Monetary Union within the Eastern African region.³⁸²

The EAC refers to the members of their Community as "Partner States" in the definitions of the *EAC Treaty* as well as in Article 3³⁸³ thereof and the term is therefore used in the discussion of the EAC, its aims and objectives as well as the food security and nutrition programmes drafted or implemented by the EAC. At present the EAC has six Partner States including the initial three Partner States. These Partner States are the Republic of Uganda, the Republic of Kenya, the United Republic of Tanzania, as well as the more recent Partner States being the Republic of Rwanda and the Republic of Burundi (who acceded to the *EAC Treaty* in 2007) with the newest Partner State, the Republic of South Sudan who acceded to the *EAC Treaty* in 2016.³⁸⁴ The *EAC Treaty* determines furthermore that the membership to the EAC would not be limited to the current Partner States, but that the Partner State may negotiate the membership of other states within the EAC region to be admitted as Partner State.³⁸⁵

The *EAC Treaty* does however make provision for certain conditions to be met by a foreign state intending to accede to the *EAC Treaty* which include (a) acceptance by the EAC, (b) that the foreign state should adhere to the principles as set out in the *EAC Treaty*, (c) that the foreign state would be able to potentially contribute to the strengthening of the EAC, (d) that the foreign state should be in the same geographical region as the existing Partner States, (e) the existence of a market driven economy

381 The three states who initialised the re-establishment of the EAC was the three states forming part of the Permanent Tripartite Commission for East African Co-operation namely Kenya, Tanzania and Uganda. See EAC 2017 <https://www.eac.int/eac-history>; UNECA 2017 <https://www.uneca.org/oria/pages/eac-%E2%80%93-east-african-community>; EAC 2017 <http://www.eac.int/about/overview>.

382 See Article 2 *Treaty for the Establishment of the East African Community* (2007); UNECA 2017 <https://www.uneca.org/oria/pages/eac-%E2%80%93-east-african-community>; Grail Research 2012 http://www.integreon.com/pdf/Blog/Grail-Research-The-East-African-Community_239.pdf.

383 See Article 3 *Treaty for the Establishment of the East African Community* (2007).

384 See Article 3 *Treaty for the Establishment of the East African Community* (2007); See also EAC 2017 <https://www.eac.int/eac-history>; UNECA 2017 <https://www.uneca.org/oria/pages/eac-%E2%80%93-east-african-community>; EAC 2017 <http://www.eac.int/about/overview>; Grail Research 2012 http://www.integreon.com/pdf/Blog/Grail-Research-The-East-African-Community_239.pdf; AU date unknown <https://www.au.int/en/organs/recs>.

385 See Article 3 *Treaty for the Establishment of the East African Community* (2007).

within the foreign state and (f) compatible existing social and economic policies within the foreign state.³⁸⁶ Moreover the current Partner States as well as any foreign states to accede to the *EAC Treaty* should adhere to the objectives of the EAC as set out in Article 5 of the *EAC Treaty* which are discussed shortly.³⁸⁷

4.4.2 Aims and objectives of the EAC

The EAC's objectives are specifically stated in Article 5 of the *EAC Treaty* and should be considered as principles which will enhance policy harmonisation and integration across the EAC region by all the Partner States of the Community.³⁸⁸ The objectives as listed in the *EAC Treaty* are discussed briefly in this section against the background of *Agenda 2063* to be implemented across the African continent. The first objective to be reached is the "attainment of sustainable growth and development of the Partner States".³⁸⁹ The *EAC Treaty* provides for the progress in terms of the first goal to be met through the development within the partner states to take place in a more balanced and harmonious manner.³⁹⁰ The first objective is in line with the objectives as set out in *Agenda 2063* where sustainable growth of economic, social and political sectors are to be achieved throughout the implementation of *Agenda 2063* and more specifically through the implementation of modernising agricultural methods in the achievement of food security.³⁹¹

The second objective in Article 5³⁹² (which is to be considered relevant to discuss in terms of its relation food security and nutrition in this study and in terms its correspondence to *Agenda 2063*) is the development which is to take place within Partner States. The specific development mentioned in the *EAC Treaty* is aimed at the

386 See Article 3(3) *Treaty for the Establishment of the East African Community* (2007); AU date unknown <https://www.au.int/en/organs/recs>.

387 Article 5 *Treaty for the Establishment of the East African Community* (2007).

388 Article 5 *Treaty for the Establishment of the East African Community* (2007); Grail Research 2012 http://www.integreon.com/pdf/Blog/Grail-Research-The-East-African-Community_239.pdf; See Also UNECA 2017 <https://www.uneca.org/oria/pages/eac-%E2%80%93-east-african-community>; AU date unknown <https://www.au.int/en/organs/recs>.

389 Article 5(3)(a) *Treaty for the Establishment of the East African Community* (2007); See Also UNECA 2017 <https://www.uneca.org/oria/pages/eac-%E2%80%93-east-african-community>.

390 AU date unknown <https://www.au.int/en/organs/recs>; UNECA 2017 <https://www.uneca.org/oria/pages/eac-%E2%80%93-east-african-community>.

391 African Union *Agenda 2063 Framework Document: The Africa We Want* (2015) 142-143.

392 Article 5(3)(b) *Treaty for the Establishment of the East African Community* (2007).

economic sectors of Partner States which would in turn increase the standard and quality of life of their communities.³⁹³ This second objective corresponds well with the first aspiration contained in *Agenda 2063* which focusses on the shared prosperity among nations of the African continent to be achieved through *inter alia* economic development.³⁹⁴ *Agenda 2063's* first aspiration, like the second EAC objective also focus on the increase in the standard of life of the community and the enhanced quality of life that goes hand in hand with development.³⁹⁵

The third relevant EAC objective is the sustainable use of all Partner States' natural resources in order to protect the natural environment within the Partner States.³⁹⁶ This third objective is also a resonating example of implementing sustainable development practices in agreement with *Agenda 2063* in terms of its first aspiration as discussed above.³⁹⁷ Moreover, the three objectives from the *EAC Treaty* discussed finds similar importance in terms of the SDG's and more specifically coincides with SDG2 as discussed in more detail in Chapter 3.³⁹⁸ The *EAC Treaty* makes specific mention that the Partner States to the treaty should plan and direct the relevant policies in terms of the objectives mentioned in the treaty within their own jurisdictions.³⁹⁹ Furthermore, the Partner States are required to implement any such legislation necessary within 12 months of acceding to the treaty.⁴⁰⁰ This can be seen as a depiction of the seriousness that the EAC has with the implementation of its objectives and the burden on the Partner States to effect the *EAC Treaty* within their jurisdictions.

393 Article 5(3)(b) *Treaty for the Establishment of the East African Community* (2007); See Also UNECA 2017 <https://www.uneca.org/oria/pages/eac-%E2%80%93-east-african-community>.

394 See paragraph 3.3.1 above. See also African Union *Agenda 2063 Framework Document: The Africa We Want* (2015) 2.3.

395 *Agenda 2063* however goes further to explain that the standard of life is to be increased through the decrease of hunger among the nations. See African Union *Agenda 2063 Framework Document: The Africa We Want* (2015) vii.

396 Article 5(3)(c) *Treaty for the Establishment of the East African Community* (2007); See Also UNECA 2017 <https://www.uneca.org/oria/pages/eac-%E2%80%93-east-african-community>.

397 See paragraph 3.3.1 above. See also African Union *Agenda 2063 Framework Document: The Africa We Want* (2015) 142-143.

398 See Section 3.4.2 above. See also UN 2017 <https://sustainabledevelopment.un.org/sdg2>; *Resolution 70/1 Transforming our world: the 2030 Agenda for Sustainable Development* UN GA Res 70/1 UN Doc A/RES/70/1 2015 15; UN "2017 HLPF Thematic Review of SDG2: End Hunger, Achieve Food Security and Improved Nutrition and Promote Sustainable Agriculture" 11; Lisowska 2016 "Sustainable Development Goal 2: Joining-Up Standards for Ending Hunger" 6.

399 Article 8(1) *Treaty for the Establishment of the East African Community* (2007).

400 Article 8(2) *Treaty for the Establishment of the East African Community* (2007).

In terms of objectives specifically aimed at food security and nutrition, like those contained in the *EAC Treaty*, the overall focus falls on Chapter 18 of the treaty.⁴⁰¹ The *EAC Treaty's* overarching objective in terms of food security and nutrition is set out in Article 105⁴⁰² and demands the involvement of all Partner States' agricultural sectors in the attainment of food security as objective coupled with rational levels of production of food products.⁴⁰³ Partner States are further required to adopt domestic policies aimed at achieving the general objective of the EAC as contained in Article 3 of the *EAC Treaty* by aiming their focus on sustainable agriculture development in order to ensure the following four objectives.⁴⁰⁴ The Partner States are to ensure that a common agriculture policy can be implemented across the EAC region which will in turn ensure food sufficiency in the community.⁴⁰⁵ Furthermore, Partner States are under the obligation to ensure that an increase in production would take place, both domestically and throughout the EAC region, and lastly the Partner States are required to preserve any post-harvest surpluses through improving any possible food preservation methods.⁴⁰⁶

The remainder of Chapter 18 of the *EAC Treaty* focusses its attention on the methods in which the required agricultural growth should take place by specifically putting guidelines in place for "seed multiplication and distribution",⁴⁰⁷ "livestock multiplication and distribution",⁴⁰⁸ "plant and animal disease control"⁴⁰⁹ and "irrigation and water catchments management".⁴¹⁰ Moreover, the last article contained in Chapter 18 draws specific attention to food security.⁴¹¹ The special consideration awarded to food security in the founding document may be interpreted as the importance that the EAC has attached to the attainment of food security and in turn to all food security

401 Chapter 18 *Treaty for the Establishment of the East African Community* (2007) Article 105-110; *EAC Food Security Action Plan (2011-2015)* 3.

402 Article 105(1) *Treaty for the Establishment of the East African Community* (2007).

403 *EAC Food Security Action Plan (2011-2015)* 3; Article 105(1) *Treaty for the Establishment of the East African Community* (2007).

404 Article 105(1) *Treaty for the Establishment of the East African Community* (2007).

405 Article 105(1) (a-b) *Treaty for the Establishment of the East African Community* (2007); See also Article 105(2) *Treaty for the Establishment of the East African Community* (2007).

406 Article 105(1) (c-d) *Treaty for the Establishment of the East African Community* (2007).

407 Article 106 *Treaty for the Establishment of the East African Community* (2007).

408 Article 107 *Treaty for the Establishment of the East African Community* (2007).

409 Article 108 *Treaty for the Establishment of the East African Community* (2007).

410 Article 109 *Treaty for the Establishment of the East African Community* (2007).

411 Article 110 *Treaty for the Establishment of the East African Community* (2007).

objectives. Partner States of the EAC are required to establish methods with which information regarding available food supply, demand, surpluses and deficits may be shared with other Partner States in the region.⁴¹² Furthermore, Partner States are under the obligation of establishing policies aimed at achieving food security and nutrition in their jurisdiction in harmony with the other Partner States in the EAC region.⁴¹³

Although the focus of the EAC in terms of food security objectives may be admirable, very little focus is placed on the development of the nutrition aspect of food security and nutrition as was clear from the research done.⁴¹⁴ The *EAC Treaty* focusses on nutrition in Article 118 of the treaty in demanding that Partner States should "promote the development of good nutritional standards and the popularisation of indigenous foods".⁴¹⁵ Upon analysis of these food security objectives as they are contained in the *EAC Treaty*, a correlation can once again be found between *Agenda 2063* as well as *Agenda 2030* in terms of food security and nutrition objectives.⁴¹⁶ Both of these agendas focus on the improvement of agricultural practice in order to increase the food production and supply, much like the objectives as stated in the *EAC Treaty* and discussed in this section.⁴¹⁷ Moreover, the focus on the increase in food production and supply also correlated with the objectives as set out in *Agenda 2063* focussing on the improvement of sustainable consumption and production patterns.⁴¹⁸ When considering *Agenda 2030* the adherence to the specific goal set out herein by the *EAC Treaty* are even more on point. The EAC focus on the sustainability of food supply as

412 Article 110(a) *Treaty for the Establishment of the East African Community* (2007).

413 Article 110(d) *Treaty for the Establishment of the East African Community* (2007). Other objectives in terms of food security include (a) harmonising quality standards of food products, (b) developing methods to have relevant information regarding market prices of food, (c) maintaining strategic food reserves and (d) developing aquaculture farming. See Article 110(b, c, e, f) *Treaty for the Establishment of the East African Community* (2007).

414 See paragraphs 3.3.2 and 3.3.3 above.

415 Article 118(h) *Treaty for the Establishment of the East African Community* (2007).

416 See chapter 3 above.

417 UN 2017 <https://sustainabledevelopment.un.org/sdg2>; *Resolution 70/1 Transforming our world: the 2030 Agenda for Sustainable Development* UN GA Res 70/1 UN Doc A/RES/70/1 2015 15; UN "2017 HLPF Thematic Review of SDG2: End Hunger, Achieve Food Security and Improved Nutrition and Promote Sustainable Agriculture" 11; Lisowska 2016 "Sustainable Development Goal 2: Joining-Up Standards for Ending Hunger" 6. See also African Union *Agenda 2063 Framework Document: The Africa We Want* (2015) 7,145.

418 African Union *Agenda 2063 Framework Document: The Africa We Want* (2015) 7, 145.

well as the quality of the food supplied and consumed which is in line with the objectives as stated in *Agenda 2030*.⁴¹⁹ The adherence to *Agenda 2030* can further be noted in terms of the methods with which the EAC attempts to decrease the food wastage as well as the reduction of post-harvest food losses which will increase the available food supply and increase the prevalence of food security within the region.⁴²⁰ In short, after the analysis of the adherence to *Agenda 2063* and *Agenda 2030* the EAC, through the *EAC Treaty* can be considered to effectively incorporate important food security and nutrition objectives.

4.4.3 Programmes aimed at food security and nutrition

From the discussion of the EAC thus far it can be said that the EAC has had a continuous focus on the agricultural development within the region.⁴²¹ With this in mind the EAC developed various strategies and action plans to achieve the goals as set out in the *EAC Treaty* relating to food security and nutrition as well as agricultural development. Two of these programmes are shortly discussed next providing an overview of the policies implemented by the EAC. The first programme to be discussed is the "4th EAC Development Strategy".⁴²² Although this programme did not focus its attention explicitly on the attainment of food security, it determined in its sixth objective that sustainable production was to be achieved in production sectors.⁴²³ The programme further identified broad priority areas of focus during the implementation of the programme from 2011 to 2015, one of which included the agricultural sector and specifically mentioned the improvement in food security within the EAC region.⁴²⁴ Moreover the programme made specific mention of methods with which the objectives within its priority area should be reached and included the availability of "regional

419 FAO *Sustainable Development Goals: Goal 2; Resolution 70/1 Transforming our world: the 2030 Agenda for Sustainable Development* UN GA Res 70/1 UN Doc A/RES/70/1 2015 15. See Also Article 110 *Treaty for the Establishment of the East African Community* (2007).

420 UN 2014 https://sustainabledevelopment.un.org/content/documents/1444HLPF_10YFP2.pdf; *Resolution 70/1 Transforming our world: the 2030 Agenda for Sustainable Development* UN GA Res 70/1 UN Doc A/RES/70/1 2015 22. See Also Article 110 *Treaty for the Establishment of the East African Community* (2007).

421 Levard and Pautrizel *Agricultural and Food Security Policies and Small-Scale Farmers in the EAC* 11.

422 *Agricultural and Rural Development Policy for the East African Community* (2006).

423 Levard and Pautrizel *Agricultural and Food Security Policies and Small-Scale Farmers in the EAC* 11; *Agricultural and Rural Development Policy for the East African Community* (2006) 63.

424 *Agricultural and Rural Development Policy for the East African Community* (2006) 63.

market information and early warning systems" which is similarly mentioned in *Agenda 2030* as methods of achieving SDG2 and consequently attaining food security.⁴²⁵

In more recent developments the EAC has developed another programme, following the "4th EAC Development Strategy".⁴²⁶ The second programme to be discussed focusses its attention mainly on the achievement of a state of food security within the EAC region.⁴²⁷ The EAC launched the "EAC Food Security Action Plan 2011-2015" (FSAP) in 2010 with its priority areas identified clearly as agriculture and food security.⁴²⁸ The FSAP was divided up into four sections which describe the (a) background to the development of the FSAP, (b) the context in which the FSAP will be implemented, (c) the defined priority areas contained in the FSAP, and (d) detailed actions plans to reach the objectives of the FSAP.⁴²⁹ The FSAP further established that the implementation thereof across the EAC region will take place through continuous collaboration between the EAC Secretariat and the Partner States together with detailed annual progress analysis.⁴³⁰ It was apparent from analysing the first section of the FSAP that extensive research was done by the EAC in order to compile and launch the FSAP. Although the FSAP was not a CAADP programme as such, it aimed to combine the objectives set by CAADP with the MDGs as well as the SDGs, in order to create a longer-term food security plan to be implemented across the region.⁴³¹

To grasp what the focus of the FSAP was, it is necessary to make mention of the priority areas and objectives which the FSAP identified.⁴³² The first priority area to be

425 Levard and Pautrizel *Agricultural and Food Security Policies and Small Scale Farmers in the EAC* 11-12; *Agricultural and Rural Development Policy for the East African Community* (2006) 63-64 ; See Mollier et al. 2017 "SDG2 End Hunger, Achieve Food Security and Improved Nutrition and Promote Sustainable Agriculture" 36; *Resolution 70/1 Transforming our world: the 2030 Agenda for Sustainable Development* UN GA Res 70/1 UN Doc A/RES/70/1 2015 16; UN "2017 HLPF Thematic Review of SDG2: End Hunger, Achieve Food Security and Improved Nutrition and Promote Sustainable Agriculture" 11; WFP "Enhancing the Evaluability of SDG2" 15.

426 *Agricultural and Rural Development Policy for the East African Community* (2006).

427 Levard and Pautrizel *Agricultural and Food Security Policies and Small-Scale Farmers in the EAC* 13.

428 *EAC Food Security Action Plan 2011-2015* (2010).

429 *EAC Food Security Action Plan 2011-2015* (2010) 3.

430 *EAC Food Security Action Plan 2011-2015* (2010) 3.

431 *EAC Food Security Action Plan 2011-2015* (2010) 4.

432 *EAC Food Security Action Plan 2011-2015* (2010) para 3.

mentioned is the "provision of enabling policy, legal and institutional framework".⁴³³ In achieving the outcomes as set out by the first priority area the FSAP identifies the first objective with methods of reaching these goals.⁴³⁴ This objective identifies the priority area as a tool for creating a unified approach to enhance food security within the region.⁴³⁵ The action plans identified in the fourth section of the FSAP identified actions such as the development of regional food security and nutrition policies, analysing food security and nutrition issues in the region, revision of current policies within the region and creating more public awareness as part of the ways in which this objective may be reached.⁴³⁶

The second priority area focusses on a further aspect of food security and nutrition namely the adequate quantity as well as quality of food available to be increased.⁴³⁷ The objectives linked to this priority area focus mostly on the agricultural aspect of food security and nutrition and aims to decrease food losses and to increase agricultural productivity in order to ensure that adequate quantities are available for consumption.⁴³⁸ In attempts to reach these objectives, the FSAP aims to reduce losses by 30%, with specific reference to post-harvest losses to be reduced by 20% as well as the reduction in the amount of food wasted by at least 20% all of which were to be reached by 2015.⁴³⁹ The results in terms of this objective was to be measured by food information systems providing the EAC with valuable information in terms of the trade market as well as production statistics.⁴⁴⁰ The FSAP further focussed its attention on the second priority area by including an extensive action plan, not only focussing on

433 *EAC Food Security Action Plan 2011-2015* (2010) para 3.1; Levard and Pautrizel *Agricultural and Food Security Policies and Small-Scale Farmers in the EAC* 13.

434 *Food Security Action* Levard and Pautrizel *Agricultural and Food Security Policies and Small-Scale Farmers in the EAC* 13.

435 *EAC Food Security Action Plan 2011-2015* (2010) 21; Levard and Pautrizel *Agricultural and Food Security Policies and Small-Scale Farmers in the EAC* 13.

436 *EAC Food Security Action Plan 2011-2015* (2010) 13, 23-26; Levard and Pautrizel *Agricultural and Food Security Policies and Small-Scale Farmers in the EAC* 13-14

437 *EAC Food Security Action Plan 2011-2015* (2010) para 3.2.

438 *EAC Food Security Action Plan 2011-2015* (2010) para 3.2; Levard and Pautrizel *Agricultural and Food Security Policies and Small-Scale Farmers in the EAC* 14.

439 Levard and Pautrizel *Agricultural and Food Security Policies and Small-Scale Farmers in the EAC* 14.

440 *EAC Food Security Action Plan 2011-2015* (2010) 27-35; Levard and Pautrizel *Agricultural and Food Security Policies and Small-Scale Farmers in the EAC* 14-15.

the constant collection of information regarding food loss, production and wastage but also in terms of sustainable agricultural methods to be applied.⁴⁴¹

The third priority area continues to focus on the definition of food security in attempting to improve the access to food.⁴⁴² In terms of this priority area the objectives included, which form the basis of the focus of the FSAP action plans regarding the third priority area, focus on both the improvement of the physical access to food as well as the enhanced purchasing power of the communities within the EAC region in order to improve the economic access to food.⁴⁴³ The access to food was to be enhanced in the physical dimension through the improvement of infrastructure, improved agricultural markets, electricity advancements and developmental programmes focussed on the youth within the EAC region in terms of the economic dimension.⁴⁴⁴

The fourth priority area contained in the FSAP turned its attention to yet another dimension of the definition of food security namely the improvement of the stability of food supply and access to food supply within the EAC region.⁴⁴⁵ In terms of the fourth priority area the FSAP focussed on the objective of improving the EAC's capacity in terms of emergency food supply as well as the adaption of climate change policies.⁴⁴⁶ The action plans in the FSAP discussed the actions to be taken in terms of the increase of storage facilities across Partner State boundaries within the regions in order to be

441 *EAC Food Security Action Plan 2011-2015* (2010) 27-38

442 The definition of Food Security has been discussed in Chapter 2 of this study and was established as: " Food security exists when all people at all times have physical and economic access to sufficient safe and nutritious food to meet their dietary needs and food preferences for an active and healthy life" See FAO 2001 <http://www.fao.org/docrep/003/w3613e/w3613e00.HTM>; FAO "Food Security Policy Brief"1; FAO *Trade Reforms and Food Security: Conceptualizing the Linkages* 28; Wëingartner "The Concept of Food and Nutrition Security" I-5; FAO "Introduction to the Right to Adequate Food: Lesson 2" 15-16. See Also *EAC Food Security Action Plan 2011-2015* (2010) para 3.3; Levard and Pautrizel *Agricultural and Food Security Policies and Small-Scale Farmers in the EAC* 15.

443 Levard and Pautrizel *Agricultural and Food Security Policies and Small-Scale Farmers in the EAC* 15. See also *EAC Food Security Action Plan 2011-2015* (2010) 39-44.

444 See Action plan for priority are three in *EAC Food Security Action Plan 2011-2015* (2010) 39-44.

445 See Levard and Pautrizel *Agricultural and Food Security Policies and Small-Scale Farmers in the EAC* 15. See also *EAC Food Security Action Plan 2011-2015* (2010) para 3.4. See also in terms of the definition of food security Wëingartner "The Concept of Food and Nutrition Security" I-7; FAO "Food Security Information for Action: Lesson 1" 6; Gualtieri 2013 *Future of Food: Journal of Food, Agriculture and Society* 21; FAO "Coming to Terms with Terminology" 5.

446 See Levard and Pautrizel *Agricultural and Food Security Policies and Small-Scale Farmers in the EAC* 15.

able to provide food to the EAC region in times of emergency as well as establishing a 5% contribution to emergency relief to assist in long term developments of relief programmes across the EAC region.⁴⁴⁷

The fifth and last priority area focussed only on the improvement of food security and nutrition as such.⁴⁴⁸ The objective to be achieved in terms of this priority area aims to improve the nutrition of communities within the EAC region as well as the food safety in the region.⁴⁴⁹ Moreover, the FSAP action plan sets out certain actions in order to achieve this objective namely the establishment of a mechanism with which the EAC would be able to identify vulnerable groups in terms of food insecurity and malnutrition as well as to establish school feeding programmes in order to help prevent malnutrition among children.⁴⁵⁰ In attempting a collaboration with the communities within the region the action plan further focus on the provision of information regarding food safety, food security and nutrition to the public in terms of public health education programmes.⁴⁵¹

From the discussion of the programmes implemented and designed by the EAC, it can be established that one of the largest focus areas of the EAC is on the attainment of food security and nutrition. It has also been clear that, in designing comprehensive programmes to reach these objectives, the EAC has continuously taken cognisance of the food security and nutrition objectives as set out in *Agenda 2063* as well as *Agenda 2030* and have earnestly attempted to effectively implement such objectives.

4.5 IGAD: Intergovernmental Authority on Development

4.5.1 Introduction

The Intergovernmental Authority on Development (IGAD) was established in 1996 following its predecessor Intergovernmental Authority on Drought and Development (IGADD) which was founded in 1986 due to widespread famine and drought during

447 *EAC Food Security Action Plan 2011-2015* (2010) 45-50.

448 See Levard and Pautrizel *Agricultural and Food Security Policies and Small-Scale Farmers in the EAC* 16. See also *EAC Food Security Action Plan 2011-2015* (2010) para 3.5.

449 See Levard and Pautrizel *Agricultural and Food Security Policies and Small-Scale Farmers in the EAC* 16.

450 *EAC Food Security Action Plan 2011-2015* (2010) p51-53.

451 See *EAC Food Security Action Plan 2011-2015* (2010) 53.

the time period between 1974 and 1984 in this part of Eastern Africa.⁴⁵² IGAD's predecessor was established in 1986 with six member countries, namely Djibouti, Ethiopia, Kenya, Somalia and Uganda with Eritrea joining later in 1995 as member state to IGADD.⁴⁵³ Although some successes were achieved, the member states to the IGADD decided at a meeting in Addis Ababa to re-invent the IGADD in order to have a greater influence across member states from the region.⁴⁵⁴ The *Agreement Establishing Intergovernmental Authority on Development*⁴⁵⁵ (*IGAD Treaty*) was signed in March 1996 and came into effect later in the same year.⁴⁵⁶ IGAD was established with the vision of increasing economic cooperation and integration amongst member states as well as the promotion of peace and security and to promote food security within the IGAD region.⁴⁵⁷ The mission of the REC as set out by IGAD is to assist member states in complementing one-another in order to achieve *inter alia* food security and environmental protection.⁴⁵⁸

The *IGAD Treaty* clearly determines furthermore that member states should share in the same values and objectives contained in the treaty and that member states should make a genuine effort to meet the objectives of the treaty.⁴⁵⁹ Member states to the *IGAD Treaty* at present include the seven initial member states of IGADD, namely Djibouti, Ethiopia, Kenya, Somalia and Uganda Sudan and Eritrea together with South Sudan being the newest member state after acceding to the treaty in 2011.⁴⁶⁰ Although the *IGAD Treaty* stipulates that member states should only include those states within the IGAD region, where new members may be admitted upon the receipt of such written request as well as a unanimous decision by the current member states

452 IGAD 2017 <https://igad.int/about-us>; Lines *Inventory on Policy Measures for Food Security and Prioritisation in the IGAD Region 3*; AU date unknown <https://www.au.int/en/organs/recs>.

453 Article 2 *Agreement Establishing Intergovernmental Authority on Development* (1996); IGAD 2017 <https://igad.int/about-us>.

454 IGAD 2017 <https://igad.int/about-us>; AU date unknown <https://www.au.int/en/organs/recs>.

455 *Agreement Establishing Intergovernmental Authority on Development* (1996).

456 IGAD 2017 <https://igad.int/about-us>.

457 Van Dijk *African Regional Integration 12*; IGAD State of the Region Report 3; AU date unknown <https://www.au.int/en/organs/recs>; IGAD 2017 <https://igad.int/about-us>.

458 IGAD 2017 <https://igad.int/about-us>; AU date unknown <https://www.au.int/en/organs/recs>; IGAD *State of the Region Report 3*.

459 Article 6A *Agreement Establishing Intergovernmental Authority on Development* (1996); IGAD 2017 <https://igad.int/about-us>.

460 IGAD 2017 <https://igad.int/about-us>; Van Dijk *African Regional Integration 8*; FAO *IGAD Early Warning and Food Information System for Food Security 1*.

to IGAD.⁴⁶¹ The aims and objectives of IGAD are contained in the *IGAD Treaty* in Article 7 and member states are obligated to commit themselves to these aims and objectives in order to enjoy the membership to IGAD.⁴⁶² Some of these aims and objectives are discussed next focussing specifically on aims and objectives relating to food security and nutrition within IGAD.

4.5.2 Aims and objectives of the IGAD

Article 7 of the *IGAD Treaty* sets out 11 aims and objectives as established by IGAD to which all of the member states should adhere. Of these objectives, three objectives can be linked to the attainment of food security and nutrition although only one objective specifically mentions the term "food security".⁴⁶³ The *IGAD Treaty* seems to be in agreement with the previous three Eastern African RECs in that this treaty also focus on the harmonisation of policies and development strategies with specific regard to trade policies, agriculture and natural resources.⁴⁶⁴ The second objective relevant to the increase in the prevalence of food security within the IGAD region focus on "achieving regional food security".⁴⁶⁵ Moreover, IGAD urges member states to assist each other in combined efforts to attempt to combat instances of drought as well as any man-made disasters with their consequences.⁴⁶⁶ This is supported by Article 16 of the *IGAD Treaty* which establishes a Special Drought Fund in order to provide assistance to the member states in instances of emergencies.⁴⁶⁷

The last objective aimed at food security in an indirect manner is the promotion of programmes (both domestically and regionally) in order to promote sustainable

461 Article 1A *Agreement Establishing Intergovernmental Authority on Development* (1996).

462 Article 1A *Agreement Establishing Intergovernmental Authority on Development* (1996); AU date unknown <https://www.au.int/en/organs/recs>. See also Article 7 *Agreement Establishing Intergovernmental Authority on Development* (1996).

463 Article 7 *Agreement Establishing Intergovernmental Authority on Development* (1996). See Article 7 (b), 7(d), and 7(e) as objectives relating to food security; IGAD State of the Region Report 3.

464 Article 7(a-b) *Agreement Establishing Intergovernmental Authority on Development* (1996); Dresso *East Africa and the Intergovernmental Authority on Development* 11; AU date unknown <https://www.au.int/en/organs/recs>; IGAD 2017 <https://igad.int/about-us>.

465 IGAD 2017 <https://igad.int/about-us>; Article 7(d) *Agreement Establishing Intergovernmental Authority on Development* (1996).

466 Article 7(d) *Agreement Establishing Intergovernmental Authority on Development* (1996); IGAD 2017 <https://igad.int/about-us>.

467 Article 16 *Agreement Establishing Intergovernmental Authority on Development* (1996); Dresso *East Africa and the Intergovernmental Authority on Development* 14.

development in all sectors including the agricultural sector.⁴⁶⁸ Furthermore, IGAD includes a unique objective in the *IGAD Treaty* when stating that one of the aims and objectives of IGAD is to also "promote and realize the objectives of COMESA".⁴⁶⁹ This particular objective specifically aims at incorporating the objectives of the AEC focussed on a united African continent and cooperation between all RECs.⁴⁷⁰

In terms of the application of the aims and objectives as set out above and in the *IGAD Treaty*, the treaty assigns certain areas of cooperation to the member states collectively in Article 13A.⁴⁷¹ In terms of these areas of cooperation, the member states to IGAD undertook to once again focus on coordinating their individual domestic policies in order to comply with the aims and objectives of IGAD and more specifically focusses on areas of sustainable agricultural development and food security.⁴⁷²

Furthermore, another area of cooperation focusses on the nutritional aspect of food security and nutrition in addressing the importance of climatology as well as nutrition in providing nutritious food as well as information regarding food supply.⁴⁷³ IGAD clearly emphasises its commitment to the development of the agricultural sector by adding another area of cooperation focussed on improving the agricultural research and training programmes taking place within the region.⁴⁷⁴ The last area of cooperation in terms of food security and nutrition to be made mention of is the continuous effort of IGAD to focus on the sustainability of resources and the sustainable use and management thereof.⁴⁷⁵

468 Dresso *East Africa and the Intergovernmental Authority on Development* 14; IGAD 2017 <https://igad.int/about-us>; Article 7(e) *Agreement Establishing Intergovernmental Authority on Development* (1996).

469 Article 7(i) *Agreement Establishing Intergovernmental Authority on Development* (1996); Dresso *East Africa and the Intergovernmental Authority on Development* 12; IGAD 2017 <https://igad.int/about-us>.

470 As discussed earlier in this chapter under paragraph DIRCO 2004 <http://www.dirco.gov.za/foreign/Multilateral/africa/aec.htm>; Berhane 2016 <http://hornaffairs.com/2014/10/07/explainer-african-economic-community-aec/>; AU date unknown <https://www.au.int/en/organs/recs>.

471 Article 13A *Agreement Establishing Intergovernmental Authority on Development* (1996).

472 Article 13A(a) *Agreement Establishing Intergovernmental Authority on Development* (1996).

473 Article 13A(b) *Agreement Establishing Intergovernmental Authority on Development* (1996); Dresso *East Africa and the Intergovernmental Authority on Development* 12.

474 Article 13A(d) *Agreement Establishing Intergovernmental Authority on Development* (1996).

475 Article 13A(f) *Agreement Establishing Intergovernmental Authority on Development* (1996); IGAD 2017 <https://igad.int/about-us>; Dresso *East Africa and the Intergovernmental Authority on Development* 14.

Upon comparison between the *IGAD Treaty* and *Agenda 2063* as well as *Agenda 2030* it is evident that some correlation exists between the three instruments. The research indicated that the *IGAD Treaty* continuously focussed on the importance of sustainability whether it was through production of food or the utilisation of resources.⁴⁷⁶ Moreover, it can be said that IGAD focus on another aspect of food security by implicitly stating that one of its overarching objectives with the *IGAD Treaty* remains the attainment of regional food security and not only food security in terms of domestic policies of member states.⁴⁷⁷ Although the analysis of the *IGAD Treaty* showed that mention was made to the food security situation within the region, little mention was made to the nutrition aspect thereof. The following section however focusses on the food security and nutrition programmes that have been implemented thus far by IGAD.

4.5.3 Programmes aimed at food security and nutrition

The first programme compiled and implemented by IGAD to be discussed in this section is the *Food Security Strategy 2005-2008*.⁴⁷⁸ This strategy was compiled by the IGAD secretariat together with various stakeholders⁴⁷⁹ and after a thorough consultation process where all member states' individual food security and nutrition policies were evaluated and assessed.⁴⁸⁰ The overall objective as set out in the strategy is for member states to attain food security through regional cooperation as well as sustainable food production and poverty reduction.⁴⁸¹ Throughout the IGAD strategy the research done in terms of food security as well as factors influencing food security was evident and created a clear picture of what was to be expected from the member states in implementing this strategy.⁴⁸² The strategy further also focusses on the

476 African Union *Agenda 2063 Framework Document: The Africa We Want* (2015) 7, 145.

477 IGAD 2017 <https://igad.int/about-us>; Article 7(d) *Agreement Establishing Intergovernmental Authority on Development* (1996).

478 *Intergovernmental Authority on Development Food Security Strategy 2005-2008* (2005).

479 Stakeholders included in the development of the *Intergovernmental Authority on Development Food Security Strategy 2005-2008* include the European Union (EU), the World Food Programme (WFP), the IGAD member states as well as Canadian International Development Agency (CIDA). See *Intergovernmental Authority on Development Food Security Strategy 2005-2008* (2005) iii.

480 Mukhebi et al *An Overview of the Food Security Situation in Eastern Africa* 18; *Intergovernmental Authority on Development Food Security Strategy 2005-2008* (2005) ix.

481 *Intergovernmental Authority on Development Food Security Strategy 2005-2008* (2005) x.

482 *Intergovernmental Authority on Development Food Security Strategy 2005-2008* (2005) 2-8.

development of the term food security and the specific aspects are that should be focussed on in order to reach the goals set out by the *IGAD Treaty*.⁴⁸³

The strategy was formulated on the backbone of four regional strategic outputs which included the harmonisation of policies and information, building capacity within the region, and the furtherance of science and technology within the region.⁴⁸⁴ Moreover the strategy was focussed on the development of programmes which would boost food production and improve marketing of those programmes which will inevitably provide larger supplies of food products to vulnerable people within the communities in the region.⁴⁸⁵ Although the strategy was focussed on the attainment of regional food security it clearly stated that subsidiarity should be considered by the member states.⁴⁸⁶ The subsidiarity principle simply entails that the member states to IGAD should first place their focus on their own national policies in terms of food security and nutrition before implementing the regional strategy.⁴⁸⁷ This strategy noted furthermore, that the aim of the strategy was not to increase the burden on its member states but rather to provide a guideline as well as continuous support in reaching the goals and objectives pertaining to food security.⁴⁸⁸

IGAD's strategy focussed on a further important aspect in order to be able to reach the food security goals and objectives by including the collaboration that government organisations should pursue with non-state actors, thus involving the private sector.⁴⁸⁹ Upon evaluating the strategy in light of *Agenda 2063* and *Agenda 2030* it was found some the correlation was found with principles of improving the food security within the IGAD region. The specific principles in agreement with *Agenda 2063* and *Agenda*

483 *Intergovernmental Authority on Development Food Security Strategy 2005-2008* (2005) 8-10; See also Gualtieri 2013 *Future of Food: Journal of Food, Agriculture and Society* 21; FAO "Food Security Information for Action: Lesson 1" 3; "Shaw *A History of Food Security from 1945-2007* 349; FAO "Coming to Terms with Terminology" 2; FAO "Introduction to the Right to Adequate Food: Lesson 2" 15-16; FAO *Trade Reforms and Food Security: Conceptualizing the Linkages* 25.

484 Mukhebi et al *An Overview of the Food Security Situation in Eastern Africa* 18.

485 Mukhebi et al *An Overview of the Food Security Situation in Eastern Africa* 18; IGAD *State of the Region Report* 13.

486 *Intergovernmental Authority on Development Food Security Strategy 2005-2008* (2005) 35-36.

487 *Intergovernmental Authority on Development Food Security Strategy 2005-2008* (2005) 35-36.

488 *Intergovernmental Authority on Development Food Security Strategy 2005-2008* (2005) 38-39. See also Article 7, 13A *Agreement Establishing Intergovernmental Authority on Development* (1996).

489 Lines *Inventory on Policy Measures for Food Security and Prioritisation in the IGAD Region* 4; *Intergovernmental Authority on Development Food Security Strategy 2005-2008* (2005) 39-40.

2030 were found to be that of poverty reduction, sustainable production and consumption and the overall attainment of food security on a regional level.⁴⁹⁰

The second and more recent food security strategy aimed at food security and nutrition is the *IGAD Regional Investment Plan 2016-2020*⁴⁹¹ (*2016 Strategy*) which was designed and implemented by IGAD and is currently active.⁴⁹² The *2016 Strategy* was developed in light of a previous strategy which was recalled in the middle of its implementation for the purpose of being re-evaluated.⁴⁹³ IGAD focusses the new strategy on four pillars identified by IGAD in simplification of the areas of cooperation contained in the *IGAD Treaty*.⁴⁹⁴

Of these four pillars, the first one explicitly focusses on "agriculture, natural resources and environment" and the goal to be achieved hereby is set out as the attainment of food security and sustainable resource management.⁴⁹⁵

IGAD remains consistent in the goals to be achieved since its inception in 1985, as IGADD which is evident from sustainable resource management and the protection of the environment being one of the overall objectives of the *2016 Strategy*.⁴⁹⁶ With this objective in mind, the *2016 Strategy* places the focus on food security in the Agriculture, livestock, fisheries and food security sector of IGAD together with measures focussed on the sustainable management of all resources.⁴⁹⁷ The *State of the region report*⁴⁹⁸ which was compiled by IGAD in consideration of the historical development taking place across all four pillars of IGAD's areas of cooperation states that IGAD has made tremendous progress in terms of food security with the

490 African Union *Agenda 2063 Framework Document: The Africa We Want* (2015) 7, 145.

491 *IGAD Regional Investment Plan 2016-2020* (2016)

492 IGAD 2017 <https://igad.int/index.php/aboutus/strategy>.

493 NEPAD *Strengthening the Institutional Capacity of the Intergovernmental Authority on Development (IGAD) 2*; *IGAD Regional Strategy Framework* 21.

494 Article 13A *Agreement Establishing Intergovernmental Authority on Development* (1996).

495 The other three pillars include economic cooperation and integration and social development, peace and security and humanitarian affairs, and corporate development services. See NEPAD *Strengthening the Institutional Capacity of the Intergovernmental Authority on Development (IGAD) 2*; See Also *IGAD State of the Region Report 2*, 4; *IGAD Regional Strategy Framework* 10.

496 *IGAD Regional Strategy Framework* 5; *IGAD State of the Region Report* 10.

497 *IGAD State of the Region Report* 10; *IGAD Regional Strategy Framework* 3-5.

498 *IGAD State of the Region Report* 13; *IGAD Regional Strategy Framework* 20.

programmes implemented across the region together with the cooperation of the member states.

IGAD concludes the report by emphasising future endeavours to be focussed on by member states which include aspects of food security and nutrition and the implementation of CAADP guidelines in order to meet global requirements.⁴⁹⁹ In the framework document for the *2016 Strategy*, IGAD dedicates a brief description of both the SDGs and *Agenda 2063*.⁵⁰⁰ IGAD also acknowledges the importance of these two instruments in the domestication of policies aimed at achieving their targets.⁵⁰¹ It can be concluded that IGAD hereby recognises the importance of collaboration between international organisations and the goals and objectives set by these instruments in its own regional strategy. In terms of collaborations with non-state actors, IGAD once again recognises that collaboration should occur on a larger scale to be able to promote involvement with the community.⁵⁰²

The framework for the *2016 Strategy* stipulates the desired outcomes of the strategy in terms of the agriculture, livestock and food security programme area as the following three objectives.⁵⁰³ The first objective aims at the regional improvement of food security.⁵⁰⁴ This should occur through the continuous development of this sector followed by the second objective.⁵⁰⁵ The second objective, which aims at building a resilience to natural disasters and other economic disasters influencing this particular sector.⁵⁰⁶ The third objective notes the progress made by member states with regard

499 IGAD 2017 <https://igad.int/index.php/aboutus/strategy>; IGAD *Regional Strategy Framework* 10-11; IGAD *State of the Region Report* 76.

500 IGAD 2017 <https://igad.int/index.php/aboutus/strategy>; IGAD *Regional Strategy Framework* 24, 39, 54-55.

501 IGAD 2017 <https://igad.int/index.php/aboutus/strategy>; IGAD *Regional Strategy Framework* 24, 39, 54-55.

502 IGAD *Regional Strategy Framework* 31; IGAD *State of the Region Report* 76.

503 IGAD 2017 <https://igad.int/index.php/aboutus/strategy>; IGAD *Regional Strategy Implementation Plan 2016 – 2020* 4; IGAD *Regional Strategy Framework* 39-40.

504 IGAD 2017 <https://igad.int/index.php/aboutus/strategy>; IGAD *Regional Strategy Framework* 24, 39, 54-55.

505 IGAD 2017 <https://igad.int/index.php/aboutus/strategy>; IGAD *Regional Strategy Framework* 24, 39, 54-55.

506 IGAD *Regional Strategy Framework* 39; IGAD *Regional Strategy Implementation Plan 2016 – 2020* 4, 108.

to their domestic policies in terms of food security.⁵⁰⁷ Moreover, the third objective intends to incorporate those strategies into the regional framework in order to build on the progress already made.⁵⁰⁸

While the food security aspect has been present throughout the discussion of the *2016 Strategy*, the first mention of nutrition is to be found in the discussion of the health and social development area and its indicators.⁵⁰⁹ This health area focusses on all health related aspects including parts of the population which may be regarded as vulnerable groups.⁵¹⁰ IGAD further states that the overall objective of this particular sector is to ensure that the quality of life of the people within its region is improved.⁵¹¹

This correlates well with the goals and objectives contained in both *Agenda 2063* and *Agenda 2030* and substantiates the commitment made by IGAD thereto to some extent.⁵¹²

From this section it is clear that IGAD has indeed made attempts in the achievement of food security in line with the objectives as set out in *Agenda 2063* as well as *Agenda 2030*. IGAD has implemented various programmes aimed at specifically achieving these objectives and have also had some success in this regard. It can however be said that too little attention has been paid to the development of the nutritional status of the communities within the region and the importance thereof as it is linked to food security.

4.6 Conclusion

This chapter used the food security and nutrition objectives contained in both *Agenda 2063* and *Agenda 2030* (see chapter 3) as a basis to evaluate current policy documents

507 IGAD 2017 <https://igad.int/index.php/aboutus/strategy>; IGAD *Regional Strategy Implementation Plan 2016 – 2020* 4-6; IGAD *Regional Strategy Framework* 40.

508 IGAD 2017 <https://igad.int/index.php/aboutus/strategy>; IGAD *Regional Strategy Implementation Plan 2016 – 2020* 4-6; IGAD *Regional Strategy Framework* 40.

509 IGAD *Regional Strategy Framework* 45.

510 IGAD *Regional Strategy Framework* 45.

511 The strategy aims at improving the nutritional status of the mobile population and communities by 2020 See IGAD *Regional Strategy Framework* 45.

512 See paragraph 3.3 and 3.4 above. See African Union Agenda 2063 Framework Document: The Africa We Want (2015) vii, 131. See Also *Resolution 70/1 Transforming our world: the 2030 Agenda for Sustainable Development* UN GA Res 70/1 UN Doc A/RES/70/1 2015 para 18 – 19; WWF 2015 <http://blogs.wwf.org.uk/blog/green-sustainable-living/what-on-earth-are-sustainable-development-goals/>.

of the RECs of East Africa. In order to be able to understand the role and functioning of the RECs, a discussion on the background to the development of RECs ushered in the analysis of the three REC's policy documents as well as programmes aimed at attaining food security and nutrition.

The analysis of the three RECs which have their application only in East Africa provided an overview of the policies and programmes aimed at achieving food security and nutrition. From this chapter, it is clear that some RECs have a larger and more specific focus relating to food security such as the EAC with its clear action plans and food security policies including, to a lesser extent, objectives related to nutrition.

COMESA as a REC and in terms of food security and nutrition has made some commendable attempts at implementing regional action plans to achieve food security. COMESA has also gone further in the sense that they have even attempted a tripartite joint regional food security compact.⁵¹³ This regional plan included CAADP principles in order to have a wider reach, although it was deemed premature by some writers.

When referring to IGAD however, it seems that, although limited progress has been made in terms of food security, the least of their focus has been on the nutritional aspect of food security. IGAD should therefore re-evaluate their policies and programmes to include nutrition related objectives.

Although CAADP mainly applies to national investment plans for food security and nutrition, all three RECs discussed in this chapter have made some mention of CAADP. While a lot of progress could still be made, the application of CAADP principles and objectives contained in *Agenda 2063* and *Agenda 2030* indicates the importance of these instruments and the consideration thereof by these RECs.

513 See paragraphs 4.3 above.

5 Chapter 5: An analysis of existing policies and programmes pertaining to food security and nutrition of Regional Economic Communities of West Africa.

5.1 Introduction

Throughout Chapter 4, a brief discussion was provided regarding the role, purpose and development of the Regional Economic Communities (hereafter RECs). This discussion is also applicable to this chapter insofar as the food security and nutrition guidelines implemented by RECs are concerned. In Chapter 4, the guidelines implemented by some of the RECs in Eastern Africa were discussed, analysed and compared with the SDGs and guidelines contained in *Agenda 2063* and *Agenda 2030* pertaining to food security and nutrition.⁵¹⁴

The same approach was followed regarding the RECs of Western Africa in order to determine what, if any similarities are present in comparing these two regions, East and West Africa.

5.2 Regional Economic Communities

It has already been explained in Chapter 4 that the role and functions of the RECs should be kept in mind when analysing the policies and programmes in regard to food security and nutrition guidelines.⁵¹⁵

The focus of this chapter is on the Community of Sahel-Saharan States (hereafter CEN-SAD) and the Economic Community of West-African States (hereafter ECOWAS). These RECs have been identified to form the subject matter of this chapter since countries that are situated in the Western part of the African Continent fall within the respective areas of jurisdiction.⁵¹⁶

514 See Chapter 3 of this study for a detailed discussion on the guidelines to be obtained in terms of food security and nutrition as it relates to *Agenda 2063* and *Agenda 2030*.

515 See paragraph 4.2 above.

516 Listed in alphabetical order, as they include countries that are mainly situated in the Western part of the African continent.

Although the first of the two RECs to be discussed in this chapter, namely CEN-SAD, also include member states from the Eastern part of the African continent, its policy documents and programmes are analysed here as it is considered one of the RECs with the largest number of member states from both East and West Africa.⁵¹⁷

5.3 CEN-SAD: Community of Sahel-Saharan States

5.3.1 Introduction

The Community of Sahel-Saharan States (hereafter CEN-SAD) was established on 4 February 1998 in reaction to the Conference of Leaders and Heads of State in Libya.⁵¹⁸ The countries which initially ratified the Treaty establishing CEN-SAD included Burkina Faso, Chad, Libya, Mali, Niger and Sudan.⁵¹⁹ Since its inception in 1998, CEN-SAD has grown to one of Africa's largest economic communities with as many as 29 member States.⁵²⁰ CEN-SAD as a REC was governed by its *Treaty Establishing CEN-SAD* since 1998.⁵²¹ Thereafter, the treaty was revised in 2013 and accepted at the 2013 Conference of the Heads of State held in N'Djamena, Chad and is currently in the process of being ratified by its member states.⁵²²

Although all the member states have not yet ratified the revised treaty, the current member states to CEN-SAD include: Benin, Burkina Faso, Cabo Verde, Central African Republic, Comoros, Côte d'Ivoire, Djibouti, Egypt, Eritrea, Gambia, Ghana, Guinea

517 CEN-SAD 2017 <http://censad.org/>; Anon 2017 <http://www.polity.org.za/article/africas-regional-economic-communities-the-pieces-assembling-africas-economic-and-security-mosaic-2017-08-02>.

518 UN 2014 <https://www.uneca.org/oria/pages/cen-sad-community-sahel-saharan-states>; NEPAD *Strengthening the Institutional Capacity of the Communauté des Sahélo-Sahariens (CEN-SAD)* ix, 3.

519 NEPAD *Strengthening the Institutional Capacity of the Communauté des Sahélo-Sahariens (CEN-SAD)* ix, 3; UN 2014 <https://www.uneca.org/oria/pages/cen-sad-community-sahel-saharan-states>.

520 Anon 2017 <http://www.polity.org.za/article/africas-regional-economic-communities-the-pieces-assembling-africas-economic-and-security-mosaic-2017-08-02>; UN 2014 <https://www.uneca.org/oria/pages/cen-sad-community-sahel-saharan-states>; NEPAD *Strengthening the Institutional Capacity of the Communauté des Sahélo-Sahariens (CEN-SAD)* ix, 3.

521 UN 2014 <https://www.uneca.org/oria/pages/cen-sad-community-sahel-saharan-states>; NEPAD *Strengthening the Institutional Capacity of the Communauté des Sahélo-Sahariens (CEN-SAD)* ix, 3-4; Anon 2017 <http://www.polity.org.za/article/africas-regional-economic-communities-the-pieces-assembling-africas-economic-and-security-mosaic-2017-08-02>.

522 UN 2014 <https://www.uneca.org/oria/pages/cen-sad-community-sahel-saharan-states>; NEPAD *Strengthening the Institutional Capacity of the Communauté des Sahélo-Sahariens (CEN-SAD)* ix, 4.

Bissau, Guinea, Liberia, Libya, Mali, Morocco, Mauritania, Niger, Nigeria, São Tomé and Príncipe, Senegal, Sierra Leone, Somalia, Sudan, Chad, Togo and Tunisia.⁵²³

5.3.2 Aims and objectives of CEN-SAD

The primary objective of CEN-SAD at its inception in 1998 was to promote the economic, cultural, political and social integration of its member states.⁵²⁴ In order to be able to reach this primary objectives CEN-SAD initially reached out to numerous regional and international organisations with a similar purpose and objectives.⁵²⁵

Other objectives that were envisaged by CEN-SAD include the establishment of a comprehensive Economic Union, the elimination of obstacles impeding unity amongst members of CEN-SAD, and coordination of educational systems in cultural and scientific aspects.⁵²⁶ In addition it is imperative to note that the sustainable development of specifically agricultural aspects and education in a broad sense with a more specific focus on social development of its member states are of great importance to CEN-SAD.⁵²⁷ Therefore, sustainable development as well as the development of the agricultural sector, has enjoyed increased attention being one of CEN-SAD's two main objectives since 2013.⁵²⁸

523 AU date unknown <https://www.au.int/en/organs/recs>; Anon 2017 <http://www.polity.org.za/article/africas-regional-economic-communities-the-pieces-assembling-africas-economic-and-security-mosaic-2017-08-02>; UN 2014 <https://www.uneca.org/oria/pages/cen-sad-community-sahel-saharan-states>; NEPAD *Strengthening the Institutional Capacity of the Communauté des Sahélo-Sahariens (CEN-SAD)* ix, 3-4.

524 NEPAD *Strengthening the Institutional Capacity of the Communauté des Sahélo-Sahariens (CEN-SAD)* ix, 3-4; AU date unknown <https://www.au.int/en/organs/recs>; Anon 2017 <http://www.polity.org.za/article/africas-regional-economic-communities-the-pieces-assembling-africas-economic-and-security-mosaic-2017-08-02>; UN 2014 <https://www.uneca.org/oria/pages/cen-sad-community-sahel-saharan-states>.

525 AU 2000 <https://au.int/en/recs/censad>; UN 2014 <https://www.uneca.org/oria/pages/cen-sad-community-sahel-saharan-states>.

526 The further objectives of CEN-SAD and its member states are stated in Article 1 of the *Treaty Establishing CEN-SAD*. See AU date unknown <https://www.au.int/en/organs/recs>. These objectives are also stated in Article 3 of the *Revised Treaty* of CEN-SAD. See NEPAD *Strengthening the Institutional Capacity of the Communauté des Sahélo-Sahariens (CEN-SAD)* 4-5; AU date unknown <https://www.au.int/en/organs/recs>; UN 2014 <https://www.uneca.org/oria/pages/cen-sad-community-sahel-saharan-states>.

527 NEPAD *Strengthening the Institutional Capacity of the Communauté des Sahélo-Sahariens (CEN-SAD)* 5; AU date unknown <https://www.au.int/en/organs/recs>.

528 UN 2014 <https://www.uneca.org/oria/pages/cen-sad-community-sahel-saharan-states>; NEPAD *Strengthening the Institutional Capacity of the Communauté des Sahélo-Sahariens (CEN-SAD)* 5;

In the following paragraphs, the objectives of CEN-SAD and how it relates to food security and nutrition are clarified. This is done by discussing the programmes aimed at achieving the food security and nutrition targets on a regional level as envisaged by CEN-SAD.⁵²⁹

5.3.3 Programmes aimed at food security and nutrition

In attempts to achieve the objectives as set out by CEN-SAD in 1998 some substantial programmes were implemented.⁵³⁰ The first of these were the *Regional Food Security Programme* initially implemented in 2007 with several phases planned for implementation thereafter.⁵³¹ The implementation of this *Regional Food Security Programme*⁵³² commenced in member states which had the highest prevalence of reoccurring food insecurity at that time, namely Burkina Faso, Mali, Niger, Chad and Sudan.⁵³³

The first phase of the *Regional Food Security Programme* was to focus on rural development within these member states and addressing issues in terms of natural resource preservation in the REC.⁵³⁴ The second phase of the programme, was implemented in 2010 and focussed mainly on activities relating to livestock and the prevention and treatment of diseases in livestock in order to strengthen the market and in turn favourably influencing food security.⁵³⁵

The *Regional Food Security Programme* further focusses on the development of the capacities of both the human factor and the environmental factor in its objectives of

AU date unknown <https://www.au.int/en/organs/recs>; AU date unknown <https://www.au.int/en/organs/recs>; AU 2000 <https://au.int/en/recs/censad>.
529 UN 2014 https://sustainabledevelopment.un.org/content/documents/1444HLPF_10YFP2.pdf; *Resolution 70/1 Transforming our world: the 2030 Agenda for Sustainable Development* UN GA Res 70/1 UN Doc A/RES/70/1 2015 22.
530 NEPAD *Strengthening the Institutional Capacity of the Communauté des Sahélo-Sahariens (CEN-SAD)* 6; UN 2014 <https://www.uneca.org/oria/pages/cen-sad-community-sahel-saharan-states>.
531 UN 2014 <https://www.uneca.org/oria/pages/cen-sad-community-sahel-saharan-states>; NEPAD *Strengthening the Institutional Capacity of the Communauté des Sahélo-Sahariens (CEN-SAD)* 6.
532 NEPAD *Strengthening the Institutional Capacity of the Communauté des Sahélo-Sahariens (CEN-SAD)* 5.
533 NEPAD *Strengthening the Institutional Capacity of the Communauté des Sahélo-Sahariens (CEN-SAD)* 6; UN 2014 <https://www.uneca.org/oria/pages/cen-sad-community-sahel-saharan-states>.
534 UN 2014 <https://www.uneca.org/oria/pages/cen-sad-community-sahel-saharan-states>; NEPAD *Strengthening the Institutional Capacity of the Communauté des Sahélo-Sahariens (CEN-SAD)* 6.
535 NEPAD *Strengthening the Institutional Capacity of the Communauté des Sahélo-Sahariens (CEN-SAD)* 6.

decreasing food security and nutrition within the CEN-SAD region.⁵³⁶ In terms of the purpose and objectives of the *Regional Food Security Programme* the focus is further placed on an increase in food production to realise an increase the food accessibility for members of vulnerable groups within the CEN-SAD region.⁵³⁷ The argument for the increase of food production and how it relates to subsistence farmers was one of CEN-SAD's primary focus areas.⁵³⁸ Furthermore, CEN-SAD emphasises the positive effect that favourable levels of food security, in households, would have on the food security status of a community and country as a whole. This support is founded on the fact that households are food secure would in all likelihood lower the rate of dependence on communities within the countries for food production.⁵³⁹

The second program, related to the food security and nutrition objectives within the CEN-SAD region is the Great Green Wall of the Sahel-Sahara Initiative (GGWSSI).⁵⁴⁰ This initiative started off in 2005 when Nigeria's former President, as president of a CEN-SAD member state presented the idea of creating a green wall in the Sahel-Saharan desert to the African Union.⁵⁴¹ The aim of this initiative was to plant an enormous, 8000km green wall of trees at the southern edge of the Sahel-Saharan desert.⁵⁴² The main objective of this initiative was to combat climate change and favourably impact food security and agriculture in this region.⁵⁴³ The impact it would have on climate change would be measured in terms of the sustainable management of land and the restoration of degraded land.⁵⁴⁴

536 Anon 2002 http://www.ipcinfo.org/fileadmin/user_upload/tcsf/pdf/spfs-CENSAD.pdf 1; NEPAD *Strengthening the Institutional Capacity of the Communauté des Sahélo-Sahariens (CEN-SAD)* 9.

537 Anon 2002 http://www.ipcinfo.org/fileadmin/user_upload/tcsf/pdf/spfs-CENSAD.pdf 1.

538 Anon 2002 http://www.ipcinfo.org/fileadmin/user_upload/tcsf/pdf/spfs-CENSAD.pdf 1-2.

539 Anon 2002 http://www.ipcinfo.org/fileadmin/user_upload/tcsf/pdf/spfs-CENSAD.pdf 1-2.

540 UN 2014 <https://www.uneca.org/oria/pages/cen-sad-community-sahel-saharan-states>; NEPAD *Strengthening the Institutional Capacity of the Communauté des Sahélo-Sahariens (CEN-SAD)* 6-7.

541 NEPAD *Strengthening the Institutional Capacity of the Communauté des Sahélo-Sahariens (CEN-SAD)* 6-7; UNCCD 2018 <https://www.unccd.int/actions/great-green-wall-initiative>.

542 GGW 2018 <http://www.greatgreenwall.org/great-green-wall/#great-green-wall-internal>; UNCCD 2018 <https://www.unccd.int/actions/great-green-wall-initiative>.

543 UNCCD 2018 <https://www.unccd.int/actions/great-green-wall-initiative>; NEPAD *Strengthening the Institutional Capacity of the Communauté des Sahélo-Sahariens (CEN-SAD)* 6-7; GGW 2018 <http://www.greatgreenwall.org/great-green-wall/#great-green-wall-internal>.

544 UNCCD 2018 <https://www.unccd.int/actions/great-green-wall-initiative>; NEPAD *Strengthening the Institutional Capacity of the Communauté des Sahélo-Sahariens (CEN-SAD)* 6-7; GGW 2018 <http://www.greatgreenwall.org/great-green-wall/#great-green-wall-internal>.

Although the Great Green Wall initiative was suggested to CEN-SAD in 2005, its implementation only commenced in 2007 with the purpose of restoring the degradation of the land and in turn mobilising the communities around it and finally restoring some political stability.⁵⁴⁵ The first action plan for the implementation of the initiative was adopted by the European Union as part of an Africa-EU partnership.⁵⁴⁶ The outcomes to be achieved by the launch of the GGWSSI included: (a) the development of capacity of the arid land; (b) the development of strategies to utilise available resources within partaking countries; (c) cross-border support; (d) formulation of projects and investment plans which implement successes achieved; and (e) educating local communities to implement successes in their surrounds.⁵⁴⁷

The success of this initiative has been under constant evaluation by the United Nations Convention to Combat Desertification (hereafter UNCCD).⁵⁴⁸ It was found that the results achieved within the first decade of its implementation was astonishing in relation to the fruitfulness of the Sahel-Saharan desert.⁵⁴⁹ In terms of the restoration and improvement of productiveness of the land through this initiative, a grand total of 20 million hectares of land speaks for itself.⁵⁵⁰

Although the information available for research in terms of CEN-SAD and the relevant region was much more limited than the other RECs, a clear commitment towards food security and nutrition from CEN-SAD was indeed evident. CEN-SAD's commitment to the overall objectives of the SDGs can further be seen from other programmes implemented focussing on economic, rural and trade development.⁵⁵¹ In terms of programmes aimed at attaining food security in this region, the implementation of the

545 GGW 2018 <http://www.greatgreenwall.org/great-green-wall/#great-green-wall-internal>; UNCCD 2018 <https://www.unccd.int/actions/great-green-wall-initiative>.

546 NEPAD *Strengthening the Institutional Capacity of the Communauté des Sahélo-Sahariens (CEN-SAD)* 6-7; UNCCD 2018 <https://www.unccd.int/actions/great-green-wall-initiative>;

547 NEPAD *Strengthening the Institutional Capacity of the Communauté des Sahélo-Sahariens (CEN-SAD)* 6-7.

548 UNCCD 2018 <https://www.unccd.int/actions/great-green-wall-initiative>.

549 GGW 2018 <http://www.greatgreenwall.org/great-green-wall/#great-green-wall-internal>; UNCCD 2018 <https://www.unccd.int/actions/great-green-wall-initiative>.

550 Senegal planted 11.4 million trees, reviving 25000 hectares of land, Ethiopia restored 15 million hectares of land, followed by Nigeria restoring 5 million hectares of land and Sudan restoring 2000 hectares. See UNCCD 2018 <https://www.unccd.int/actions/great-green-wall-initiative>; GGW 2018 <http://www.greatgreenwall.org/great-green-wall/#great-green-wall-internal>.

551 NEPAD *Strengthening the Institutional Capacity of the Communauté des Sahélo-Sahariens (CEN-SAD)* 6.

two programmes discussed above show the willingness to affect change here. It is of significant importance to state that although the CEN-SAD region faces many challenges in terms of agriculture, these challenges have not been insurmountable in the face of this REC.

5.4 ECOWAS: Economic Community of West-African States

5.4.1 Introduction

ECOWAS was established as an Intergovernmental Organisation on the 28th of May 1975.⁵⁵² The establishing treaty was initially signed by 16 countries on this date, 15 of which are currently still member states.⁵⁵³ The establishing treaty of ECOWAS focussed on the achievement of economic integration in all fields including the agricultural, environmental and trade sectors.⁵⁵⁴ The member states to ECOWAS are spread across West-Africa as well as East Africa and include the following states: Benin, Burkina Faso, Cape Verde, Cote d'Ivoire, Gambia, Ghana, Guinea, Guinea Bissau, Liberia, Mali, Niger, Nigeria, Senegal, Sierra Leone and Togolese.⁵⁵⁵

It was due to the increased focus on achieving food security, agricultural objectives and the need to accelerate economic development that ECOWAS revised its original *Treaty Establishing the Economic Community of West African States*⁵⁵⁶ and in response thereto launched the *ECOWAS Revised Treaty* in 1993.⁵⁵⁷ With the member states of ECOWAS signing the revised treaty, it was re-affirmed that the ECOWAS remained an important REC and that the member states should at all times realise the objectives of the *ECOWAS Revised Treaty* as well as the objectives of the African Economic

552 ECOWAS 2002 <http://www.fao.org/fileadmin/templates/tc/spfs/pdf/ecowas.pdf> 4; ECOWAS 2010 <http://www.ecowas.int/wp-content/uploads/2015/01/ECOWAS-VISION-2020.pdf> 1; Preamble *Economic Community of West-African States Revised Treaty* (1993); AU date unknown <https://www.au.int/en/organs/recs>; ECOWAS 2016 <http://www.ecowas.int/about-ecowas/history/>.

553 ECOWAS 2002 <http://www.fao.org/fileadmin/templates/tc/spfs/pdf/ecowas.pdf> 4; AU date unknown <https://www.au.int/en/organs/recs>; Preamble *Economic Community of West-African States Revised Treaty* (1993).

554 ECOWAS 2002 <http://www.fao.org/fileadmin/templates/tc/spfs/pdf/ecowas.pdf> 4; AU date unknown <https://www.au.int/en/organs/recs>.

555 Article 2 *Economic Community of West-African States Revised Treaty* (1993).

556 The Preamble of the *Economic Community of West-African States Revised Treaty* (1993).

557 *Treaty Establishing the Economic Community of West African States* (1975).

Community (hereafter AEC).⁵⁵⁸ It is therefore important to subsequently address the aims and objectives of ECOWAS as it is set out in its *Revised Treaty*.⁵⁵⁹

5.4.2 Aims and objectives of ECOWAS

The *ECOWAS Revised Treaty* as mentioned above sets out the aims and objectives to be specifically followed by ECOWAS and all its member states in Article 3 of the *ECOWAS Revised Treaty*.⁵⁶⁰ In terms of Article 3, the overall objective of the ECOWAS has been found to be the achievement of an economic union, and the promotion of coherent policies to ensure the protection of the environment within its now, 15-member states.⁵⁶¹

In achievement of this objective the ECOWAS aims to raise the standard of living of the communities of its member states as well as striving to enhance the stability within its economic environment.⁵⁶² In order to achieve these objectives, the progress and implementation of the *ECOWAS Revised Treaty* would take place in various stages, each with its own particular objective.⁵⁶³

In terms of the current study, however, the discussion only addresses those stages of implementation which focus on the achievement of food security and nutrition objectives within the region. The first stage pertaining to the attainment of food security and nutrition within the ECOWAS is the harmonisation of all national policies of member states with the purpose of integration programmes to focus on food, agriculture and natural resources specifically.⁵⁶⁴

Due to the fact that agriculture accounts for over 35% of the gross domestic product of the ECOWAS, the objectives pertaining to food security and nutrition are three-

558 *Economic Community of West-African States Revised Treaty* (1993).

559 Article 3 *Economic Community of West-African States Revised Treaty* (1993).

560 Article 3 *Economic Community of West-African States Revised Treaty* (1993).

561 ECOWAS 2002 <http://www.fao.org/fileadmin/templates/tc/spfs/pdf/ecowas.pdf> 4; Article 3(1) *Economic Community of West-African States Revised Treaty* (1993).

562 Article 3(1) *Economic Community of West-African States Revised Treaty* (1993); Dabugat 2015 West Africa Insight 37-38.

563 Article 3(2) *Economic Community of West-African States Revised Treaty* (1993).

564 Article 3(2)(a) *Economic Community of West-African States Revised Treaty* (1993).

pronged.⁵⁶⁵ These objectives can be described as the attainment of food security by achieving increased production of food products; a reduction of poverty within the region by means of increasing the incomes derived from the agricultural sector; and focussing on the increased production aspect together with the consideration to sustainable resource management.⁵⁶⁶

In order to be able to achieve these goals in relation to food security, nutrition and agriculture the ECOWAS has established two technical commissions in terms of Article 22 of the *ECOWAS Revised Treaty*.⁵⁶⁷ The technical commissions established by the revised treaty are the Food and Agriculture technical commission and the Environment and Natural Resources technical committee respectively.⁵⁶⁸ The functions of these two commissions are also determined by the *ECOWAS Revised Treaty* and include the establishment of community programmes, co-ordination of projects and the facilitation of the application of the *ECOWAS Revised Treaty* in achieving its objectives.⁵⁶⁹

The *ECOWAS Revised Treaty* specifically focusses on the important role that agriculture and food security play in this region by the codification of important aspects in Chapter 4 of the treaty.⁵⁷⁰ These three-pronged objectives for attaining food security and nutrition are further supported by Article 25 of the *ECOWAS Revised Treaty*.⁵⁷¹ In terms of the above mentioned, member states should develop their agricultural sectors in such a way as to ensure food security, increase production and productivity, source products locally and to guard against failing to protect the international agricultural export market.⁵⁷²

565 Dabugat 2015 West Africa Insight 37; USAID 2018 <https://www.usaid.gov/west-africa-regional/agriculture-and-food-security>; ECOWAS 2002 <http://www.fao.org/fileadmin/templates/tc/spfs/pdf/ecowas.pdf> 5.

566 ECOWAS 2002 <http://www.fao.org/fileadmin/templates/tc/spfs/pdf/ecowas.pdf> 5; Dabugat 2015 West Africa Insight 37-38; USAID 2018 <https://www.usaid.gov/west-africa-regional/agriculture-and-food-security>.

567 Article 22 *Economic Community of West-African States Revised Treaty* (1993).

568 Article 22(1)(a) and Article 22(1)(c) *Economic Community of West-African States Revised Treaty* (1993).

569 Article 23(a-d) *Economic Community of West-African States Revised Treaty* (1993).

570 Article 25 *Economic Community of West-African States Revised Treaty* (1993).

571 Article 25 (1) *Economic Community of West-African States Revised Treaty* (1993).

572 ECOWAS 2002 <http://www.fao.org/fileadmin/templates/tc/spfs/pdf/ecowas.pdf> 8; Article 25(1) (a-d) *Economic Community of West-African States Revised Treaty* (1993); Reliefweb 2013 <https://reliefweb.int/report/mali/ecowas-launches-regional-agency-agriculture-and-food-security>.

Furthermore, member states in the ECOWAS are required to draw specific attention to actively reducing food wastage and food loss as a result of production methods.⁵⁷³ Moreover, they are required to be proactive in regards to disaster management, food aid and disease control and should aim to enter into agreements which strives to attain regional food security objectives.⁵⁷⁴

5.4.3 Programmes aimed at food security and nutrition

The research indicated that ECOWAS has a variety of focus programmes aimed at achieving food security and nutrition. This is of great importance as food insecurity in this region is an undeniable reality, specifically in terms of the vulnerable population groups.⁵⁷⁵ In terms of nutrition it has been found that at least 33% of the population of the member states within this REC have been deemed to be undernourished.⁵⁷⁶ The ECOWAS determined in 2002 that this undernourishment could be attributed to the poor health conditions, monotonous diets of communities and inadequate food supply.⁵⁷⁷ In reaction hereto many food security programmes have been initiated by ECOWAS focussing on the attainment of both national and regional food security and nutrition.⁵⁷⁸

573 Reliefweb 2013 <https://reliefweb.int/report/mali/ecowas-launches-regional-agency-agriculture-and-food-security>; Article 25(1)(f) *Economic Community of West-African States Revised Treaty* (1993).

574 Reliefweb 2013 <https://reliefweb.int/report/mali/ecowas-launches-regional-agency-agriculture-and-food-security>; Article 25(1)(f) *Economic Community of West-African States Revised Treaty* (1993).

575 Vulnerable groups include the rural and urban poor communities as well as refugees as result of continued conflict in countries such as Liberia and Sierra Leone. See ECOWAS 2002 <http://www.fao.org/fileadmin/templates/tc/spfs/pdf/ecowas.pdf> 6; USAID 2018 <https://www.usaid.gov/west-africa-regional/agriculture-and-food-security>; Dabugat 2015 *West Africa Insight* 37-38; ECOWAS *Regional Food Security Reserve* 16.

576 ECOWAS *Regional Food Security Reserve* 16; ECOWAS 2002 <http://www.fao.org/fileadmin/templates/tc/spfs/pdf/ecowas.pdf> 6; Dabugat 2015 *West Africa Insight* 37.

577 USAID 2018 <https://www.usaid.gov/west-africa-regional/agriculture-and-food-security>; ECOWAS 2002 <http://www.fao.org/fileadmin/templates/tc/spfs/pdf/ecowas.pdf> 6; ECOWAS *Regional Food Security Reserve* 16.

578 Reliefweb 2013 <https://reliefweb.int/report/mali/ecowas-launches-regional-agency-agriculture-and-food-security>; Rampa et al *Regional Approaches to Food Security in Africa: The CAADP and Other Relevant Policies and Programmes in ECOWAS* vii; ECOWAS 2002 <http://www.fao.org/fileadmin/templates/tc/spfs/pdf/ecowas.pdf> 6; Dabugat 2015 *West Africa Insight* 37-38.

In evaluating the importance associated with achieving the SDG's in terms of *Agenda 2063 and Agenda 2030* it is important to discuss the two most recent programmes implemented by ECOWAS aimed at food security and nutrition. The programmes to be discussed are the Special Programme for Food Security (hereafter SPFS), and ECOWAS Agricultural Policy (hereafter ECOWAP).

The first programme to be discussed is the SPFS. This programme was initiated in attempts to pursue the goals and objectives and how they relate to food security contained in the World Food Summit Declaration and the Lagos Plan of Action.⁵⁷⁹ In terms of the SPFS, assistance should be provided to developing countries in an attempt to attain national food security and eventually attain regional food security.⁵⁸⁰

Although the SPFS focusses on the food security status of the countries, the methods proposed focus on a variety of approaches which lead to agricultural sustainability and the increase of the economy relative to agricultural trade.⁵⁸¹ The SPFS further identified some challenges facing the achievement of a food secure region in West Africa which includes challenges pertaining to sustainable production as well as agricultural trade.⁵⁸²

Of these challenges the most relevant, to the current study include: (a) the efficacy of infrastructure in terms of sustainable production methods for the agricultural sector; (b) the improvement of access to food supplies and agricultural products by the vulnerable groups of the community; (c) the ability to adapt agricultural methods in reaction to threatening climate change and disastrous circumstances; and (d) the lack

579 ECOWAS 2002 <http://www.fao.org/fileadmin/templates/tc/spfs/pdf/ecowas.pdf> 12.
580 USAID 2018 <https://www.usaid.gov/west-africa-regional/agriculture-and-food-security>; ECOWAS 2002 <http://www.fao.org/fileadmin/templates/tc/spfs/pdf/ecowas.pdf> 12; Dabugat 2015 West Africa Insight 37.
581 Dabugat 2015 West Africa Insight 37-38; ECOWAS 2002 <http://www.fao.org/fileadmin/templates/tc/spfs/pdf/ecowas.pdf> 12; USAID 2018 <https://www.usaid.gov/west-africa-regional/agriculture-and-food-security>.
582 ECOWAS *Regional Food Security Reserve* 16-24; USAID 2018 <https://www.usaid.gov/west-africa-regional/agriculture-and-food-security>; Reliefweb 2013 <https://reliefweb.int/report/mali/ecowas-launches-regional-agency-agriculture-and-food-security>; ECOWAS 2002 <http://www.fao.org/fileadmin/templates/tc/spfs/pdf/ecowas.pdf> 6.

of institutions carrying forward the knowledge base in order to combat food insecurity and agricultural decay.⁵⁸³

In terms of the SPFS the majority of programmes addressing food security focus on increasing agricultural productivity on a national level.⁵⁸⁴ However, on regional level the focus will shift from production to trade across national boundaries, thus increasing the regions overall stance in relation to food security.⁵⁸⁵

Following the SPFS, ECOWAS adopted ECOWAP in 2005.⁵⁸⁶ ECOWAP has been implemented through the use of the Regional Agricultural Investment Plan (hereafter RAIP) in 2009 as a part of the Comprehensive Africa Agricultural Development Programme (hereafter CAADP) for West Africa.⁵⁸⁷ This implementation was a positive development in terms of food security and nutrition on regional level as CAADP was initially mainly concerned with the implementation of national investment plans as opposed to regional plans.⁵⁸⁸ This approach is labelled by Rampa⁵⁸⁹ as a top-down approach to food security and nutrition as opposed to the development of domestic investment plans before addressing regional plans.

583 ECOWAS 2002 <http://www.fao.org/fileadmin/templates/tc/spfs/pdf/ecowas.pdf> 6; Reliefweb 2013 <https://reliefweb.int/report/mali/ecowas-launches-regional-agency-agriculture-and-food-security>; Dabugat 2015 West Africa Insight 37-38.

584 USAID 2018 <https://www.usaid.gov/west-africa-regional/agriculture-and-food-security>; ECOWAS *Regional Food Security Reserve* 16-24; Reliefweb 2013 <https://reliefweb.int/report/mali/ecowas-launches-regional-agency-agriculture-and-food-security>; ECOWAS 2002 <http://www.fao.org/fileadmin/templates/tc/spfs/pdf/ecowas.pdf> 9-10.

585 USAID 2018 <https://www.usaid.gov/west-africa-regional/agriculture-and-food-security>; ECOWAS *Regional Food Security Reserve* 16-24; Reliefweb 2013 <https://reliefweb.int/report/mali/ecowas-launches-regional-agency-agriculture-and-food-security>; ECOWAS 2002 <http://www.fao.org/fileadmin/templates/tc/spfs/pdf/ecowas.pdf> 9-10.

586 Dabugat 2015 West Africa Insight 37; ECOWAS 2002 <http://www.fao.org/fileadmin/templates/tc/spfs/pdf/ecowas.pdf> 9-10.

587 ECDMP 2013 <http://ecdpm.org/talking-points/west-africa-regional-agricultural-policy-ecowap/>; Rampa et al *Regional Approaches to Food Security in Africa: The CAADP and Other Relevant Policies and Programmes in ECOWAS* vii; Dabugat 2015 West Africa Insight 37; ECOWAS 2002 <http://www.fao.org/fileadmin/templates/tc/spfs/pdf/ecowas.pdf> 9-10.

588 Rampa et al *Regional Approaches to Food Security in Africa: The CAADP and Other Relevant Policies and Programmes in ECOWAS* 1; ECDMP 2013 <http://ecdpm.org/talking-points/west-africa-regional-agricultural-policy-ecowap/>.

589 See paragraph 5.4.2 above. A bottom-up approach is deemed to be an approach where progress is achieved by a country-led process whereas a top-down process is deemed to be a process driven by the regional development followed by national progress. See Rampa et al *Regional Approaches to Food Security in Africa: The CAADP and Other Relevant Policies and Programmes in ECOWAS* 5-6.

The development of ECOWAP was in correlation with the slow pace at which regional progress was made at the time of its implementation pertaining to the achievement of food security and nutrition objectives.⁵⁹⁰ Although the importance of such a regional investment plan can be understood by all RECs, ECOWAP is currently the only implemented regional CAADP plan.⁵⁹¹

In light of the above it is important to mention the overall objective as stipulated by the ECOWAP policy which can be directly related to CAADP namely:

...to contribute in a sustainable manner to satisfying the food needs of the population, to economic and social development and to poverty reduction in Member States as well as to address inequalities between territories, areas and countries.⁵⁹²

Furthermore, in the effort of achieving these objectives ECOWAP's vision is set out as:

...a modern and sustainable agriculture, based on effectiveness and efficiency of family farms and the promotion of agricultural enterprises through the involvement of the private sector. Once the productivity and competitiveness on the intra-community and international markets are achieved, the policy should be able to guarantee food security and secured even incomes for agricultural workers.⁵⁹³

In achieving the abovementioned objective as well as the vision for ECOWAP, seven specific objectives have been identified by ECOWAS focussing on:

- a) Attaining food security within communities;
- b) Decrease of the dependence on food aid and achieving food sovereignty;
- c) The involvement of the food production sector in the markets;
- d) The creation of more local employment opportunities with a higher income to be able to provide for families within the communities;
- e) Ensuring that production of food is done sustainably;

590 ECDMP 2013 <http://ecdpm.org/talking-points/west-africa-regional-agricultural-policy-ecowap/>; Rampa et al *Regional Approaches to Food Security in Africa: The CAADP and Other Relevant Policies and Programmes in ECOWAS* 1.

591 Ochala 2018 https://www.africaleadftf.org/wp-content/uploads/2018/01/CAADP-MALABO-Joint-Implementation-Planning-Retreat-Report_final.pdf; Dabugat 2015 West Africa Insight 37; Rampa et al *Regional Approaches to Food Security in Africa: The CAADP and Other Relevant Policies and Programmes in ECOWAS* 1.

592 Dabugat 2015 West Africa Insight 37; ECOWAS *Regional Agricultural Policy for West Africa: ECOWAP* 9; Rampa et al *Regional Approaches to Food Security in Africa: The CAADP and Other Relevant Policies and Programmes in ECOWAS* 4.

593 ECOWAS *Regional Agricultural Policy for West Africa: ECOWAP* 9; USAID *West Africa Fact Sheet* 1; Dabugat 2015 West Africa Insight 37; Rampa et al *Regional Approaches to Food Security in Africa: The CAADP and Other Relevant Policies and Programmes in ECOWAS* 4.

- f) To limit the risk factors which makes the production sector more vulnerable;
and
- g) Ensuring that adequate funding is available to achieve these objectives.⁵⁹⁴

It is clear that the purpose of ECOWAP was not only to achieve sustainable food production or to attain food security within the national perspective but rather to ensure that a regional, international structure could be established.⁵⁹⁵ This would result in food security supporting economic growth, sustainable agricultural production methods and employment opportunities.⁵⁹⁶ The RAIP, as well as National investment plans, in reaction to ECOWAP, implemented regulatory frameworks which focussed on seeds, pesticides and agricultural production methods to promote food security and nutrition.⁵⁹⁷

The manner in which ECOWAS has been implementing the ECOWAP and its RAIP in terms of the achievement of regional food security and nutrition differs considerably from the other RECs.⁵⁹⁸ The major difference is that ECOWAS first focussed on the attainment of regional food security followed by the National implementation of National investment plans to reach corresponding objectives.⁵⁹⁹ Other RECs, however, focussed on the attainment of national food security and have in a sense placed the responsibility of achieving food security and nutrition objectives in the hands of each individual country.⁶⁰⁰ Although the progress made by ECOWAP and ECOWAS thus far

594 These specific objectives were further recognised through the recognition of six priority areas by NEPAD in order to reduce poverty and food insecurity and in order to assist in regional integration. See ECOWAS Regional Agricultural Policy for West Africa: ECOWAP 9-10; USAID West Africa Fact Sheet 1; Dabugat 2015 West Africa Insight 37-38.

595 ECOWAS *Regional Agricultural Policy for West Africa: ECOWAP* 9-10; USAID *West Africa Fact Sheet* 1.

596 ECOWAS *Regional Agricultural Policy for West Africa: ECOWAP* 9-10; USAID *West Africa Fact Sheet* 1.

597 ECOWAS *Regional Agricultural Policy for West Africa: ECOWAP* 10-11; USAID *West Africa Fact Sheet* 1; Dabugat 2015 West Africa Insight 37-38.

598 ECDMP 2013 <http://ecdpm.org/talking-points/west-africa-regional-agricultural-policy-ecowap/>; Rampa et al *Regional Approaches to Food Security in Africa: The CAADP and Other Relevant Policies and Programmes in ECOWAS* 5; Dabugat 2015 West Africa Insight 37; ECOWAS 2002 <http://www.fao.org/fileadmin/templates/tc/spfs/pdf/ecowas.pdf> 9-10.

599 Rampa et al *Regional Approaches to Food Security in Africa: The CAADP and Other Relevant Policies and Programmes in ECOWAS* 5-6; ECDMP 2013 <http://ecdpm.org/talking-points/west-africa-regional-agricultural-policy-ecowap/>.

600 Rampa et al *Regional Approaches to Food Security in Africa: The CAADP and Other Relevant Policies and Programmes in ECOWAS* 5-6.

is to be commended, Rampa⁶⁰¹ is of the opinion that the RAIP still requires some work in terms of coherence and collaboration between the member states of the region.

It is clear from the researcher's perspective that ECOWAS, as a REC, attends eagerly to the attainment of international, regional and national food security objectives.⁶⁰² The two programmes mentioned in this section shows that ECOWAS has indeed attempted to implement the objectives aimed at reaching a food secure Africa and have focussed greatly on the development of the agricultural sector within the ECOWAS region and not only within the national borders of its member states.⁶⁰³

5.5 Conclusion

This chapter focussed on the food security and nutrition objectives contained in both *Agenda 2063* and *Agenda 2030*⁶⁰⁴ as a basis to evaluate current policy documents of the RECs of East Africa in terms of CEN-SAD and West Africa in terms of ECOWAS.

After analysing the two RECs in this chapter, it is clear that, although the RECs function according to the same founding principles in relation to the AU and the AEC, both have different methods of achieving the same objectives.

It is clear that ECOWAS functions at a vastly different level to the previous RECs relating to East Africa in the sense that a so-called top-down approach is followed in the attainment of food security and nutrition objectives.⁶⁰⁵ In terms of this approach, the revision of the Treaty establishing ECOWAS, and from the discussions above it is clear that the attainment of food security and nutrition is not a country-led initiative but rather led by the regional structures.⁶⁰⁶

601 Rampa et al *Regional Approaches to Food Security in Africa: The CAADP and Other Relevant Policies and Programmes in ECOWAS* 6.

602 ECOWAS 2002 <http://www.fao.org/fileadmin/templates/tc/spfs/pdf/ecowas.pdf> 8-9.

603 Rampa et al *Regional Approaches to Food Security in Africa: The CAADP and Other Relevant Policies and Programmes in ECOWAS* 5-6; ECDMP 2013 <http://ecdpm.org/talking-points/west-africa-regional-agricultural-policy-ecowap/>.

604 As discussed in Chapter 3 of this study above.

605 A bottom-up approach is deemed to be an approach where progress is achieved by a country-led process whereas a top-down process is deemed to be a process driven by the regional development followed by national progress. See Rampa et al *Regional Approaches to Food Security in Africa: The CAADP and Other Relevant Policies and Programmes in ECOWAS* 5-6.

606 Rampa et al *Regional Approaches to Food Security in Africa: The CAADP and Other Relevant Policies and Programmes in ECOWAS* 5-6.

It is furthermore important to note that both of these RECs mentioned CAADP in their investments plans or establishing documents and that the importance of CAADP is therefore acknowledged and supported. In turn the objectives contained in *Agenda 2063* and *Agenda 2030* are therefore also confirmed by this which shows the consideration that has been awarded to these instruments in developing the regional and national programmes.

After the analysis and the discussion of the various food security and nutrition guidelines contained in the policies and programmes of the RECs as discussed in this chapter as well as Chapter 4, the information gathered is used in the next chapter to establish a benchmark of best practice for food security and nutrition.

6 Chapter 6: Proposing a benchmark for best practice pertaining to food security and nutrition.

6.1 Introduction

Throughout the study and by making use of intensive research, the question to be addressed remained that of establishing if there are any comparable guidelines from existing Regional Economic Communities' (RECs) policy documents and programmes which could be used in establishing a benchmark for food security and nutrition. Why do you need this benchmark? To test what? Why? Explain...

The researcher critically analysed the existing policy documents as identified in the first chapter of this study as they pertain to East and West Africa. The analysis was done to identify which guidelines were used by each REC in order to reach their respective food security and nutrition objectives. The guidelines were further compared to the goals set out in the SDGs and guidelines contained in *Agenda 2063* and *Agenda 2030* pertaining to food security and nutrition.

With this chapter, the researcher aims to extract the comparable guidelines from each REC as analysed in Chapter 4 and 5 above in order to compile one singular benchmark for best practice intended for the application by every REC in East and West Africa. This benchmark should then be able to serve as an extension of the guidelines set out in the SDGs in *Agenda 2063* and *Agenda 2030* in order for RECs and countries to implement comparative policy documents and work together in achieving a food secure and nutritional region.

The researcher further explains the purpose and idea behind such a benchmark and how this term is applied to the current study. Thereafter, the compilation of the said benchmark is done by analysing both the positive and negative aspects of each REC's policy documents together with identifying how these guidelines could be measured and implemented.

6.2 What is a benchmark of best practice?

In order to be able to compile a benchmark of best practice in this study it will be necessary to research and establish what a benchmark of best practice is. The

researcher will consult a variety of sources, which mainly focus on the term benchmarking within a corporate or business perspective in order to explain these terms in the current context.

6.2.1 *The definition of benchmarking*

Benchmarking as such has been implemented by businesses and corporations since the 1970's in lieu of a way of improving these entities and their market share.⁶⁰⁷ Although according to many writers, benchmarking has been difficult to define, the definitions presently applied and studied by the researcher agreed with one another.⁶⁰⁸ Abuzaid⁶⁰⁹ "defined benchmarking as the process of measuring the performance of one's company against the best in the same or another industry".

Benchmarking could further also be defined as "a process for improving performance of an organisation".⁶¹⁰ Knipe⁶¹¹ further defined benchmarking as a method to determine which products produced by an organisation was superior to those of other competitors together with analysing the processes and production methods of those product. Blanchard⁶¹² continues to define "benchmarking" as follows:

...the continuous process of comparing one's business processes and performance metrics to industry bests and/or best practices from other industries... through dimensions measured being quality, time and cost and improvements making processes better, faster and cheaper.

607 Themistocleous and Irani 2001 *Benchmarking: An International Journal* 318; Abuzaid *Benchmarking* 5.

608 Meade *A Guide to Benchmarking* 4-5; Elmuti and Kathawala 1997 *Benchmarking for Quality Management & Technology* 229; Knipe "Benchmarking for Competitive Advantage – Striving for World Class Project Management Practices" 2-3; Themistocleous and Irani 2001 *Benchmarking: An International Journal* 318; Abuzaid *Benchmarking* 4-5; Blanchard 2014 <https://www.proactiongroup.com/wp-content/uploads/2016/09/Benchmarking-Best-Practices.pdf>.

609 Abuzaid *Benchmarking* 4-5.

610 Knipe "Benchmarking for Competitive Advantage – Striving for World Class Project Management Practices" 2; Abuzaid *Benchmarking* 4-5.

611 Knipe "Benchmarking for Competitive Advantage – Striving for World Class Project Management Practices" 2.

612 Blanchard 2014 <https://www.proactiongroup.com/wp-content/uploads/2016/09/Benchmarking-Best-Practices.pdf>.

According to this definition, benchmarking does not entail a once-off analysis of any single process or procedure within the organisation, but rather a continuous process applied in comparison with external organisations.

6.2.2 Different considerations in the benchmarking process

In agreement with the abovementioned definitions, Elmuti and Kathawala⁶¹³ further added that benchmarking not only focusses on the evaluation of the best practice or standards of products and services, but also included the improvements that was to be made to current less satisfactory products or services in order to achieve the same level of outcomes.⁶¹⁴ It has also been clear to the researcher that the literature studied in this regard, focus on the improvement of current processes and procedures from within any industry, whether it be service or production, to achieve the best possible outcomes or results.⁶¹⁵

Furthermore, it was also evident from the research that benchmarking studies in corporate environments, focussed on specific goals to be achieved or with specific outcomes, such as the enhancement of performance in mind, and in most cases entailed structured approaches.⁶¹⁶ In applying a reasoning strategy like the continual enhancement of processes and procedures, organisations gain invaluable insight into a pro-active, rather than a re-active approach in their businesses.⁶¹⁷ Another addition of value to any process subject to benchmarking, is the identification of any gaps in a product or process.⁶¹⁸ By using the analysis of one's own product and process and identifying the gaps therein, pre-emptive measures can be recognised to prevent

613 Elmuti and Kathawala 1997 *Benchmarking for Quality Management & Technology* 229.

614 Meade *A Guide to Benchmarking* 5; Elmuti and Kathawala 1997 *Benchmarking for Quality Management & Technology* 229.

615 Meade *A Guide to Benchmarking* 5; Elmuti and Kathawala 1997 *Benchmarking for Quality Management & Technology* 229.

616 Blanchard 2014 <https://www.proactiongroup.com/wp-content/uploads/2016/09/Benchmarking-Best-Practices.pdf>; Knipe "Benchmarking for Competitive Advantage – Striving for World Class Project Management Practices" 2; Abuzaid *Benchmarking* 4-5; Elmuti and Kathawala 1997 *Benchmarking for Quality Management & Technology* 229, 231.

617 Meade *A Guide to Benchmarking* 4-5; Knipe "Benchmarking for Competitive Advantage – Striving for World Class Project Management Practices" 3.

618 Abuzaid *Benchmarking* 5-6.

similar gaps in future.⁶¹⁹ In a similar manner the use of a benchmark of best practice relating to food security and nutrition objectives will be used to address gaps and problem areas in reaching the AU's goals and objectives in this regard.

As a further method of complementing a continual benchmarking process, the success of such an analysis relies on the "compliance of the organisation".⁶²⁰ This compliance would mean that the organisation who conducted the benchmarking process should continue to monitor the progress made on the basis thereof.⁶²¹ The monitoring of the enhance processes and procedures should further be followed up by an evaluation process to ensure that the goals and objectives set by the organisation should be met.⁶²² Moreover, according to Elmuti and Kathawala⁶²³ by applying the process of benchmarking in an organisation, it creates an opportunity for the said organisation to depart from traditional implementation of processes and procedures. This departure makes way for a flexible application of the results obtained in a benchmarking process to be adapted to a variety of environments and circumstances.⁶²⁴

6.2.3 Benchmarking defined in terms of food security and nutrition

In order to apply the abovementioned to the aspect of policies and food security and nutrition guidelines it could be stated that benchmarking might be defined here and in terms of the current study as:⁶²⁵

The continuous non-exhaustive process of comparing Regional guidelines and performance measures to the Sustainable Development Goals (SDGs) as set out by *Agenda 2030* and *Agenda 2063*, by means of referring to measuring dimensions such as the overall food security status and nutritional level of each regional economic community.

619 Knipe "Benchmarking for Competitive Advantage – Striving for World Class Project Management Practices" 3; Elmuti and Kathawala 1997 *Benchmarking for Quality Management & Technology* 234, 242; Abuzaid *Benchmarking* 6-7.

620 Blanchard 2014 <https://www.proactiongroup.com/wp-content/uploads/2016/09/Benchmarking-Best-Practices.pdf>.

621 Abuzaid *Benchmarking* 10.

622 Elmuti and Kathawala 1997 *Benchmarking for Quality Management & Technology* 231; Abuzaid *Benchmarking* 4-5.

623 Elmuti and Kathawala 1997 *Benchmarking for Quality Management & Technology* 241-242.

624 Elmuti and Kathawala 1997 *Benchmarking for Quality Management & Technology* 241-242.

625 Compilation of a definition of benchmarking by the author hereof by utilising benchmarking background and definitions in paragraphs 6.2.1 and 6.2.2 above.

This would mean that the benchmark to be suggested in this chapter is not a closed list and does not exclude any alternatives. It is expected that it will merely indicate, in order for the attainment of regional food security and nutrition, it is necessary to establish certain evaluative measures as a starting point.⁶²⁶ These evaluative measures would be obtained from the SDGs and the analysis of the five RECs.⁶²⁷

In considering the definition and description of the benchmarking process, it is evident that the process of benchmarking has taken place throughout the current study and research through the critical analysis of the RECs policy documents alongside the SDGs in *Agenda 2030* and *Agenda 2063*.⁶²⁸ With reference to the measuring dimensions used to evaluate the progress made in terms of applying the benchmark, the importance of definitions of food security and nutrition (with the inclusion of malnutrition) should be referred to.⁶²⁹

The last aspect applied to the benchmark in relation to food security and nutrition should be the application of such a benchmark in the midst of varied circumstances. With the application of a single benchmark in large areas such as East and West Africa it needs to be kept in mind that these regions are not necessarily subject to parallel environments and circumstances.⁶³⁰ The benchmark should therefore allow for flexibility and consideration of differing environments. It is with this in mind that the following section of this chapter focusses on the attempt to compile such a flexible and practical benchmark for food security and nutrition guidelines.⁶³¹ This is of paramount importance in order to create a singular tool for use by all relevant RECs as no such tool is available and each REC uses its own policies and guidelines for this purpose.⁶³²

626 Lisowska 2016 "Sustainable Development Goal 2: joining-up standards for ending hunger" 3, 9; *Resolution 70/1 Transforming our world: the 2030 Agenda for Sustainable Development* UN GA Res 70/1 UN Doc A/RES/70/1 2015 par 73.

627 See Chapters 4 and 5 above.

628 See Chapters 4 and 5 above.

629 See Chapter 2 and 3 above; See also *Resolution 70/1 Transforming our world: the 2030 Agenda for Sustainable Development* UN GA Res 70/1 UN Doc A/RES/70/1 2015 14-15.

630 *Resolution 70/1 Transforming our world: the 2030 Agenda for Sustainable Development* UN GA Res 70/1 UN Doc A/RES/70/1 2015 par 55-57, 59.

631 Mollier et al. 2017 "SDG2 End Hunger, Achieve Food Security and Improved Nutrition and Promote Sustainable Agriculture" 40; *Resolution 70/1 Transforming our world: the 2030 Agenda for Sustainable Development* UN GA Res 70/1 UN Doc A/RES/70/1 2015 par 22,55-57, 59.

632 See the critical analysis of RECs policy documents in chapters four and five above.

6.3 Agenda 2030 and Agenda 2063 as starting point

With reference to the abovementioned discussion on the establishment or development of a benchmark, some type of overall guideline needs to be set. In the current study the guidelines which run through the entire critical analysis of all five RECs, are the SDGs in terms of *Agenda 2063* and *Agenda 2030*.⁶³³ The RECs' policy documents and the programmes aimed at attaining food security and nutrition were analysed and compared to these SDGs in order to find similarities therein.⁶³⁴ The comparison to the SDGs will serve as the external evaluation of each REC to be able to proceed with the benchmarking process and eventually reach guidelines which will be proposed as a benchmark of best practice.⁶³⁵ As such the SDGs, contained in both *Agenda 2030* and *Agenda 2063*, which were the main focus of the study are briefly mentioned below.

6.3.1 Guidelines extracted from Agenda 2063

The first objective to be listed to a possible guideline in the benchmarking process is the first aspiration contained in Agenda 2063 which includes a "high standard of living, quality of life and well-being for all citizens".⁶³⁶ This aspiration will be measured by means of evaluating the overall income of individuals, the availability of jobs and an overall decrease in hunger amongst citizens with the addition of citizens being "healthy and well-nourished".⁶³⁷ Measurement in terms of the standard of living of citizens in the first aspiration in *Agenda 2063* is proposed to take place with the use of a "vulnerability index"⁶³⁸ whereas decrease in prevalence of hunger should be measured

633 See Chapter 3 above.

634 See Chapters 4 and 5 above.

635 Lisowska 2016 "Sustainable Development Goal 2: joining-up standards for ending hunger" 3, 9; *Resolution 70/1 Transforming our world: the 2030 Agenda for Sustainable Development* UN GA Res 70/1 UN Doc A/RES/70/1 2015 par 73.

636 See paragraph 3.3 above. See also African Union Agenda 2063 Framework Document: *The Africa We Want* (2015) vii.

637 See paragraph 3.3 above. See also African Union Agenda 2063 Framework Document: *The Africa We Want* (2015) vii.

638 See paragraph 3.3 above. See also African Union Agenda 2063 Framework Document: *The Africa We Want* (2015) 131-132.

in terms of national CAADP implementation and an evaluation of the established national policies within each region.⁶³⁹

In addition to the abovementioned objective as set out in *Agenda 2063*, it is further stated that objectives such as modernising agriculture and production methods should be pursued and that countries should focus increasingly on the importance of climate resilience and pursuing environmental sustainability.⁶⁴⁰ The measurement for these objectives should be the increase of production and productivity through the development and implementation of sustainable policies and procedures and to keep production waste to a minimum.⁶⁴¹

From the discussion above as well as Chapter 3 of this study the following guidelines could be extracted from *Agenda 2063*:

- a) A higher standard of living for all citizens;
- b) Modernising agricultural and production methods;
- c) Environmental sustainability;
- d) Climate resilience;
- e) Increased production; and
- f) A decrease in production wastage.

6.3.2 Guidelines extracted from Agenda 2030 (SDGs)

In addition to the abovementioned mainly national guidelines contained in *Agenda 2063*, the SDGs provide for a regional and global implementation of similar objectives.⁶⁴² As mentioned in Chapter 3 above, the most important SDG in *Agenda*

639 The strategies in *Agenda 2063* in relation to obtaining food security and nutrition are mainly focussed on the attainment of these objectives on national level and very little guidelines are provided for the provision thereof on regional level. See Chapter 3 above; See also African Union Agenda 2063 Framework Document: The Africa We Want (2015) 132.

640 African Union Agenda 2063 Framework Document: The Africa We Want (2015) vii.

641 UN 2014 https://sustainabledevelopment.un.org/content/documents/1444HLPF_10YFP2.pdf; *Resolution 70/1 Transforming our world: the 2030 Agenda for Sustainable Development* UN GA Res 70/1 UN Doc A/RES/70/1 2015 7-8, 22, 141-142; Gualtieri 2013 *Future of Food: Journal of Food, Agriculture and Society* 21; FAO "Food Security Information for Action: Lesson 1" 3; FAO "Food Security Policy Brief"1; Wëingartner "The Concept of Food and Nutrition Security" I-7; *African Convention on the Conservation of Nature and Natural Resources* (2003) 1.

642 See Chapter 3 above; See also The UN reaffirms the importance of supporting the African Union's *Agenda 2063* and the programme of the New Partnership for Africa's Development, both of which

2030 focussing on the attainment of food security and nutrition together with sustainable agriculture is SDG2.⁶⁴³ Moreover the SDGs focus on also addressing the importance of climate change and the global importance of acting in response thereto.⁶⁴⁴

In conjunction with SDG2, SDG12 further emphasises the importance of sustainable agricultural methods as well as "sustainable production and consumption patterns".⁶⁴⁵ The ways in which the objectives relating to climate change and the global resilience thereto should be addressed, are set out in the SDGs as adapting production methods to circumvent external challenges such as undesirable weather conditions, droughts, floods and those negatively influencing the soil quality.⁶⁴⁶

Furthermore it was recommended that agricultural practices should focus on genetically diverse seeds and plant varieties in order to further combat undesirable climates or challenges.⁶⁴⁷ One of the last objectives in terms of SDG2 is to focus on the advantageous amendment to trade agreements in order to be able to maintain

are integral to the new Agenda. See *Resolution 70/1 Transforming our world: the 2030 Agenda for Sustainable Development* UN GA Res 70/1 UN Doc A/RES/70/1 2015 par 42-43.

643 According to the FAO, SDG comprises of a complex condition with a holistic approach that involves a series of complementary actions targeting the access dimension of food security, all forms of malnutrition, the productivity and incomes of small-scale food producers, resilience of food production systems and the sustainable use of biodiversity and genetic resources. See paragraph 3.4 and 3.4.2 above. See also FAO *Sustainable Development Goals: Goal 2; Resolution 70/1 Transforming our world: the 2030 Agenda for Sustainable Development* UN GA Res 70/1 UN Doc A/RES/70/1 2015 para 15, 18 – 19; WWF 2015 <http://blogs.wwf.org.uk/blog/green-sustainable-living/what-on-earth-are-sustainable-development-goals/>; UN "2017 HLPF Thematic Review of SDG2: End Hunger; Mollier et al. "SDG2 End Hunger, Achieve Food Security and Improved Nutrition and Promote Sustainable Agriculture" 34.

644 SDG 13 focusses greatly on the importance of climate change resilience. See United Nations *Framework Convention on Climate Change* (1992); *Resolution 70/1 Transforming our world: the 2030 Agenda for Sustainable Development* UN GA Res 70/1 UN Doc A/RES/70/1 2015 par 30-31.

645 *Resolution 70/1 Transforming our world: the 2030 Agenda for Sustainable Development* UN GA Res 70/1 UN Doc A/RES/70/1 2015 14.

646 Mollier et al. 2017 "SDG2 End Hunger, Achieve Food Security and Improved Nutrition and Promote Sustainable Agriculture" 40; UN 2017 <https://sustainabledevelopment.un.org/sdg2>; *Resolution 70/1 Transforming our world: the 2030 Agenda for Sustainable Development* UN GA Res 70/1 UN Doc A/RES/70/1 2015 15; UN "2017 HLPF Thematic Review of SDG2: End Hunger, Achieve Food Security and Improved Nutrition and Promote Sustainable Agriculture" 11; Lisowska 2016 "Sustainable Development Goal 2: Joining-Up Standards for Ending Hunger" 6.

647 UN 2017 <https://sustainabledevelopment.un.org/sdg2>; *Resolution 70/1 Transforming our world: the 2030 Agenda for Sustainable Development* UN GA Res 70/1 UN Doc A/RES/70/1 2015 15; UN "2017 HLPF Thematic Review of SDG2: End Hunger, Achieve Food Security and Improved Nutrition and Promote Sustainable Agriculture" 11; Lisowska 2016 "Sustainable Development Goal 2: Joining-Up Standards for Ending Hunger" 6.

favourable levels of food supply and to decrease any trade restrictions which will negatively impact these levels.⁶⁴⁸ A measurement tool for the maintenance of adequate levels of food supply should *inter alia* monitor the food prices, and measure the communities' ease of access to food products.⁶⁴⁹

From the discussion above as well as Chapter 3 of this study the following guidelines could be extracted from *Agenda 2030*:

- a) Sustainable production and consumption;
- b) Climate change and climate adaptation;
- c) Utilising genetically diverse seeds; and
- d) Increasing food supply through:
 - a. Implementing less trade restrictions;
 - b. Monitoring food prices; and
 - c. Measuring the communities' ease of access to food supplies.

6.4 Regional Economic Communities' policy documents and programmes

After a brief summary of objectives extracted from *Agenda 2030* and *Agenda 2063* as well as relevant measurement tools thereof, the establishment of a benchmark of best practice now necessitates that a similar brief summary of existing guidelines in terms of the five RECs that have been critically analysed in previous chapters, should follow. These existing guidelines have been summarised in terms of the RECs that they were obtained from where after the researcher aimed to find the strengths and weaknesses of each to establish a proposed benchmark of best practice.

648 *Resolution 70/1 Transforming our world: the 2030 Agenda for Sustainable Development* UN GA Res 70/1 UN Doc A/RES/70/1 2015 16; UN "2017 HLPF Thematic Review of SDG2: End Hunger, Achieve Food Security and Improved Nutrition and Promote Sustainable Agriculture" 11; WFP "Enhancing the Evaluability of SDG2" 15.

649 SDG1 focusses on ending poverty in all its forms everywhere and is closely linked to SDG2 due to the fact that if no finances are available to purchase food, food insecurity and malnutrition may follow inevitably See Mollier et al. 2017 "SDG2 End Hunger, Achieve Food Security and Improved Nutrition and Promote Sustainable Agriculture" 36; *Resolution 70/1 Transforming our world: the 2030 Agenda for Sustainable Development* UN GA Res 70/1 UN Doc A/RES/70/1 2015 16; UN "2017 HLPF Thematic Review of SDG2: End Hunger, Achieve Food Security and Improved Nutrition and Promote Sustainable Agriculture" 11; WFP "Enhancing the Evaluability of SDG2" 15.

6.4.1 Guidelines extracted from COMESA

In a general application of objectives relating to food security and nutrition objectives, the *COMESA Treaty* frequently focusses on "sustainable economic development" and an economic trade unit which correlates with *Agenda 2063* as well as *Agenda 2030*.⁶⁵⁰ Furthermore, COMESA focusses on the improvement of the standard of living of the member states' communities in order to be able to increase economic development within member states.⁶⁵¹ In addition to attempting to reach an increased economic development, COMESA also focusses on the international cooperation within its REC to reach similar goals.⁶⁵²

In terms of specifically relating objectives to the attainment of food security and nutrition COMESA strives to adhere to most of *Agenda 2030* and *Agenda 2063's* objectives with reference to the co-operation of member states in agricultural development, the adoption of common agricultural policies and the focus of enhancing regional food sufficiency and rural development.⁶⁵³ COMESA as a REC gave serious consideration to the attainment of food security on a regional level and motivated

650 UNECA 2016 <https://www.uneca.org/oria/pages/comesa-common-market-eastern-and-southern-africa>; African Union *Agenda 2063 Framework Document: The Africa We Want* (2015) vii; According to the FAO, SDG comprises of a complex condition with a holistic approach that involves a series of complementary actions targeting the access dimension of food security, all forms of malnutrition, the productivity and incomes of small-scale food producers, resilience of food production systems and the sustainable use of biodiversity and genetic resources; See FAO *Sustainable Development Goals: Goal 2; Resolution 70/1 Transforming our world: the 2030 Agenda for Sustainable Development* UN GA Res 70/1 UN Doc A/RES/70/1 2015 para 15, 18 – 19; WWF 2015 <http://blogs.wwf.org.uk/blog/green-sustainable-living/what-on-earth-are-sustainable-development-goals/>; UN "2017 HLPF Thematic Review of SDG2: End Hunger; Mollier et al. "SDG2 End Hunger, Achieve Food Security and Improved Nutrition and Promote Sustainable Agriculture" 34.

651 Article 3(b) *Treaty Establishing the Common Market for Eastern and Southern Africa* (1993); UNECA 2016 <https://www.uneca.org/oria/pages/comesa-common-market-eastern-and-southern-africa>; Ruppel *Regional Economic Communities and Human Rights* 285.

652 Article 3(a-e), 134 *Treaty Establishing the Common Market for Eastern and Southern Africa* (1993); UNECA 2016 <https://www.uneca.org/oria/pages/comesa-common-market-eastern-and-southern-africa>; Ndomo *Regional Economic Communities in Africa a Progress Overview* 30.

653 Article 4(5) *Treaty Establishing the Common Market for Eastern and Southern Africa* (1993). See also Ruppel *Regional Economic Communities and Human Rights* 285; See also SDG2 *Resolution 70/1 Transforming our world: the 2030 Agenda for Sustainable Development* UN GA Res 70/1 UN Doc A/RES/70/1 2015 15; UN "2017 HLPF Thematic Review of SDG2: End Hunger 2, Achieve Food Security and Improved Nutrition and Promote Sustainable Agriculture" 1; See further *Agenda 2063 Aspiration 1 African Union Agenda 2063 Framework Document: The Africa We Want* (2015) vii, 131.

regional and international co-operation amongst its member states.⁶⁵⁴ A positive attribute in terms of COMESA's contribution toward food security and nutrition aspirations is that COMESA encourages its member states to continuously share technical information and food security and nutrition policies to ensure coherence within the REC.⁶⁵⁵

In addition to the objectives relating to food security and nutrition contained in the *COMESA Treaty* the Regional Programme for Food Security (RPFS) further emphasises the importance of sharing information and reaching a level of food security and nutrition on a national and regional level.⁶⁵⁶ It was further evident from the analysis of the programmes implemented by COMESA that the importance of a regional framework to serve as a guideline for member states in order to reach desired targets for food security and nutrition is to be considered in all relevant areas.⁶⁵⁷

Although it was deemed premature by some, COMESA further laid groundwork for the implementation of a regional compact focussing on otherwise national CAADP compact principles in order to focus on food security through the increase of food production coupled with a decrease of food wastage within the REC.⁶⁵⁸

The guidelines which could be extracted from COMESA's policy documents and programmes are listed here below as:

- a) Common agricultural policies to enhance food security and nutrition;
- b) Sustainable economic development;
- c) Establishing an economic trade unit;
- d) International co-operation with other RECs;
- e) Sharing technical information with RECs; and

654 Article 129(c), 132 *Treaty Establishing the Common Market for Eastern and Southern Africa* (1993).

655 Article 130 *Treaty Establishing the Common Market for Eastern and Southern Africa* (1993).

656 *COMESA Regional Policy for Food Security* (2002) para 10.; Rampa 2012 <http://ecdpm.org/great-insights/more-effective-efficient-public-expenditure/food-security-eastern-southern-africa-comesa-tripartite/>; FANRPAN *COMESA Regional CAADP Compact* 12.

657 *COMESA Staple Food Trade in the COMESA Region* 1, 9.

658 Rampa 2012 <http://ecdpm.org/great-insights/more-effective-efficient-public-expenditure/food-security-eastern-southern-africa-comesa-tripartite/>; FANRPAN *COMESA Regional CAADP Compact* 6; Rampa et al. *Regional Approaches to Food Security in Africa: The CAADP and Other Policies and Programmes in COMESA* vi; FANRPAN 2010 <http://www.fanrpan.org/archive/documents/d00996/>.

- f) Applying regional frameworks in all member states through a regional CAADP compact.

6.4.2 Guidelines extracted from the EAC

In terms of the *EAC Treaty* it was clear to the researcher that this REC, like COMESA focussed greatly on the sharing of information amongst its partner states.⁶⁵⁹ The EAC also codified the importance of the SDGs with specific reference to their commitment to sustainable development, in terms of production and agricultural practices amongst the region's partner states.⁶⁶⁰ These objectives are to be achieved through the implementation of corresponding agricultural policies in all partner states within the REC which would in turn ensure that these partner states would strive toward a self-sufficient REC.⁶⁶¹

In correlation with *Agenda 2063* and *Agenda 2030* the EAC also considers the well-being and the quality of their communities' lives of great importance as it relates to food security and nutrition objectives.⁶⁶² The EAC emphasises further that the improvement of the lives of the communities within the partner states is reliant *inter alia* on the decrease of post-harvest and production losses as well as rational levels of food production and preservation.⁶⁶³

In terms of measurement of these aspirations the EAC aims to ensure that partner states should implement programmes and legislation to combat food insecurity within

659 Article 5 *Treaty for the Establishment of the East African Community* (2007); Grail Research 2012 http://www.integreon.com/pdf/Blog/Grail-Research-The-East-African-Community_239.pdf; See Also UNECA 2017 <https://www.uneca.org/oria/pages/eac-%E2%80%93-east-african-community>; AU date unknown <https://www.au.int/en/organs/recs>.

660 Article 5(3)(a), (c) *Treaty for the Establishment of the East African Community* (2007); See Also UNECA 2017 <https://www.uneca.org/oria/pages/eac-%E2%80%93-east-african-community>; AU date unknown <https://www.au.int/en/organs/recs>; UNECA 2017 <https://www.uneca.org/oria/pages/eac-%E2%80%93-east-african-community>; African Union *Agenda 2063 Framework Document: The Africa We Want* (2015) 142-143.

661 EAC *Food Security Action Plan (2011-2015)* 3; Article 105(1) (a-b) *Treaty for the Establishment of the East African Community* (2007); See also Article 105(2) *Treaty for the Establishment of the East African Community* (2007).

662 Article 5(3)(b) *Treaty for the Establishment of the East African Community* (2007); See Also UNECA 2017 <https://www.uneca.org/oria/pages/eac-%E2%80%93-east-african-community>; African Union *Agenda 2063 Framework Document: The Africa We Want* (2015) 2.3.

663 Article 105(1) (c-d) *Treaty for the Establishment of the East African Community* (2007).

12 months after acceding to the *EAC Treaty*.⁶⁶⁴ Further checks and balances suggested by the EAC in terms of monitoring food security and nutrition amongst the partner states include the establishment of systems or methods to record and report back to the EAC in terms of food production statistics, the demand for food, deficit figures.⁶⁶⁵

With specific reference to programmes implemented in the EAC, the EAC Food Security Action Plan 2011-2015 (FSAP) was the clearest in terms of defining objectives for attaining food security and nutrition.⁶⁶⁶ As in the case of COMESA, the EAC also noted the importance of CAADP principles in establishing a programme aimed at achieving similar objectives.⁶⁶⁷

The FSAP further emphasised the objectives in the *EAC Treaty* with regard to the implementation of policy amongst member states and the seriousness with which the EAC views adherence thereto.⁶⁶⁸ Furthermore, the FSAP envisaged the development of regional policies aimed at food security and nutrition which would be monitored and continuously analyse the food security and nutrition issues within the region.⁶⁶⁹ Of equal importance was that the FSAP emphasised the importance of community involvement in the implementation of programmes aimed at achieving a food secure region.⁶⁷⁰

In accordance with the *EAC Treaty* the FSAP states that action plans needed to be in place for the provision of sufficient levels of quality food products and which would lead to the least amount of food wastage.⁶⁷¹ Moreover, the measurement of these objectives are prescribed by the FSAP to include a complete food information system which will provide the EAC with complete details regarding the food production, -

664 Article 8(2) *Treaty for the Establishment of the East African Community* (2007).

665 Article 110(a) *Treaty for the Establishment of the East African Community* (2007).

666 *EAC Food Security Action Plan 2011-2015* (2010) 3.

667 FANRPAN 2010 <http://www.fanrpan.org/archive/documents/d00996/>; *EAC Food Security Action Plan 2011-2015* (2010) 4.

668 *Food Security Action* Levard and Pautrizel *Agricultural and Food Security Policies and Small-Scale Farmers in the EAC* 13; *EAC Food Security Action Plan 2011-2015* (2010) 21.

669 *EAC Food Security Action Plan 2011-2015* (2010) 13, 23-26; Levard and Pautrizel *Agricultural and Food Security Policies and Small-Scale Farmers in the EAC* 13-14

670 *EAC Food Security Action Plan 2011-2015* (2010) 13, 23-26; Levard and Pautrizel *Agricultural and Food Security Policies and Small-Scale Farmers in the EAC* 13-14

671 Levard and Pautrizel *Agricultural and Food Security Policies and Small-Scale Farmers in the EAC* 14.

wastage, -demand and trade aspects thereof.⁶⁷² The FSAP also added that the relevance of the information system would be that vulnerable groups within the partner states would be identifiable.⁶⁷³ In applying an information system like this, the FSAP envisions that it will improve the stability of food supply and favourably influence the levels of food security and nutrition within the region.⁶⁷⁴

The guidelines which could be extracted from EAC's policy documents and programmes are listed here below as:

- a) A higher standard of living for its citizens;
- b) Sustainable production;
- c) Common agricultural policies to enhance food security and nutrition;
- d) Increased production and preservation of food supply;
- e) Decreased production wastage;
- f) Monitoring food prices with the use of a food information system; and
- g) Co-operation amongst RECs on the African continent.

6.4.3 Guidelines extracted from IGAD

In analysing the objectives of IGAD as set out in the *IGAD Treaty*, only one objective specifically mentioned the terms "food security".⁶⁷⁵ IGAD's objectives are further also in agreement with the objectives as set out in those treaties of COMESA and EAC discussed above. These similarities include the coordination of policies in order to promote co-operation amongst its member states and implementing similar policies across the region.⁶⁷⁶ Furthermore, IGAD's objectives encourage member states to

672 *EAC Food Security Action Plan 2011-2015* (2010) 27-35; Levard and Pautrizel *Agricultural and Food Security Policies and Small-Scale Farmers in the EAC* 14-15.

673 *EAC Food Security Action Plan 2011-2015* (2010) p51-53.

674 See Levard and Pautrizel *Agricultural and Food Security Policies and Small-Scale Farmers in the EAC* 15.

675 Article 7 *Agreement Establishing Intergovernmental Authority on Development* (1996). See Article 7 (b), 7(d), and 7(e) as objectives relating to food security; IGAD State of the Region Report 3.

676 Article 7(a-b) *Agreement Establishing Intergovernmental Authority on Development* (1996); Dresso *East Africa and the Intergovernmental Authority on Development* 11; AU date unknown <https://www.au.int/en/organs/recs>; IGAD 2017 <https://igad.int/about-us>.

assist other member states in the case of natural disasters or other instances of man-made disasters to ensure that food security is still a priority.⁶⁷⁷

In the spirit of the African Union (AU) and the establishment of co-operation amongst RECs the *IGAD Treaty* makes specific mention of the objectives of COMESA which should be promoted and realised.⁶⁷⁸ Together with these objectives and the co-ordination that IGAD requires from its member states, IDAG emphasises the importance of sustainable agricultural practices and food security and the management of natural resources in a sustainable manner as key objectives.⁶⁷⁹

These objectives were again included in the objectives in the *Food Security Strategy 2005-2008*, implemented after the careful analysis of domestic food security and nutrition policies in the region.⁶⁸⁰ In terms of this strategy member states of IGAD were to focus on the attainment of food security through co-operation with one another within the region and by applying sustainable food production methods.⁶⁸¹ In considering the regional attainment of food security and nutrition, IGAD does however note that member states should first focus on the attainment of food security and nutrition within their own borders before striving for regional food security.⁶⁸² What has however enjoyed more attention in the *IGAD Treaty* in comparison with COMESA and the EAC, was that IGAD focussed in its objectives on the importance of nutrition as a part of food security objectives, although no extensive guidelines were given in this regard.⁶⁸³

677 Article 7(d), 16 *Agreement Establishing Intergovernmental Authority on Development* (1996); IGAD 2017 <https://igad.int/about-us>; Dresso *East Africa and the Intergovernmental Authority on Development* 14.

678 DIRCO 2004 <http://www.dirco.gov.za/foreign/Multilateral/africa/aec.htm>; Berhane 2016 <http://hornaffairs.com/2014/10/07/explainer-african-economic-community-aec/>; AU date unknown <https://www.au.int/en/organs/recs>.

679 Article 13A(a) *Agreement Establishing Intergovernmental Authority on Development* (1996); Mukhebi et al *An Overview of the Food Security Situation in Eastern Africa* 18; IGAD *State of the Region Report* 13.

680 Mukhebi et al *An Overview of the Food Security Situation in Eastern Africa* 18; *Intergovernmental Authority on Development Food Security Strategy 2005-2008* (2005) ix.

681 *Intergovernmental Authority on Development Food Security Strategy 2005-2008* (2005) x; Mukhebi et al *An Overview of the Food Security Situation in Eastern Africa* 18; IGAD *State of the Region Report* 13.

682 *Intergovernmental Authority on Development Food Security Strategy 2005-2008* (2005) 35-36.

683 Article 13A(b) *Agreement Establishing Intergovernmental Authority on Development* (1996); Dresso *East Africa and the Intergovernmental Authority on Development* 12.

With further reference to the implementation and the measurement of the levels of food security and nutrition within the IGAD region, IGAD also proposed making use of information systems which record levels of food supplied and produced.⁶⁸⁴ IGAD further also in agreement with COMESA and the EAC confirms the importance of regional food security and not only its focus on food security on national level.⁶⁸⁵ IGAD also motivates member states to approach the private sector and private stakeholders to assist the member state in achieving food security and nutrition objectives.⁶⁸⁶

In IGAD's current programme for implementing objectives aimed at achieving food security and nutrition, *IGAD Regional Investment Plan 2016-2020 (2016 Strategy)* a clearer emphasis is placed on food security and the sustainable management of natural resources.⁶⁸⁷ The *2016 Strategy* further recognize the importance of the SDGs and *Agenda 2063* together with CAADP guidelines and how they apply to food security and nutrition in the region.⁶⁸⁸ The *2016 Strategy* goes even further to reiterate the objectives in the *IGAD Treaty* as well as those in the preceding programme for food security and adds that member states should place their focus on establishing a resilience against the occurrence of natural disasters which include droughts and climate change.⁶⁸⁹ Progress made by member states in terms of the previous food security programme as well as the general objectives in the *IGAD Treaty* are further also applauded and recognised by the *2016 Strategy* through the possibility of incorporating such successes into a future regional framework.⁶⁹⁰

684 Article 13A(b) *Agreement Establishing Intergovernmental Authority on Development* (1996); Dresso *East Africa and the Intergovernmental Authority on Development* 12.

685 IGAD 2017 <https://igad.int/about-us>; Article 7(d) *Agreement Establishing Intergovernmental Authority on Development* (1996).

686 Lines *Inventory on Policy Measures for Food Security and Prioritisation in the IGAD Region 4; Intergovernmental Authority on Development Food Security Strategy 2005-2008* (2005) 39-40.

687 NEPAD *Strengthening the Institutional Capacity of the Intergovernmental Authority on Development (IGAD) 2*; See Also *IGAD State of the Region Report 2, 4; IGAD Regional Strategy Framework 3-5*.

688 IGAD 2017 <https://igad.int/index.php/aboutus/strategy>; *IGAD Regional Strategy Framework 10-11, 10, 24, 31, 39, 54-55; IGAD State of the Region Report 76*.

689 *IGAD Regional Strategy Framework 39; IGAD Regional Strategy Implementation Plan 2016 – 2020 4, 108*.

690 IGAD 2017 <https://igad.int/index.php/aboutus/strategy>; *IGAD Regional Strategy Implementation Plan 2016 – 2020 4-6; IGAD Regional Strategy Framework 40*.

Although extensive attention has been focussed on the attainment of food security in the *IGAD Treaty* and the *Food Security Strategy 2005-2008*, very little attention was paid to the equally important nutrition aspect focussing on the decrease of incidences of malnutrition in relation to vulnerable groups. In terms of the *2016 Strategy*, no greater effort was made to implore the importance of the decrease of prevalence of malnutrition in the IGAD region.⁶⁹¹

The guidelines which could be extracted from IGAD's policy documents and programmes are listed here below as:

- a) Increased production;
- b) Climate resilience;
- c) Sharing technical information with other RECs;
- d) Applying a regional CAADP framework;
- e) Sustainable management of natural resources; and
- f) Establishing a food information system.

6.4.4 Guidelines extracted from CEN-SAD

Due to the relatively short period that CEN-SAD has been recognised as a REC, information pertaining to food security and nutrition policies seem lacking.⁶⁹² After its inception CEN-SAD's focus in terms of food security and nutrition were on objectives such as sustainable agricultural development as were evident from the implementation of the *Regional Food Security Programme* in 2007.⁶⁹³ CEN-SAD utilised the existing progress made and information gathered by member states to determine which member states had the highest occurrence of food insecurity.⁶⁹⁴ With this information, CEN-SAD was able to address the problem areas in the objectives of the Regional Food

691 IGAD *Regional Strategy Framework* 45.

692 See Chapter 5 above. See also UN 2014 <https://www.uneca.org/oria/pages/cen-sad-community-sahel-saharan-states>; NEPAD *Strengthening the Institutional Capacity of the Communauté des Sahélo-Sahariens (CEN-SAD)* ix, 3-4; Anon 2017 <http://www.polity.org.za/article/africas-regional-economic-communities-the-pieces-assembling-africas-economic-and-security-mosaic-2017-08-02>.

693 UN 2014 <https://www.uneca.org/oria/pages/cen-sad-community-sahel-saharan-states>; NEPAD *Strengthening the Institutional Capacity of the Communauté des Sahélo-Sahariens (CEN-SAD)* 6.

694 NEPAD *Strengthening the Institutional Capacity of the Communauté des Sahélo-Sahariens (CEN-SAD)* 6; UN 2014 <https://www.uneca.org/oria/pages/cen-sad-community-sahel-saharan-states>.

Security Programme and adjust the objectives thereof accordingly.⁶⁹⁵ Although still in its initial phases the *Regional Food Security Programme* was aimed at achieving the preservation of natural resources, the prevention and treatment of livestock diseases and to focus on strengthening the market.⁶⁹⁶ The manner in which these objectives were to be obtained were through the increase of food production, the increase of accessibility of food with specific reference to vulnerable groups and considering the effects of food insecurity on household level.⁶⁹⁷

A further programme indirectly aimed at food security and nutrition through addressing aspects of climate change and agriculture was the Great Green Wall of the Sahel-Sahara Initiative (GGWSSI).⁶⁹⁸ In this programme corrective measures are being taken to address the problems facing CEN-SAD in terms of fertility of agricultural land as well as the challenges presented by the incidences of drought and influences of climate change.⁶⁹⁹

The guidelines which could be extracted from IGAD's policy documents and programmes are listed here below as:

- a) Using a vulnerability index to monitor standard of living of citizens;
- b) Sustainable production and consumption;
- c) Increased production and preservation;
- d) Ensuring access to food; and
- e) The importance of food security and nutrition at household level.

695 UN 2014 <https://www.uneca.org/oria/pages/cen-sad-community-sahel-saharan-states>; NEPAD *Strengthening the Institutional Capacity of the Communauté des Sahélo-Sahariens (CEN-SAD)* 6.

696 NEPAD *Strengthening the Institutional Capacity of the Communauté des Sahélo-Sahariens (CEN-SAD)* 6.

697 Anon 2002 http://www.ipcinfo.org/fileadmin/user_upload/tcsf/pdf/spfs-CENSAD.pdf 1-2.

698 UN 2014 <https://www.uneca.org/oria/pages/cen-sad-community-sahel-saharan-states>; NEPAD *Strengthening the Institutional Capacity of the Communauté des Sahélo-Sahariens (CEN-SAD)* 6-7. UNCCD 2018 <https://www.unccd.int/actions/great-green-wall-initiative>; GGW 2018 <http://www.greatgreenwall.org/great-green-wall/#great-green-wall-internal>.

699 Senegal planted 11.4 million trees, reviving 25000 hectares of land, Ethiopia restored 15 million hectares of land, followed by Nigeria restoring 5 million hectares of land and Sudan restoring 2000 hectares. See UNCCD 2018 <https://www.unccd.int/actions/great-green-wall-initiative>; GGW 2018 <http://www.greatgreenwall.org/great-green-wall/#great-green-wall-internal>.

6.4.5 Guidelines extracted from ECOWAS

Through the analysis of policies and programmes pertaining to food security and nutrition within the ECOWAS region it has been established that the *ECOWAS Treaty* already notes in its first objective that the aim of ECOWAS is to raise the standard of living of communities within the region. This is in line with *Agenda 2063* as well as the SDGs and compares well with eventually achieving food security.⁷⁰⁰ Like with COMESA, the EAC and IGAD, ECOWAS also emphasise the importance of harmonising policies amongst member states within the region with a further purpose of integration of programmes which focus on food production, agricultural methods and the use of natural resources.⁷⁰¹ ECOWAS further emphasises elements of the definition of food security as discussed in Chapter 2 above and recognising the importance of increased production and the reduction of poverty whereby access to food would be enhanced and used in a sustainable way.⁷⁰²

In order to achieve the objectives as set out in the *ECOWAS Revised Treaty* ECOWAS has established two technical commissions to assist in the furtherance of these objectives focussing on food and agriculture on one side and the environment and natural resource usage on the other.⁷⁰³ The *ECOWAS Revised Treaty* further specifically states that obtaining food security should be at the core focus of all agricultural practices whether it were through the increase in food production or through the sustainable use of available resources.⁷⁰⁴ In the furtherance of food security objectives and in agreement with SDGs and *Agenda 2063* ECOWAS requires

700 Article 3(1) *Economic Community of West-African States Revised Treaty* (1993); Dabugat 2015 West Africa Insight 37-38.

701 Article 3(2)(a) *Economic Community of West-African States Revised Treaty* (1993).

702 ECOWAS 2002 <http://www.fao.org/fileadmin/templates/tc/spfs/pdf/ecowas.pdf> 5; Dabugat 2015 West Africa Insight 37-38; USAID 2018 <https://www.usaid.gov/west-africa-regional/agriculture-and-food-security>.

703 Article 22(1)(a) and Article 22(1)(c) *Economic Community of West-African States Revised Treaty* (1993).

704 Article 25 (1) *Economic Community of West-African States Revised Treaty* (1993); ECOWAS 2002 <http://www.fao.org/fileadmin/templates/tc/spfs/pdf/ecowas.pdf> 8; Article 25(1) (a-d) *Economic Community of West-African States Revised Treaty* (1993); Reliefweb 2013 <https://reliefweb.int/report/mali/ecowas-launches-regional-agency-agriculture-and-food-security>.

that member states continually and actively combat food production wastage and encourage thorough planning in terms of disaster management and climate change.⁷⁰⁵

ECOWAS also implemented some programmes specifically aimed at achieving the goals in the *ECOWAS Revised Treaty* aimed at food security and nutrition and made a clear distinction between achieving food security a national level before progressing to a regional trade orientated focus.⁷⁰⁶ The focus areas in the *Special Programme for Food Security* (SPFS) mainly targeted sustainable agricultural methods and a more efficient infrastructure development.⁷⁰⁷ Moreover, the SPFS's detailed objectives went further to address objectives such as those contained in *Agenda 2063* and the SDGs. These included the improvement of access to food for vulnerable members of communities, continuously considering the importance of climate change and methods with which natural disasters can be handled better.⁷⁰⁸

A further programme implemented by ECOWAS, *ECOWAP* similar to those implemented by EAC and IGAD take into consideration the principles as set out in CAADP and apply them to a regional level.⁷⁰⁹ The objectives of this programme reiterate those objectives in the *ECOWAS Revised Treaty* and in *Agenda 2063* and the SDGs by focussing on a decreased dependence on external assistance in order to attain levels of food security, to encourage greater food production and sustainable agricultural methods, to limit the vulnerability to natural disasters and climate change

705 Reliefweb 2013 <https://reliefweb.int/report/mali/ecowas-launches-regional-agency-agriculture-and-food-security>; Article 25(1)(f) *Economic Community of West-African States Revised Treaty* (1993).

706 USAID 2018 <https://www.usaid.gov/west-africa-regional/agriculture-and-food-security>; ECOWAS 2002 <http://www.fao.org/fileadmin/templates/tc/spfs/pdf/ecowas.pdf> 12, 16-24; Dabugat 2015 West Africa Insight 37; Reliefweb 2013 <https://reliefweb.int/report/mali/ecowas-launches-regional-agency-agriculture-and-food-security>; ECOWAS 2002 <http://www.fao.org/fileadmin/templates/tc/spfs/pdf/ecowas.pdf> 9-10.

707 ECOWAS *Regional Food Security Reserve* 16-24; USAID 2018 <https://www.usaid.gov/west-africa-regional/agriculture-and-food-security>; Reliefweb 2013 <https://reliefweb.int/report/mali/ecowas-launches-regional-agency-agriculture-and-food-security>; ECOWAS 2002 <http://www.fao.org/fileadmin/templates/tc/spfs/pdf/ecowas.pdf> 6.

708 ECOWAS 2002 <http://www.fao.org/fileadmin/templates/tc/spfs/pdf/ecowas.pdf> 6; Reliefweb 2013 <https://reliefweb.int/report/mali/ecowas-launches-regional-agency-agriculture-and-food-security>; Dabugat 2015 West Africa Insight 37-38.

709 ECDMP 2013 <http://ecdpm.org/talking-points/west-africa-regional-agricultural-policy-ecowap/>; Rampa et al *Regional Approaches to Food Security in Africa: The CAADP and Other Relevant Policies and Programmes in ECOWAS* vii; Dabugat 2015 West Africa Insight 37; ECOWAS 2002 <http://www.fao.org/fileadmin/templates/tc/spfs/pdf/ecowas.pdf> 9-10.

and to increase the standard of living for communities.⁷¹⁰ These objectives were set as regional targets and not only focussed on the attainment of food security on a domestic level.⁷¹¹

Through the study of existing food security programmes implemented in ECOWAS, it was evident that a great focus was placed on the nutritional status of the communities within this region.⁷¹² What was evident from the objectives above and the programmes implemented in the ECOWAS region, a large emphasis has been placed on the attainment of food security within the region and not only on the member states as such.

The guidelines which could be extracted from ECOWAS' policy documents and programmes are listed here below as:

- a) Reducing poverty amongst citizens;
- b) Modernising agricultural production methods;
- c) Increased production;
- d) Climate resilience and disaster management;
- e) Decreasing production wastage;
- f) Improving ease of access to food supply;
- g) International co-operation amongst RECs;
- h) Sharing technical information with other RECs;
- i) Applying a regional CAADP framework; and
- j) Infrastructure development.

710 These specific objectives were further recognised through the recognition of six priority areas by NEPAD in order to reduce poverty and food insecurity and in order to assist in regional integration. See ECOWAS *Regional Agricultural Policy for West Africa: ECOWAP* 9-10; USAID *West Africa Fact Sheet* 1; Dabugat 2015 West Africa Insight 37-38.

711 ECOWAS *Regional Agricultural Policy for West Africa: ECOWAP* 9-10; USAID *West Africa Fact Sheet* 1.

712 ECOWAS *Regional Food Security Reserve* 16; ECOWAS 2002 <http://www.fao.org/fileadmin/templates/tc/spfs/pdf/ecowas.pdf> 6; Dabugat 2015 West Africa Insight 37.

6.5 Proposed benchmark of best practice for food security and nutrition in East and West Africa

In the attempt to create a benchmark of best practice for food security and nutrition guidelines it was necessary to critically analyse the five RECs chosen in this study which represent most of the African countries in the eastern and western parts of the African continent. From the analysis earlier in this chapter as well as Chapters 3, 4 and 5 above, the guidelines which have been present and applied in the majority of RECs are now grouped together to create a singular benchmark for best practice. This benchmark would be able to serve as a guideline for all five of the RECs in this study and possibly by the three remaining RECs in Africa to use for the development of future regional food security and nutrition policies and strategies.

6.5.1 Guidelines to include in the benchmark of best practice and measurement and implementation thereof

After careful analysis and comparison between the abovementioned RECs and international instruments similar guidelines have been extracted to form part of the benchmark of best practice here. These guidelines were those guidelines found in most of the RECs policy documents, founding documents or food security and nutrition programmes.⁷¹³ The guidelines found in these documents were grouped together, in order to create a singular, simplified benchmark, considering the similarities between them and finally six guidelines of best practice were identified and are listed below together with the methods with which these guidelines are to be measured to ensure implementation as a paramount aspect of importance in applying a benchmark is also discussed shortly.

6.5.1.1 Regional food security and nutrition frameworks.

One of the overarching success factors amongst the analysed policy documents in this study, is the focus on regional co-operation and the importance of regional frameworks as a basis for national food security and nutrition frameworks. RECs implementing these regional frameworks include COMESA, the EAC, IGAD and ECOWAS. These four

⁷¹³ See Chapter 3, four and five above.

RECs showed a great commitment to regional frameworks and in two RECs even lead to the development of a regional food security and nutrition plan implementing CAADP principles aimed at national compacts.⁷¹⁴

In terms of measurement and implementation of the first food security and nutrition objective, the regional frameworks should be evaluated against the guidelines set out in CAADP compacts for national food security and nutrition frameworks as none of these regional frameworks currently have set targets of objectives to adhere to.⁷¹⁵

Moreover, the only REC with a guideline as to when partner states or member states should implement legislation to enforce food security and nutrition policies, the EAC set a guideline of 12 months in which such implementation should take place.⁷¹⁶ This timeline would ensure that member countries not only accede to treaties and food security and nutrition policies as promises yet to be fulfilled. The importance of such a measurement tool would also support the Malabo Montpellier Panel's (hereafter Malabo Panel) recommendation of "strengthening food-systems regulations".⁷¹⁷ According to the Malabo Panel national governments can significantly decrease food

714 Rampa 2012 <http://ecdpm.org/great-insights/more-effective-efficient-public-expenditure/food-security-eastern-southern-africa-comesa-tripartite/>; FANRPAN *COMESA Regional CAADP Compact 6*; Rampa et al. *Regional Approaches to Food Security in Africa: The CAADP and Other Policies and Programmes in COMESA vi*; EAC *Food Security Action Plan 2011-2015* (2010) 13, 23-26; Levard and Pautrizel *Agricultural and Food Security Policies and Small-Scale Farmers in the EAC* 13-14; FANRPAN 2010 <http://www.fanrpan.org/archive/documents/d00996/>; IGAD 2017 <https://igad.int/index.php/aboutus/strategy>; IGAD *Regional Strategy Framework* 10-11, 10, 24, 31, 39, 54-55; IGAD *State of the Region Report* 76; ECDMP 2013 <http://ecdpm.org/talking-points/west-africa-regional-agricultural-policy-ecowap/>; Rampa et al *Regional Approaches to Food Security in Africa: The CAADP and Other Relevant Policies and Programmes in ECOWAS vii*; Dabugat 2015 *West Africa Insight* 37; ECOWAS 2002 <http://www.fao.org/fileadmin/templates/tc/spfs/pdf/ecowas.pdf> 9-10.

715 The strategies in *Agenda 2063* in relation to obtaining food security and nutrition are mainly focussed on the attainment of these objectives on national level and very little guidelines are provided for the provision thereof on regional level. See Chapter 3 above; See also African Union *Agenda 2063 Framework Document: The Africa We Want* (2015) 132.; Rampa 2012 <http://ecdpm.org/great-insights/more-effective-efficient-public-expenditure/food-security-eastern-southern-africa-comesa-tripartite/>; FANRPAN *COMESA Regional CAADP Compact 6*; Rampa et al. *Regional Approaches to Food Security in Africa: The CAADP and Other Policies and Programmes in COMESA vi*; FANRPAN 2010 <http://www.fanrpan.org/archive/documents/d00996/>.

716 Article 8(2) *Treaty for the Establishment of the East African Community* (2007).

717 Malabo Montpellier Panel *Nourished* 5.

insecurity and malnutrition where better legislation and policies are promulgated to achieve these objectives.⁷¹⁸

6.5.1.2 International co-operation and common agricultural practices for achieving food security and nutrition within RECs.

Another invaluable aspect in terms of development in terms of food security and nutrition was found in the policy documents and programmes of four RECs namely COMESA, the EAC, IGAD and ECOWAS. In terms of these policy documents great care has been taken to explicitly note that member countries to these RECs should co-operate with each other and assist each other in achieving the REC's food security and nutrition objectives.⁷¹⁹

Implementation of a guideline such as this would be a continuous process of sharing technical information with member countries within one REC and would also make sharing information amongst RECs a viable option.⁷²⁰ Another way in which the international co-operation within RECs can be achieved would be through the increased focus on national and regional research projects with the aim of increasing levels of food security and nutrition.⁷²¹

6.5.1.3 Modernising agricultural methods to achieve more sustainable production and consumption patterns and sustainable management of resources.

The SDGs and *Agenda 2030* contains objectives to the extent of modernising agriculture and with which more sustainable agricultural methods, production and

718 Malabo Montpellier Panel *Nourished* 5.

719 Article 3(a-e), 134 *Treaty Establishing the Common Market for Eastern and Southern Africa* (1993); UNECA 2016 <https://www.uneca.org/oria/pages/comesa-common-market-eastern-and-southern-africa>; Ndomo *Regional Economic Communities in Africa a Progress Overview* 30; Article 5(3)(a), (c) *Treaty for the Establishment of the East African Community* (2007); See Also UNECA 2017 <https://www.uneca.org/oria/pages/eac-%E2%80%93-east-african-community>; AU date unknown <https://www.au.int/en/organs/recs>; UNECA 2017 <https://www.uneca.org/oria/pages/eac-%E2%80%93-east-african-community>; African Union *Agenda 2063 Framework Document: The Africa We Want* (2015) 142-143; Article 7(a-b) *Agreement Establishing Intergovernmental Authority on Development* (1996); Dresso *East Africa and the Intergovernmental Authority on Development* 11; AU date unknown <https://www.au.int/en/organs/recs>; IGAD 2017 <https://igad.int/about-us>; Article 3(2)(a) *Economic Community of West-African States Revised Treaty* (1993).

720 Article 130 *Treaty Establishing the Common Market for Eastern and Southern Africa* (1993).

721 Malabo Montpellier Panel *Nourished* 5.

consumption should occur.⁷²² These objectives are further mentioned various times in the policy documents of RECs such as the EAC, ECOWAS, and IGAD.⁷²³ Moreover, it is of the utmost importance that member countries should enforce legislation which will focus on the sustainable use of natural resources.⁷²⁴ In attempting to modernise these agricultural methods, member countries would need to turn their attention to the infrastructure within its borders and improving same to ensure environmental sustainability as well as sustainable agriculture methods.⁷²⁵

Measurement guidelines however, should focus on statistics and recording figures relating to increased production and productivity within these member countries and within the regions. Furthermore, a clear record should be kept of the incidences of food wasted due to production methods, food preservation and post-harvest food losses.⁷²⁶

722 See Chapter 3 above; See also The UN reaffirms the importance of supporting the African Union's *Agenda 2063* and the programme of the New Partnership for Africa's Development, both of which are integral to the new Agenda. See *Resolution 70/1 Transforming our world: the 2030 Agenda for Sustainable Development* UN GA Res 70/1 UN Doc A/RES/70/1 2015 par 42-43; *Resolution 70/1 Transforming our world: the 2030 Agenda for Sustainable Development* UN GA Res 70/1 UN Doc A/RES/70/1 2015 14.

723 Article 5(3)(a), (c) *Treaty for the Establishment of the East African Community* (2007); See Also UNECA 2017 <https://www.uneca.org/oria/pages/eac-%E2%80%93-east-african-community>; AU date unknown <https://www.au.int/en/organs/recs>; UNECA 2017 <https://www.uneca.org/oria/pages/eac-%E2%80%93-east-african-community>; African Union *Agenda 2063 Framework Document: The Africa We Want* (2015) 142-143; Article 25 (1) *Economic Community of West-African States Revised Treaty* (1993); ECOWAS 2002 <http://www.fao.org/fileadmin/templates/tc/spfs/pdf/ecowas.pdf> 8; Article 25(1) (a-d) *Economic Community of West-African States Revised Treaty* (1993); Reliefweb 2013 <https://reliefweb.int/report/mali/ecowas-launches-regional-agency-agriculture-and-food-security>.

724 Article 13A(a) *Agreement Establishing Intergovernmental Authority on Development* (1996); Mukhebi et al *An Overview of the Food Security Situation in Eastern Africa* 18; IGAD *State of the Region Report* 13; IGAD 2017 <https://igad.int/index.php/aboutus/strategy>; IGAD *Regional Strategy Framework* 10-11, 10, 24, 31, 39, 54-55; IGAD *State of the Region Report* 76.

725 ECOWAS *Regional Food Security Reserve* 16-24; USAID 2018 <https://www.usaid.gov/west-africa-regional/agriculture-and-food-security>; Reliefweb 2013 <https://reliefweb.int/report/mali/ecowas-launches-regional-agency-agriculture-and-food-security>; ECOWAS 2002 <http://www.fao.org/fileadmin/templates/tc/spfs/pdf/ecowas.pdf> 6.

726 Article 105(1) (c-d) *Treaty for the Establishment of the East African Community* (2007); Article 3(2)(a) *Economic Community of West-African States Revised Treaty* (1993); Reliefweb 2013 <https://reliefweb.int/report/mali/ecowas-launches-regional-agency-agriculture-and-food-security>; Article 25(1)(f) *Economic Community of West-African States Revised Treaty* (1993).

6.5.1.4 Increase in food supply

Agenda 2030 states that one of the most important objectives in achieving food security and nutrition is the increase in food supply.⁷²⁷ In terms of this objective the UN suggests that food supply should be increased by the application of various strategies, the first of which is that less trade restrictions should be applied.⁷²⁸ COMESA also addressed this objective of the UN in terms of the establishment of an economic trade unit which would decrease trade restrictions amongst its member states.⁷²⁹

The second strategy suggested by the UN in *Agenda 2030* is that the communities' access to a secure food supply should be measured and increased.⁷³⁰ This objective is again recognised by ECOWAS and CEN-SAD as RECs by also focussing on the standard of living and the income of members of the communities.⁷³¹

727 *Resolution 70/1 Transforming our world: the 2030 Agenda for Sustainable Development* UN GA Res 70/1 UN Doc A/RES/70/1 2015 16; UN "2017 HLPF Thematic Review of SDG2: End Hunger, Achieve Food Security and Improved Nutrition and Promote Sustainable Agriculture" 11; WFP "Enhancing the Evaluability of SDG2" 15.

728 *Resolution 70/1 Transforming our world: the 2030 Agenda for Sustainable Development* UN GA Res 70/1 UN Doc A/RES/70/1 2015 16; UN "2017 HLPF Thematic Review of SDG2: End Hunger, Achieve Food Security and Improved Nutrition and Promote Sustainable Agriculture" 11; WFP "Enhancing the Evaluability of SDG2" 15.

729 UNECA 2016 <https://www.uneca.org/oria/pages/comesa-common-market-eastern-and-southern-africa>; African Union Agenda 2063 Framework Document: The Africa We Want (2015) vii; According to the FAO, SDG comprises of a complex condition with a holistic approach that involves a series of complementary actions targeting the access dimension of food security, all forms of malnutrition, the productivity and incomes of small-scale food producers, resilience of food production systems and the sustainable use of biodiversity and genetic resources; See FAO *Sustainable Development Goals: Goal 2*; *Resolution 70/1 Transforming our world: the 2030 Agenda for Sustainable Development* UN GA Res 70/1 UN Doc A/RES/70/1 2015 para 15, 18 – 19; WWF 2015 <http://blogs.wwf.org.uk/blog/green-sustainable-living/what-on-earth-are-sustainable-development-goals/>; UN "2017 HLPF Thematic Review of SDG2: End Hunger; Mollier et al. "SDG2 End Hunger, Achieve Food Security and Improved Nutrition and Promote Sustainable Agriculture" 34.

730 SDG1 focusses on ending poverty in all its forms everywhere and is closely linked to SDG2 due to the fact that if no finances are available to purchase food, food insecurity and malnutrition may follow inevitably See Mollier et al. 2017 "SDG2 End Hunger, Achieve Food Security and Improved Nutrition and Promote Sustainable Agriculture" 36; *Resolution 70/1 Transforming our world: the 2030 Agenda for Sustainable Development* UN GA Res 70/1 UN Doc A/RES/70/1 2015 16; UN "2017 HLPF Thematic Review of SDG2: End Hunger, Achieve Food Security and Improved Nutrition and Promote Sustainable Agriculture" 11; WFP "Enhancing the Evaluability of SDG2" 15.

731 ECOWAS *Regional Agricultural Policy for West Africa: ECOWAP9-10*; USAID *West Africa Fact Sheet 1*; Dabugat 2015 West Africa Insight 37-38.

The third strategy to be addressed as a measurement of an increased food supply is the monitoring of food prices.⁷³² In terms of this monitoring, the EAC has proposed a food information system, of which a similar suggestion could be found in policy documents of IGAD.⁷³³ These RECs suggest that an information system should be created with which food production statistics can be obtained and recorded.⁷³⁴ This would then assist member countries to use further data to estimate the demand for food and any deficit figures when a food insecure status would be imminent.⁷³⁵ Through utilising the data available in these information systems an identification would be possible of likely vulnerable groups or areas in countries where such vulnerable groups would be.⁷³⁶

6.5.1.5 Climate resilience

Both the SDGs set out in *Agenda 2063* and *Agenda 2030* recognise the importance of climate change and the relevance of taking pro-active measures in anticipating possible problem areas.⁷³⁷ Climate change and natural disasters are often viewed by RECs as a problem to be addressed side-by-side and as such the importance of both issues

732 Mollier et al. 2017 "SDG2 End Hunger, Achieve Food Security and Improved Nutrition and Promote Sustainable Agriculture" 36; *Resolution 70/1 Transforming our world: the 2030 Agenda for Sustainable Development* UN GA Res 70/1 UN Doc A/RES/70/1 2015 16; UN "2017 HLPF Thematic Review of SDG2: End Hunger, Achieve Food Security and Improved Nutrition and Promote Sustainable Agriculture" 11; WFP "Enhancing the Evaluability of SDG2" 15.

733 Article 110(a) *Treaty for the Establishment of the East African Community* (2007).; Article 13A(b) *Agreement Establishing Intergovernmental Authority on Development* (1996); Dresso *East Africa and the Intergovernmental Authority on Development* 12.

734 *EAC Food Security Action Plan 2011-2015* (2010) 13, 23-26; Levard and Pautrizel *Agricultural and Food Security Policies and Small-Scale Farmers in the EAC* 13-14.

735 Article 110(a) *Treaty for the Establishment of the East African Community* (2007).SDG1 focusses on ending poverty in all its forms everywhere and is closely linked to SDG2 due to the fact that if no finances are available to purchase food, food insecurity and malnutrition may follow inevitably See Mollier et al. 2017 "SDG2 End Hunger, Achieve Food Security and Improved Nutrition and Promote Sustainable Agriculture" 36; *Resolution 70/1 Transforming our world: the 2030 Agenda for Sustainable Development* UN GA Res 70/1 UN Doc A/RES/70/1 2015 16; UN "2017 HLPF Thematic Review of SDG2: End Hunger, Achieve Food Security and Improved Nutrition and Promote Sustainable Agriculture" 11; WFP "Enhancing the Evaluability of SDG2" 15.

736 Malabo Montpellier Panel *Nourished* 5; Mollier et al. 2017 "SDG2 End Hunger, Achieve Food Security and Improved Nutrition and Promote Sustainable Agriculture" 36; *Resolution 70/1 Transforming our world: the 2030 Agenda for Sustainable Development* UN GA Res 70/1 UN Doc A/RES/70/1 2015 16; UN "2017 HLPF Thematic Review of SDG2: End Hunger, Achieve Food Security and Improved Nutrition and Promote Sustainable Agriculture" 11; WFP "Enhancing the Evaluability of SDG2" 15.

737 SDG 13 focusses greatly on the importance of climate change resilience. See United Nations *Framework Convention on Climate Change* (1992); *Resolution 70/1 Transforming our world: the 2030 Agenda for Sustainable Development* UN GA Res 70/1 UN Doc A/RES/70/1 2015 par 30-31.

must be considered in establishing a benchmark of best practice for reaching food security and nutrition objectives.⁷³⁸ In terms of addressing these challenges, the SDGs determine that adaptation of production method should be considered and that these adaptation should aim to circumvent external obstacles.⁷³⁹ These are further also reiterated in the policy documents of ECOWAS and emphasis is placed on the limitation of the REC's vulnerability to these occurrences.⁷⁴⁰

6.5.1.6 Improved standard of living of communities

The last guideline to be added to the proposed benchmark of best practice is one of the first goals to be found in *Agenda 2063* and should aim to increase the standard of living of people on the African continent.⁷⁴¹ Although this guideline might seem vague to some it encompasses the entire purpose of food security and nutrition as an objective in *Agenda 2063*. The standard of living of communities not only addresses the purchasing power of individuals, but also address their nutritional and overall well-being.⁷⁴² This guideline can further be measured by making use of a proposed "vulnerability index" and will obtain data in this regard from the previously mentioned information system.⁷⁴³

738 Malabo Montpellier Panel *Nourished 5*; Article 7(d), 16 *Agreement Establishing Intergovernmental Authority on Development* (1996); IGAD 2017 <https://igad.int/about-us>; Dresso *East Africa and the Intergovernmental Authority on Development* 14; IGAD *Regional Strategy Framework* 39; IGAD *Regional Strategy Implementation Plan 2016 – 2020* 4, 108.

739 UNCCD 2018 <https://www.unccd.int/actions/great-green-wall-initiative>; GGW 2018 <http://www.greatgreenwall.org/great-green-wall/#great-green-wall-internal>; Mollier et al. 2017 "SDG2 End Hunger, Achieve Food Security and Improved Nutrition and Promote Sustainable Agriculture" 40; UN 2017 <https://sustainabledevelopment.un.org/sdg2>; *Resolution 70/1 Transforming our world: the 2030 Agenda for Sustainable Development* UN GA Res 70/1 UN Doc A/RES/70/1 2015 15; UN "2017 HLPF Thematic Review of SDG2: End Hunger, Achieve Food Security and Improved Nutrition and Promote Sustainable Agriculture" 11; Lisowska 2016 "Sustainable Development Goal 2: Joining-Up Standards for Ending Hunger" 6.

740 These specific objectives were further recognised through the recognition of six priority areas by NEPAD in order to reduce poverty and food insecurity and in order to assist in regional integration. See ECOWAS *Regional Agricultural Policy for West Africa: ECOWAP* 9-10; USAID *West Africa Fact Sheet* 1; Dabugat 2015 *West Africa Insight* 37-38.

741 African Union *Agenda 2063 Framework Document: The Africa We Want* (2015) vii.

742 African Union *Agenda 2063 Framework Document: The Africa We Want* (2015) vii.

743 African Union *Agenda 2063 Framework Document: The Africa We Want* (2015) 131-132.

In terms of this index, members of communities' overall income was evaluated together with their access to food supply as mentioned in the fourth guideline above.⁷⁴⁴ RECs like COMESA, the EAC, CEN-SAD, IGAD and ECOWAS focus on these objectives as set by *Agenda 2063* through their own objectives in attempts to reduce poverty within their regions.⁷⁴⁵

6.6 Conclusion

This chapter focussed on the culmination of the information gathered and analysed throughout this study. The purpose was to propose a benchmark for best practice which could be applied by RECs in order to reach their already existing objectives relating to food security and nutrition. After a discussion of the term "benchmarking", a definition of a benchmark in terms of food security and nutrition was compiled as follows:

The continuous non-exhaustive process of comparing Regional guidelines and performance measures to the Sustainable Development Goals (SDGs) as set out by *Agenda 2030* and *Agenda 2063*, by means of referring to measuring dimensions such as the overall food security status and nutritional level of each regional economic community.

Although a definition of benchmarking was proposed, it is necessary to note that this definition is a constantly developing term and should be treated as such.

After the analysis, a benchmark of best practice was proposed and includes six guidelines, each with their corresponding measures and implementation guidelines. These guidelines are regional food security and nutrition frameworks, international co-operation and common agricultural practices for achieving food security and nutrition within RECs, modernising agricultural methods to achieve more sustainable production and consumption patterns and sustainable management of resources, increased food

744 ECOWAS *Regional Agricultural Policy for West Africa: ECOWAP* 9-10; USAID *West Africa Fact Sheet* 1; Dabugat 2015 *West Africa Insight* 37-38.

745 Article 3(b) *Treaty Establishing the Common Market for Eastern and Southern Africa* (1993); UNECA 2016 <https://www.uneca.org/oria/pages/comesa-common-market-eastern-and-southern-africa>; Ruppel *Regional Economic Communities and Human Rights* 285; Article 3(2)(a) *Economic Community of West-African States Revised Treaty* (1993); Anon 2002 http://www.ipcinfo.org/fileadmin/user_upload/tcsf/pdf/spfs-CENSAD.pdf 1-2; ECOWAS 2002 <http://www.fao.org/fileadmin/templates/tc/spfs/pdf/ecowas.pdf> 6; Reliefweb 2013 <https://reliefweb.int/report/mali/ecowas-launches-regional-agency-agriculture-and-food-security>; Dabugat 2015 *West Africa Insight* 37-38.

supply, climate resilience and improved standard of living of communities. These guidelines would now be able to serve as a guideline to all RECs and are not bound to a specific region or REC. The relevance of this is that a benchmark should not be an unchangeable and rigid tool, but rather be applied to different and variable situations, such as the different circumstances that exists in each REC.

7 Chapter 7: Conclusion and Recommendations

7.1 Conclusion

The research question underpinning this study was which food security and nutrition guidelines could be extracted from policy documents and programmes of Regional Economic Communities (hereafter RECs) in East and West Africa, to ultimately attempt to develop a benchmark of best practice for these RECs in order to adhere to the SDGs.

To begin with this study, a foundation was created for the reader to better understand the core concepts of the study. This was done to prevent confusion relating to the meaning of terms used in the study. Furthermore, it created a clear picture of what exactly was to be analysed and discussed. In describing the terms food security and nutrition, the universal right to food was of paramount importance as well as the link between the right to food and food security.⁷⁴⁶ Furthermore, states' obligations in terms of the right of food ushered in a discussion on the historical development of the definition of food security and nutrition.

Although various different definitions of these terms could be found, the core concept remained and it was found that food security included four elements namely: food availability, economic and physical access to food, food utilisation and the stability of food supply.⁷⁴⁷ Furthermore, nutrition security focussed on certain indicators of malnutrition such as low weight for age, stunting and high weight for age.⁷⁴⁸

With the definition of food security and nutrition established, the study then proceeded to ascertain what the objectives in terms of food security and nutrition were in terms of *Agenda 2030* and *Agenda 2063*. This discussion, however, necessitated the researcher to discuss the background of the United Nations (hereafter UN) and the African Union (hereafter AU). In terms of the AU, the importance of food security and

746 Article 25 *Universal Declaration of Human Rights* (1948). See also paragraph 2.4 above.

747 See paragraph 2.3.1 above. See also Gualtieri 2013 *Future of Food: Journal of Food, Agriculture and Society* 21; FAO "Food Security Information for Action: Lesson 1" 3; "Shaw *A History of Food Security from 1945-2007* 349; FAO "Coming to Terms with Terminology" 2; FAO "Introduction to the Right to Adequate Food: Lesson 2" 15-16; FAO *Trade Reforms and Food Security: Conceptualizing the Linkages* 25.

748 See paragraph 2.3.2 above.

nutrition fell on National obligations, although some mention was made of regional involvement.⁷⁴⁹ Continuous mention was however made of the importance of the enhancement of food security status of the citizens of the African continent as well as their improved well-being.⁷⁵⁰

In terms of the UN, the sustainable development goals (hereafter SDGs) formed part of the most important guidelines in this study. Of these guidelines, those with the largest focus on food security and nutrition were identified as (a) no poverty; (b) zero hunger; (c) good health and well-being; (d) sustainability; (e) responsible consumption and production methods; and (f) climate resilience.⁷⁵¹ The most important of these being SDG2 focussing on bringing an end to hunger and attaining food security and improved nutrition.⁷⁵²

Before the analysis of the policy documents and programmes of the RECs could be done, the importance, role and objectives of RECs needed to be discussed. Where after the relevant SDGs were identified and discussed the next step was to analyse the policy documents and programmes aimed at food security and nutrition of each of the five RECs identified in this study. A map of the African continent was then also used to plot out the membership of the RECs and to illustrate the extensive overlaps in memberships and to illustrate the jurisdiction of these RECs.⁷⁵³

The analysis of these policy documents, programmes and the international instruments applicable ensured that a common thread could be identified. This golden thread as it were was then used to attempt to establish a benchmark of best practice for guidelines pertaining to food security and nutrition.

749 In terms of the AU the focus fell on the implementation of National CAADP compacts as opposed to regional investment plans. See Chapter 3 above.

750 See paragraph 3.3.1 above. See also African Union Agenda 2063 Framework Document: The Africa We Want (2015) 136-137.

751 UN 2015 www.undp.org/content/undp/en/home/sustainable-development-goals.html.

752 See paragraph 3.4.2. See also UN 2015 www.undp.org/content/undp/en/home/sustainable-development-goals.html.

753 See Chapter 5 above.

The importance and the development of such a benchmark also had to be discussed to ensure that the reader would have a better understanding of the process followed in identifying relevant goals and objectives.

An attempt was made to continuously simplify the magnitude of information pertaining to regional food security and nutrition guidelines and to apply the existing information to the research question. Consequently, the main food security and nutrition objectives identified in this study can be summarised as follows: (a) the improvement of the standard of living of communities; (b) modernising agricultural methods to pursue climate resilience and environmental sustainability; (c) increase of food production; (d) decrease of food waste; (e) availability of nutritious food supply.

In creating a benchmark of best practice these and other objectives were grouped together and six guidelines of best practice was identified.⁷⁵⁴ These guidelines include regional food security and nutrition frameworks; international co-operation and common agricultural practices for achieving food security and nutrition within RECs; modernising agricultural methods to achieve more sustainable production and consumption patterns and sustainable management of resources; increased food supply; climate resilience; improved standard of living of communities.

Finally, in answering the research question for this study, a benchmark of best practice in terms of food security and nutrition, and considering the SDGs and RECs' policy documents the benchmark proposed is: the continuous non-exhaustive process of comparing Regional guidelines and performance measures to the Sustainable Development Goals (SDGs) as set out by *Agenda 2030* and *Agenda 2063*, by means of referring to measuring dimensions such as the overall food security status and nutritional level of each regional economic community.

754 See paragraph 6.5 above.

7.2 Recommendations

In considering the abovementioned, the following considerations in terms of food security and nutrition on a regional level are made:

- a) Although the aspect of food security was evident in all policy documents and programmes, the aspect of nutrition was considerably neglected. More attention should therefore be given to the importance and implementation of nutrition objectives.
- b) The greatest obligation on the attainment of food security and nutrition objectives was placed on national governments as opposed to regions. Of the five RECs analysed, only the ECOWAS implemented a well-rounded regional investment plan incorporating all member states' contributions. More attention should therefore be paid to the development of regional investment plans as opposed to national investment plans.
- c) Extensive research has been done in terms of addressing droughts, food shortages and malnutrition, as is evident from the study. However, a more important focus should be placed on proactive steps to combat the occurrence of drought.
- d) Very little effort is made to harness technology with the collection of data or the distribution thereof. In considering that a more proactive approach should be taken the importance of data gathering must not be underestimated to follow examples of the EAC proposal to create food information systems. These information systems could be used to provide information on food production, the demand for food, food deficits and identifying vulnerable groups within communities.
- e) Finally, in consideration of all previous information the most important goal should be to continue to strive toward the sustainable management and utilisation of natural resources in order to ensure the possibility of food security and nutrition for generations to come.

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