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**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

Report of the Special Rapporteur on the right to food, Olivier De Schutter

Addendum

**Mission to South Africa: comments by the State on the report of the
Special Rapporteur***

* Reproduced in the annex as received.

Annex

Mission to South Africa: comments by the State on the report of the Special Rapporteur on the right to food, Olivier De Schutter

I. Memorandum

1. The Government of the Republic of South Africa records its sincere appreciation to the Special Rapporteur of the United Nations Human Rights Council on the Right to Food, Mr. Olivier De Schutter for his Report following his Mission to South Africa on 07–15 July 2011. The visit of the Special Rapporteur provided an excellent opportunity for open and frank dialogue between the Special Rapporteur and key political figures in South Africa's system of collective governance whose mandates relate to the critical issue of food security.
2. The special appointments with the relevant Cabinet Ministers were secured for the Special Rapporteur specifically to ensure that absolute clarity on political policy positions was provided on all the enquiries of the Special Rapporteur. In this regard the South African current policy positions were clearly outlined in critical areas such as Land Reform, Rural Development and Food Security.
3. As the Special Rapporteur would recall, land reform, rural development and food security have been identified among the 5 key priorities of South Africa's 4th Democratic Administration under the leadership of President JG Zuma. The South African Cabinet adopted 12 priority outcomes on 22 January 2010, one of which covers the area of food security, namely, Outcome 7, relating to a "Vibrant, equitable and sustainable rural communities with food security for all."
4. It is important to note, that Ministerial Delivery Agreements have been signed between the President and the responsible Cabinet Ministers in regard to the above Outcome. The implementation of these agreements take place in the framework of Implementation Forums, which have significantly enhanced the Government's capacity for coherence and coordination in its protection mechanisms and empowerment programmes for the most vulnerable in the country. The Government undertakes continuous review of the effectiveness of these programmes in consultation with the various communities as rights holders themselves.
5. It is in the above context that the South African Government conveys its appreciation to the Special Rapporteur for the intense dialogue and engagement with Ministers and Senior Managers in the South African Government. The basic understanding of the Government has always been that the visit of the Special Rapporteur to South Africa was primarily intended to observe and evaluate South Africa's current policies in the area of food security and to provide appropriate recommendations based on his vast knowledge and experience as well as best practices gleaned from other countries. The Government of South Africa has, after having thoroughly interrogated the substantive content of the Report of the Special Rapporteur, observed that the recommendations of the Special Rapporteur relate to what is already been implemented in South Africa's current policies.
6. Notwithstanding the above observation, the Government has, nonetheless, decided to further scrutinize some of the recommendations with the view to improving its coordination and implementation mechanisms. South Africa finds it regrettable that the Special Rapporteur has chosen to compare the inequalities in the current dispensation to those of the Apartheid period. Regrettably the Special Rapporteur omitted to acknowledge that such inequalities are themselves rooted in the legacies of apartheid. Although statistics confirms that the Gini

coefficient between the rich and poor has increased, the fact of the matter remains that the quality of life of South Africans and the protection and fulfillment of human rights has significantly improved since the advent of democracy in 1994.

7. The Government wishes to reassure the Special Rapporteur of its commitment toward the ratification of the International Covenant on Economic, Social and Cultural Rights. Similarly, insofar as other recommendations are concerned especially those with the potential to enhance respect for, promotion, protection and fulfillment of the human rights and fundamental freedoms for all, will be positively considered for implementation.

8. In view of the factual inaccuracies and seemingly inadvertent contradictions in certain areas of the Report of the Special Rapporteur, the Government has decided to produce an Addendum to the Report of the Special Rapporteur as a South African official document to be read in conjunction with the Report. This document will, in due course, be forwarded to the Human Rights Council for processing as an official document and copied for the information of the Special Rapporteur.

9. The Government of South Africa will have a senior delegation at the forthcoming session of the Human Rights Council (main session during March 2012) to engage in the Interactive Dialogue (ID) with the Special Rapporteur during consideration of his Report on South Africa. The Government looks forward to an opportunity to engage further with the Special Rapporteur during this period.

10. Signed Mr. V. Madonsela, Director-General, Social Development and Chairperson, Social Sector Cluster; Mr. M. Shabane, Director-General, Rural Development and Land Reform; and Mr. L. Zita, Director-General, Department of Agriculture, Forestry and Fisheries.

II. Introduction

11. This Addendum is being forwarded under cover of the official Memorandum produced by the Social Sector Cluster of the South African government in whose purview the issues associated with the mandate of the Special Rapporteur of the UNHRC on the Right to Food reside. The two documents should be read together as encapsulating South Africa's official position on the content and the general thrust of the Report of the Special Rapporteur of the UNHRC on the Right to Food, hereinafter, referred to, the Report.

12. The South African Cabinet decided on 22 October 2002 to extend an open invitation to all the Thematic Special Procedures of the United Nations Human Rights Council to undertake visits to South Africa and make enquiries on the extent of the practical enjoyment of human rights and fundamental freedoms, consistent with their mandates. It is in this context that the South African government invited the Special Rapporteur of the UNHRC on the Right to Food, Mr Olivier De Schutter, to undertake a Mission to South Africa on 07 – 15 July 2012. The government's understanding has always been that Mr de Schutter's visit would focus on the existing legislative, administrative, judicial measures and policy frameworks towards the practical realisation of the Right to Food and in this regard make observations as well as propose recommendations for consideration and consequent implementation by the government of South Africa. To this end, the government of South Africa appreciates the opportunity for the exchange of views with the Special Rapporteur of the UNHRC on the Right to Food including the insights shared on how to improve the quality of life of all South Africans, particularly the vulnerable sectors and/or segments within society. The government has noted that the Special Rapporteur of the UNHRC on the Right to Food, based on his own preference and the tightness of his programme, decided to exclude some of the key Departments such as Health and Basic Education from his programme. The government further notes that the Report, under its

segment entitled “the situation of food insecurity”, devotes a huge and considerable amount of time and attention to the mandate of these two Departments.

13. It should be pointed out that the South African government since the advent of democratic rule in 1994, has consistently adopted, adapted and strengthened key policies aimed at promoting the Right to Food and has aimed to ensure that all South Africans are beneficiaries of food security programmes. In a progressive response to this constitutional requirement, government has established an Integrated Food Security Strategy (IFSS) with the purpose of streamlining, harmonising and integrating the different food security programmes being implemented by different government Departments so as to "attain universal physical, social and economic access to sufficient, safe and nutritious food by all South Africans at all times to meet their dietary and food preferences for an active and healthy life". The main goal of the IFSS is to eradicate hunger, malnutrition and food insecurity by 2015. The relevant government Departments have also presented a Draft Food Security Policy to Cabinet, which is aimed at developing a framework for South Africa to prescribe a threshold for food secure and insecure individuals and also to inform strategies and national food security programmes aimed at ensuring food security for all at all times. Food security programmes or interventions, amongst others, include the Integrated Food Security and Nutrition Programme, the Household Food Production Programme, the Food Insecurity and Vulnerability Information Mapping System, the Comprehensive Agricultural Support Programme (CASP), the Agricultural Starter Pack Programme and Food Banks. To further enhance efforts of fighting food insecurity, hunger and malnutrition, government has established an Inter-Ministerial Committee (IMC) on Food Security, co-led by the Ministers of Social Development and Agriculture, Forestry and Fisheries. The IMC is tasked to deliver an integrated, inter-sectoral programme, based on the Brazilian model of “Fome Zero” (Zero Hunger), which is aimed at the fulfillment of the citizen’s rights to food. The fulfilment of this right will generate demand for the supply of nutritious food and the state will use state procurement of food as a catalyst to grow and support food production and local procurement.

14. Notwithstanding the above programmes, South Africa, like all other countries, is still confronted with the challenge of food insecurity. This stems primarily from the lack of resources, which if available, the Government would undoubtedly use to uplift the standards of living and quality of life of the majority of its citizens, including those who, for various reasons, find themselves in the jurisdiction of South Africa. It will also be recalled that the practical enjoyment of the economic, social and cultural rights is predicated on the notion of progressive realisation.

15. The fourth democratic administration under the leadership of President JG Zuma has, for purposes of effective coordination and management, decided to introduce a system of (a) Delivery Agreements, signed between the President and each Cabinet Ministers and (b) Implementation Forums composed of relevant Departments for the achievement of the 12 government Outcomes. In relation to the mandate of Special Rapporteur of the UNHRC on the Right to Food, Outcome 7 entitled “Vibrant, Equitable and Sustainable and food security for all” becomes more instructive. It should be mentioned that five outputs underpin Outcome 7 delivery targets. These are sustainable agrarian reform with a thriving farming sector, improved access to diverse and affordable food, improved rural services to support sustainable livelihoods, improved employment opportunities and economic livelihoods, enabling institutional environment for inclusive growth and cross-cutting coordination.

16. In the above context and often by design or coincidence, the policy and legislative mandates of various government departments are cross-cutting and/or mutually reinforcing. In recognition of the fact, with a view to maximizing the benefits thereof, as will be discernible from the contents of the Annexes to this Report, government coordinates its

policy and legislative work through a cluster system, which brings together government departments with policy and legislative mandates that tend to cut across or mutually reinforce each other. Similarly, government coordinates and integrates its planning and program execution through a system of Implementation Forums, which brings together government departments with mutually reinforcing outputs in respect of a common outcome.

17. The Implementation Forum for the achievement of this Outcome integrates all the role playing Departments, including (a) Rural Development and Land Reform; (b) Department of Agriculture, Forestry and Fisheries; (c) Water Affairs; (d) Environmental Affairs; (e) Social Development; (f) Public Works; (g) Trade and Industry; (h) Science and Technology; and (g) Economic Development. Regrettably, the thrust of the Report suggests that this newly introduced management approach will not produce the desired goal of collective governance and working together to ensure that government delivers “as one”.

18. In the South African context, the Right to Food is encapsulated in the general rubric of the realisation of the economic, social and cultural rights, and especially within the context of the realisation of the right to adequate standards of living, including the right to life. More significantly, the Right to Development is seen in the context of the South African government as on a par with all other human rights, including the Right to Food. The Right to Development also implies a process through which all human rights and fundamental freedoms (economic, social and cultural as well civil and political) are progressively realised. In this respect; the South African government welcomes the observation by the Special Rapporteur of the UNHRC on the Right to Food in paragraph 11, which forms the basic underpinnings of the South African Constitution. **All references in the Report to the concept of “a rights based approach” are therefore understood to imply the notion of the Right to Development as encapsulated in the 1986 United Nations Declaration on the Right to Development and also adopted by consensus at the 1993 Vienna World Conference on Human Rights.**

19. It is strongly suggested that, for purposes of uniformity and consistency, the monetary value of the programmes mentioned in the Report be denominated both in the South African Rand (ZAR) and USD due to the currency exchange variations. This approach would make it easier for ordinary South Africans to have a comprehensive understanding of the main thrust of the Report in the critical areas of budgetary provisions and international benchmarks. Similarly, it would be beneficial for the Special Rapporteur of the UNHRC on the Right to Food to note that in the South African context, reference is made to HIV and AIDS and not HIV/AIDS or AIDS/HIV. Consistency in this regard would be much appreciated as in paragraph 7 of the Report. Furthermore, the Report should refer to “Provinces”, rather than “States”, as mentioned in paragraphs 9, 12 and 54.

20. The government notes with concern that the Special Rapporteur of the UNHRC on the Right to Food already prejudices the outcomes of the policies currently being implemented as destined for failure. This slant and approach seems to permeate the entire Report. For the rest of the segments in the Report, the government notes inherent contradictions, such as applauding the policies of government and simultaneously finding inherent flaws and weaknesses in the implementation of these policies and programmes, even prior to their monitoring and evaluation by government. It is also evident from the Report, that the perceived failures of government policy may not necessarily be rectified in the short to medium term. The quality time spent by political principles in intense dialogue with the Special Rapporteur of the UNHRC on the Right to Food had, as its main thrust, the acknowledgment that the South African land acquisition, land restitution and land reform programmes were initially manifested in challenges and which are in constant review to ensure optimal utilisation of land for purposes of food production.

21. For the purposes of contextualising the contents of the Report, the government of the Republic of South Africa, has chosen to produce this Addendum, which is to be read in tandem with the Report. The approach and methodology adopted are sequential and follow chronologically according to the paragraphs in the Report.

III. Paragraph for paragraph comments on the report

22. **Paragraph 2:** It is strongly recommended that uniformity and consistency be maintained in references to the various provinces. For example, Gauteng Province, as opposed to the Province of Gauteng. It is left to the preference of the Special Rapporteur of the UNHRC on the Right to Food, as long as consistency is maintained.

23. **Paragraph 3:** The interpretation that the Report attempts to provide building blocks towards a strategy for the full realisation of the Right to Food is not shared by government. The view of the government is that the Report should evaluate the existing policies, strategies and initiatives and provide observations and recommendations thereon, which could be considered by government for implementation or revision and review of existing policies.

A. The situation of food insecurity

24. **Paragraph 4:** The political slant in this paragraph is incorrect as it purports to suggest that the apartheid system was better, more sensitive, attentive and positively disposed to national and societal inequalities than the current democratic dispensation. The reference in the Report, namely, that “inequality has increased since apartheid” is indeed regrettable. South Africa’s high levels of inequalities are themselves a consequence of apartheid. Admittedly, these inequalities persist and confront our society. However, immense and intense efforts have been undertaken by the post-apartheid government to widen the welfare net and the social security and protection system in order to ensure equitable redistribution of benefits and access to equal opportunities and benefit. It should be underlined that in South Africa the Gini coefficient does not include those who receive social assistance in the form of free basic services such as water, primary healthcare, schooling, and housing.¹

25. Since 1994, government programmes have improved the quality of life and living standards for the poorest South Africans. These include expanded access to housing, water, sanitation, schooling, primary healthcare and electricity. It is difficult to quantify the financial value of these benefits because some are assets received once off (such as a house, or a water pipe and taps) and others are services (such as schooling or free water) provided on an ongoing basis. Clean running water in or near a household cannot be captured by measures of income or GDP, but it has a profound impact on livelihoods, especially for women who, traditionally used to bear the brunt of collecting or fetching water from places far away from their homestead and are responsible for other essential needs, especially in the rural and peri-urban livelihoods.²

26. Furthermore, and as noted in the MDG Progress Report on South Africa, the Gini estimates have been subjected to many significant changes. The sample frame in 1995 was

¹ MDG Progress Report on South Africa (2010), p. 129

² National Planning Commission, National Planning Commission’s Diagnostic Document and Elements of the Draft Vision Statement for 2030, URL: www.info.gov.za/view/DownloadFileAction?id=147192

different from that of 2000 and 2006. Hence, while we can conclude that inequality remains high, we cannot automatically infer from the data that inequality has worsened.³

27. **Paragraph 5:** The Paragraph omits that in relation to eradicating extreme poverty and hunger, South Africa has reduced the numbers of people experiencing the worst levels of income poverty significantly. This has contributed effectively towards achieving the target provided for in MDG 1, namely, halving the proportion of the population living below the poverty line of a \$1 per day.⁴ Although acknowledging this fact in paragraph 40 of his Report, the Special Rapporteur of the UNHRC on the Right to Food should have reflected this in paragraph 5 of the Report. Most of the achievements in reducing extreme levels of income poverty can be ascribed to government's comprehensive social assistance programme, which includes extensive income support programmes, access to free education and primary health care for the poorest and the provision of free basic services to indigent members of society. Further, the Government notes that the sources used for arriving at this benchmark for income poverty are those not normally used for government planning and budgeting. They are thus, not official custodians of government statistics.

28. Furthermore, the reference to 64% of all children living in income poverty depicts a situation in South Africa that is not realistic as children don't often provide means of livelihood except in cases of child-headed households. It should further be mentioned that there has been significant progress in fulfilling children's right to social security, particularly through the dramatic expansion of child support grants which is administered by the South African Social Security Agency (SASSA). The eligibility age range for the Child Support Grant has gradually been extended from 0 to six years in 1999 to 0 to 18 years from 2012 onwards. The extension of the grant will go a long way in addressing childhood malnutrition. Furthermore, government has increased budget allocations to programmes such as the Early Childhood Development (ECD) and the School Nutrition Programme in a quest to end child poverty in the country.

29. **Paragraph 6:** The income inequality gap remains persistently high, as identified by the Special Rapporteur of the UNHRC on the Right to Food, in paragraph 6. The Report rightly quotes the Social Profile of South Africa (2010) and the MDG Country Progress Report (2010). The government has found some discrepancies in relation to the references to figures from the MDG Country Progress Report. In 2006 the Black African population which constituted 79.4 percent of the population earned 17 percent of the 747.6 billion ZAR of income while the 9.2 per cent of the white population earned 72.7 percent of this income. This is reflected in table 1.2 of the 2010 Country Progress Report, row 10⁵. The last sentence in this paragraph should be read as "female headed households are generally much poorer than households that have a father or have both parents". Furthermore, child headed households should be included in this listing of vulnerable groups.

30. Faced with these realities and the challenges of very high inequality and deep levels of poverty, South Africa is working on ways to improve the employment performance of the economy and create many more decent work opportunities and better social security programmes in line with the development of the New Growth Path Framework, which address a major shift in positive direction, in terms of the current policy of government. In understanding the multidimensional nature of the triple challenges of unemployment, inequality and poverty, government has adopted a multi-faceted response that simultaneously deals with deprivation and exclusion.

³ MDG Progress Report on South Africa (2010), p. 28

⁴ MDG Progress Report on South Africa (2010), p. 27

⁵ MDG Progress Report on South Africa (2010), p. 29

31. **Paragraph 7:** In the context of HIV and AIDS, it should be noted that HIV prevalence in South Africa appears to be stabilising and evidence from population-based HIV prevalence surveys in South Africa indicates that the spread of HIV among persons aged 15 – 24 years overall has declined in the country since 2005. South Africa has the largest Anti- Retroviral Therapy programme in the world, and together with the strengthening of government prevention programmes, has contributed towards stabilizing HIV prevalence.⁶ The human rights and dignity of HIV-infected persons, including persons with AIDS, and workers with HIV-infection who are healthy should be treated the same as all other workers. The government prohibits and punishes unfair discrimination on the basis of HIV and AIDS status. In terms of nutritional requirements, South Africa acknowledges the effect of poor nutritional status on people living with TB and HIV and AIDS and provides nutritional support including provision of food supplements and food parcels where necessary. In addition the Department of Health works closely with the Department of Social Development and ensures that social grants are made available to vulnerable groups.

32. **Paragraph 8:** A concerted effort is required to address challenges of malnutrition and stunting amongst children in the form of effective partnerships between all government departments, civil society and both domestic and international development partners. To this end, government has embarked on multi-faceted programmes to address malnutrition that is rife amongst children aged 1 - 9 years old. One such programme is the National Food Fortification Programme where it is recommended to fortify wheat, maize flour and retail sugars, which are three of the five most commonly consumed foodstuffs, as reported by the National Food Consumption Survey. Over eight million children also benefit from government's School Nutrition Programme. This is a programme that directly addresses undernutrition especially for children in schools.

B. The legal and policy framework

33. **Paragraphs 9, 10, 11, 12:** The government concurs with the observations of the Special Rapporteur of the UNHRC on the Right to Food in these paragraphs. In relations to paragraph 12 and recommendation 60 (a), the government assures the Special Rapporteur of the UNHRC on the Right to Food that it places a premium on economic, social and cultural rights and that the ratification of the ICESCR and its Optional Protocol is of high importance.

34. An important policy which has been omitted from this section of the Report is the New Growth Path, whereby agriculture and rural development feature prominently among the six priority job drivers for 2011/12.

35. **Paragraph 15 - 19:** The Performance Agreements between the President and the Ministers are not legal documents and should not be read as such. They are an effective management tool for the President to ensure that Ministers deliver on the key priorities of government. Although there is no legal framework for the Performance Agreements between the President and members of his Cabinet, the President as the Executive Head of State and Government can exercise his prerogative in this regard holding Ministers accountable for the delivery of an outcome. This paragraph should also take cognisance of the independent role of Chapter 9 Institutions in South Africa. These include (a) the Public Protector; (b) the South African Human Rights Commission; (c) the Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities; (d) the Commission for Gender Equality; (f) the Auditor-General; and (g) the Electoral

⁶ MDG Progress Report on South Africa (2010), p. 75

Commission. These institutions are independent, and subject only to the Constitution and the law, and they must be impartial and must exercise their powers and perform their functions without fear, favour or prejudice.⁷

36. **Paragraph 17:** The government is pleased that most of the comments that were previously submitted relative to the Outcomes Approach (paragraph 15 and 16), and especially Outcome 7, has been taken into account. However, paragraph 17 of the Report creates an impression that South Africa has overlooked poor households in the urban and peri-urban areas. It is important to indicate that one of the programmes of DAFF is Ilima/Letsema with a budget of R1,3 billion over the Medium Term Expenditure Framework period 2012/13 - 2014/15. This programme encourages household food production and has already for instance, benefited communities in Soweto (Gauteng). In addition, all the district municipalities in South Africa have agricultural programmes directed at the improvement of food security for all in South Africa and on a non-discriminatory basis.

37. The denial of the fact that the majority of black South Africans have binding ties with the rural areas, embracing pro-urban based livelihood strategies to their exclusion (or with marginal rural benefits) might pose challenges not only on the food security front, but for social cohesion and quality of life. It is in this context that the government notes that the Report has taken into consideration the extent of marginalisation of the rural areas during the apartheid era, and its subsequent social ills associated with spatial over-concentration of the poorest sectors of the population. These areas demand deliberate and unique interventions, which are not commonly applicable in other parts of the developing world.

38. **Paragraph 18:** In South Africa, there is a strong move towards improving integration within sectors, across different sectors and between government and non-government structures. In addition to the establishment of the DPME, noted in the current paragraph, the Report should also highlight the role of the National Planning Commission (NPC). The introduction of the NPC is a clear demonstration that Government is strengthening its mechanics and systems to ensure coherence and cohesion of government programmes at different levels. The NPC has also undertaken public engagement with social partners around the development of a vision and long term development plan for the country called the National Development Plan 2030. This is a draft plan and after thorough consultations, the plan will be adopted. The development of strong partnerships within government, underlined by a strong sense of one government, and strong partnerships between government and non-government stakeholders forms a basis for improving integrated planning and cooperative governance.

39. **Paragraph 19:** Kindly also include to the listing in this paragraph, issues of age and disability.

40. In terms of the Special Rapporteur's call for South Africa to adopt a "rights-based approach", it should be emphasised that South Africa has consistently supported the notion of the Right to Development which has been mainstreamed into all policies and strategies. The Right to Development places a human person at the centre and as a beneficiary of public policy and development programmes. Furthermore, all government Departments have the responsibility to uphold the human rights enshrined in the Constitution of the Republic of South Africa in the execution of their mandates and the provision of services.

⁷ South African Government Information, Chapter 9 - State institutions supporting constitutional democracy, URL: <http://www.info.gov.za/documents/constitution/1996/96cons9.htm>

C. Food availability: reforming the agricultural sector

41. **Paragraphs 20–26:** The government notes with concern that the Special Rapporteur of the UNHRC on the Right to Food already prejudices the outcomes of the policies currently being implemented as destined for failure. This slant and approach seems to permeate the entire Report. For the rest of the segments in the Report, the government notes inherent contradictions, such as applauding the policies of government and simultaneously finding inherent flaws and weaknesses even prior to their monitoring and evaluation by government. It is also evident from the Report, that the perceived failures of government policy may not necessarily be rectified in the short to medium term. The quality time spent by political principles in intense dialogue with the Special Rapporteur of the UNHRC on the Right to Food had, as its main thrust, the acknowledgment that the South African land acquisition, land restitution and land reform programmes were initially manifested in challenges and which are in constant review to ensure optimal utilisation of land for purposes of food production.

42. **Paragraph 22:** The recently published Green Paper on Land Reform seeks to undo the legacy of apartheid's highly unequal land distribution. This remains a fundamental priority for the nation and should be noted in the Report. The measures proposed in the current Green Paper are informed by an in-depth analysis of the consequences of previous policies as well as comparable studies in other countries. It embraces three fundamental principles that provide opportunities for all sectors of society to uphold: a) de-racialisation of the rural economy for shared and sustainable growth; b) democratic and equitable land allocation and use across gender, race and class; and c) strict production discipline for guaranteed national food security⁸.

43. In response to the Report's comment in paragraph 22 and recommendation (d) (i) related to the failure of government to provide adequate post-settlement support, it is important to emphasise that in 2010, the government introduced, as a means of responding to challenges of collapsing land reform projects, and defunct irrigation schemes in the former homelands, a new programme called Recapitalisation and Development. This programme is designed to assist all farmers who accumulated land as a result of the land reform processes. This is an effort to provide, for a minimum of five years, post settlement support to new farmers and to revive farms that have collapsed and even farms that are currently doing well.⁹ The objectives of the programme are to increase production; to guarantee food security; to graduate small scale farmers into commercial farmers; and, to create employment opportunities within the agricultural sector. The programme is centered on strategic partnerships, mentoring and co-management. The Recapitalisation and Development Programme is accessible primarily to farmers and communities that had received land from the state, but had not received the necessary support to sustain production. To date, the programme is being carried out on more than 170 farms across the country. Thanks to the programme, more than 1 300 permanent and more than 2 700 short-term jobs have been created. The government has also provided jobs for more than 7 900

⁸ Speech by the Minister of Rural Development And Land Reform, Nkwinti G. E. (Mp), Opportunities and challenges for Commercial Farmers within a New Land Reform Policy Framework, Middelstift, Gauteng, URL: <http://www.info.gov.za/speech/DynamicAction?pageid=461&sid=22453&tid=46326>

⁹ Speech delivered by Deputy Minister of Rural Development and Land Reform, Hon Thulas Nxesi to the Land Redistribution for Agricultural Development (LRAD) conference at Boksburg on 19 Mar 2011, URL: <http://www.info.gov.za/speech/DynamicAction?pageid=461&sid=17302&tid=30815>

rural young people from different wards in various municipalities through its National Rural Youth Service Corps (NARYSEC)¹⁰.

44. In addition, as part of government support to smallholder farmers, a Smallholder Development Plan is in the process of being developed to strengthen coordination with provinces in regard to the support of 15 000 smallholder farmers. Collaboration with the Department of Agriculture, Forestry and Fisheries and the Department of Rural Development and Land Reform in regard to land ownership and land use remains critical in elevating farmers from subsistence to smallholder level and from smallholder to commercial level.

45. **Paragraph 23:** There is no doubt that land reform remains a fundamental policy of government and one of the central pillars of the Comprehensive Rural Development Programme (CRDP). The lessons from the past 16 years of land reform programmes in South Africa have prompted government to introduce as an interventionist measure, as a strategy referred to as the Recapitalisation and Development Programme, as mentioned above, where 25% of every Medium Term Expenditure Framework's (MTEF) budgetary allocation to land reform has been set aside for development and capitalisation of land reform projects.¹¹ The Department of Rural Development and Land Reform is proactively acquiring land under the Proactive Land Acquisition Strategy (PLAS), which is registered in the name of the State and subsequently allows access to this land through lease arrangements. In this way the Department is able to provide access to more beneficiaries, whereas in the past, beneficiaries were expected to provide their own contribution and often not able to do so due to lack of collateral. The Department of Rural Development and Land Reform is managing to assist as many beneficiaries as can be accommodated by the number of properties acquired in line with the baseline allocation for the specific financial year¹²

46. **Paragraph 26:** In terms of extension and advisory services to farmers (noted in paragraph 26 as well 58 of the Report), the Extension and Advisory Services Revitalisation Programme was implemented over the past three years. It is worth clarifying that the Extension Recovery Plan focuses on five pillars which include Recruitment of personnel, Re-skilling & Reorientation of Extension, Improve the image & professionalism, Ensure visibility & accountability and lastly the provision of ICT equipment and other resources.

47. In terms of the Reskilling & Reorientation, out of 2 210 extension personnel, 1 563 have enrolled for qualifications upgrading & short courses at various universities in the country. Already 81 extension officers have already upgraded their qualification. A total of 1 000 extension and advisory officers were recruited to improve the extension officer-to-farmer ratio. The recruitment is aimed at augmenting the existing extension personnel in order to adequately respond to the mandate of ensuring food security within the country.

48. A comprehensive audit of the 12 colleges of agriculture was completed, in order to assess and transform these colleges into national Agricultural Training Institutes (ATIs). Infrastructure will be improved and laboratories will be revitalised to meet the standards required for these institutes. The institutes will further benefit from international partnerships by increasing their capacity and strategically positioning them as centres of

¹⁰ 2011 Year of Performance, On course to meet priority targets: Rural development, URL: http://www.info.gov.za/vukuzenzele/priorities_11dec_ruraldev.htm

¹¹ National priority: rural development, food security and land reform, URL: http://www.gcis.gov.za/resource_centre/news_and_mags/buabriefs/110921.htm

¹² National Assembly, Oral Reply, Question 37, URL: www.parliament.gov.za/live/commonrepository/.../384587_1.doc

excellence for the training of smallholder producers.¹³ The use of the *Farmer's Green Book* by all farmers is also currently being enhanced, which is used as a tool to determine the extent of the government's reach to all farmers, especially to those in need of capacity and post-settlement support.¹⁴ Skills development is part of the Extension Recovery Plan which seeks to rekindle the Agricultural Extension profession.

49. In terms of equipping extension officers, all Provincial Departments of Agriculture were assisted through the Extension Recovery plan to acquire a Decision Support System known as the Extension Suite Online (ESO). ESO is an internet based information system designed specifically to assist extension officers to provide advice to farmers regarding their rights on farms. In terms of ensuring accountability and visibility 8 out of 9 Provinces, through the Extension Recovery Plan have already acquired the geospatial pen commonly known as the Smart pen. The pen is meant to improve agricultural project monitoring and service delivery to farmers.

D. A rights-based approach to agricultural support schemes¹⁵

50. This section of the Report fails to mention initiatives currently undertaken in incorporating a human rights-based approach to agricultural support schemes. Furthermore, the Special Rapporteur's recommendation in paragraph 60 (c) indicates that South Africa does not have a rights based approach to food. It should be recalled that government programmes are inclusive of a human rights based approach, consistent with the core international principles of the Right to Development, which has been mainstreamed into all government policies and strategies.

51. **Paragraph 27–29:** In terms of Chapter 10 of the Constitution of the Republic of South Africa, the government is obliged to be development-oriented, to encourage public participation in policy-making, and to be accountable and transparent by providing the public with timely, accessible and accurate information. Paragraphs 27– 29 further purports to suggest that government programmes do not target the vulnerable groups. The decision by the government to establish the Ministry for Women, Children and People with Disabilities underscores government's commitment to ensure that the voice of vulnerable groups remains a priority issue for which maximum protection should be ensured. In terms of rural development, the DWCPD held a National Rural Women's Summit in May 2011 to consolidate the views and aspirations of rural women. Furthermore, the DWCPD is working with the Department of Rural Development and Land Reform and DAFF in order to ensure access to land by women and people with disabilities, as well ensuring that issues of these vulnerable groups are mainstreamed into government programmes such as the Comprehensive Rural Development Programme.

52. **Paragraph 28:** In terms of land reform policies (also under recommendation 60 (iii)(v)), it should be noted and included in the Report that the Department of Rural Development and Land Reform is guided by constitutional and policy imperatives to redress gender inequalities in land distribution. In addition, the Department is guided by South Africa's Department for Women, Children and People with Disabilities, the National Gender Machinery and by international instruments such as the Convention on the

¹³ DAFF Annual Report 2010/2011, p. 7, URL: www.daff.gov.za/docs/AnnualReports/2010_11/AR2011.pdf

¹⁴ Strategic Plan DAFF 2011/12–2014/15, P. 8, URL: www.daff.gov.za/daoDev/topMenu/StratPlan2011_12to2014_15.pdf

¹⁵ Please note that in the South African context, all references to “a rights-based approach” should be replaced with “a Right to Development approach.”

Elimination of All Forms of Discrimination Against Women (CEDAW) and the Outcome of the 1995 Fourth World Conference on Women, namely, the Beijing Declaration and Platform for Action. Progress has already been made by the Department in adopting a gender-sensitive approach through the development of the Gender Policy Framework Guidelines, the hosting of gender awareness workshops and the development of gender planning tools.¹⁶

E. Making markets more hospitable to small-scale farmers

53. **Paragraph 32:** In terms of large commercial farmers supporting emerging farmers, it should be emphasised that this is already happening within the context of master mentorship, implemented as part of support of beneficiaries of the Land Reform Programme since 2008.

F. Food accessibility: protection access to food for the poorest

Social assistance

54. **Paragraph 39:** The budgets reflected in paragraph 39 appear to be inaccurate. The reference to this source is also not clear. The Rand value budgeted for Social Relief of Distress in 2008/09 was R122 million, in 2009/10 was R132 million, and in 2011/12 was R160 million. The financial year runs from 01 April to 31 March of every ensuing.

55. **Paragraph 45:** Government has always maintained that the magnitude of the poverty situation in South Africa requires a comprehensive approach that goes beyond social assistance. Essentially, the comprehensive response towards the eradication of extreme poverty and hunger combines cash transfers with social wage packages. This includes, among others, free primary healthcare for all, compulsory education for children aged between seven and thirteen, decent human settlements for the poor and access to piped water and sanitation.

56. **Paragraph 46:** South Africa notes the recommendation of the Special Rapporteur of the UNHRC on the Right to Food that the Expanded Public Works Programme (EPWP) should be developed into an “entitlements-based scheme” and guarantee “a minimum number of days of employment to all those who have no other source of income”. It should be noted that the EPWP incentives, which are paid to National, Provincial and Local Spheres of government are paid based on the Full Time Equivalent (FTEs). This encourages longer duration of projects. All EPWP projects are encouraged to at least employ participants for 100 days or more per annum, so as to impact positively on the socio-economic conditions of the unemployed and poverty stricken people in South Africa.

Promoting household food gardens and urban agriculture

57. In the above context and through the Community Works Programme (CWP), unemployed people are provided work for 100 days per annum and this programme has been mainstreamed to comply with EPWP principles. The CWP is an employment safety net, giving participants a minimum number of regular days of work, typically two days a week or eight days a month, thus providing a predictable income stream. The CWP is an ongoing Programme that does not replace government’s existing social grants programme

¹⁶ Speech by the Deputy Minister of Rural Development and Land Reform TW Nxesi (MP): Input to the Women’s Parliament, Cape Town on 21 Aug 2011, URL: <http://www.info.gov.za/speech/DynamicAction?pageid=461&sid=20946&tid=40279>

but complements it. Other programmes of the EPWP that are longer in duration include the Home Community Based Care (HCBC) and Early Childhood Development (ECD).

58. **Paragraph 49:** The Special Rapporteur of the UNHRC on the Right to Food raises concern about specific obstacles facing community-based developments. In response to these obstacles, DAFF encourages all municipalities to use all vacant land available in line with their Integrated Development Plans. DAFF influences this process through working with Provincial Departments of Agriculture and Local Economic Departments of municipalities in order to make sure that the available commonage land is reserved for food production by the poor and vulnerable groups within the municipalities. This will in turn assist the communities involved in farming to acquire expertise and skills for successful food production. To enable endearment to the other communities these areas will be properly fenced and the community based developments will be properly organised into formal structures with proper communication and cooperation mechanisms, much like cooperatives.

The situation of farm workers, tenant labourers and farm dwellers

59. **Paragraph 50:** In this paragraph, the Special Rapporteur of the UNHRC on the Right to Food is particularly concerned by the situation of farm workers. It is important to highlight, and as mentioned by the Special Rapporteur of the UNHRC on the Right to Food that in July 2010, DAFF organised for the first time in the history of South Africa a Summit for all vulnerable workers in agriculture, forestry & fisheries. The Summit emerged with numerous resolutions clustered under four thematic areas namely (1) the social determinants of health (2) working conditions (3) security of tenure, (4) empowerment & training. As an outcome of the Summit, a Ministerial Delivery Forum was established, comprised of all Employer & Employee Unions, NGO coalitions, National & Provincial Departments of Agriculture; Health; Education; Rural Development & Land Reform; Labour and Social Development. As a result all provincial Departments were tasked to establish vulnerable worker support Directorates. At National level there are working committees mandated to develop and drive the programme in line with the above-mentioned thematic areas.

60. It is further important to note the Labour Inspectorate System will be strengthened to monitor and enforce compliance with legislation and ensure decent work principles are adhered to, in order to address vulnerability in the labour market. This includes increasing penalties for non-compliance with both the Basic Conditions of Employment Act and the Employment Equity Act. The Department of Labour has further, together with its social partners and both organised business and labour, developed an accord that seeks to address the plight of farm dwellers generally in what is termed the “Vision for labour Relations in Agriculture”. In terms of this vision, inspectors (who in terms of the law) have the right to access any farm for bona fide inspections but also have access to organised agriculture structures, such as AgriSA, will be able to more effectively address any problems that may arise in the performance of their duties. In a situation where there is a need to have broader interventions on farms, inspectors will involve other law enforcement agencies as well as other agencies of government.

61. In relation to farm inspections, it should be mentioned that the Department of Labour is actively promoting the visibility of inspectors with particular emphasis on the plight of farm workers who form part of the vulnerable working community, especially in regard to migratory labour from neighbouring countries of Mozambique, Lesotho, Zimbabwe, and Swaziland. In terms of recommendation 60 (g), the responsibility to enforce the legislation remains that of government and there is no intention at this stage to provide a system of accreditation to other parties other than Department of Labour inspectors to conduct inspections.

62. Whilst the focus of the Report is on the Right to Food, the section dealing with labour does not include the social security arms that fall within the purview of labour legislation and specifically the Unemployment Insurance legislation. Paragraph 50 refers only to two pieces of labour legislation that applies to farm workers and does not cover all the labour laws that apply.

63. Furthermore, there is only one determination that applies in the agricultural sector (excluding the forestry sector which also set wages and conditions of employment for similar workers) and this is set by the Minister of Labour on the advice of the Employment Conditions Commission (as opposed to the relevant employment conditions commission as stated in paragraph 50). The sectoral determination only sets standards of accommodation in the event that the provision of accommodation on farms is regarded as a deduction against the wages of farm workers.

64. The Report does not make a distinction between internal and cross border migrants or between regular or irregular migrants. However it is important to note that irrespective of the category of migrants, the rights enshrined in the Constitution and set out in the labour legislation applies to them equally. It should however be noted that the migration regime, in line with its mandate, deals with the different categories as set out in our migration legislation and policies separately.

65. In relation to unionization, the lack of collective bargaining and weak trade unionism in this sector increases the level of vulnerability and marginalization. The government is concerned about the lack of freedom of association in the sector and the lack of an effective voice by workers. This has resulted in the Department of Labour commissioning a study to identify and isolate the reasons why freedom of association in the sector is so poor and how unionization can be improved. It is anticipated that the research findings will point to possible interventions that can assist the parties in the sector to enhance freedom of association¹⁷.

66. **Paragraph 51:** The notion that is expressed in paragraph 51 that the Extension of Security of Tenure Act (ESTA) led to a movement towards contracts of employment is not correct. Although it should be acknowledged that there were unintended consequences of the ESTA Act, contracts of employment was already a feature in the sector and did not result as a response to ESTA, but further, government provided them with a draft contract of employment that reflects the protection provided in the South African legislation. One of the unintended consequences of ESTA was that the right to tenure was separated from the employment relationship and farmers reduced on farm accommodation provision for workers.

67. The sectoral determination in the sector clearly states that the rights as set out therein does not and should not impact on the rights of farm workers that have accrued tenure rights in terms of other legislation or processes.

68. It should be mentioned that through research conducted for the Department of Labour in 2010, an analysis of the impact of minimum wages on poverty was made. The definition of poverty employed was *wage poverty*, and the results of the study on wage-related poverty indicated that the decline in poverty levels as a result of the introduction of a minimum wage was most apparent for workers covered by the Domestic, Farm and Forestry sectoral determinations. Sectoral determination deals with the protection of

¹⁷ Address by the Honourable Ms MN Oliphant MP, Minister of Labour, at FAWU's National Congress at the Parktonian Hotel, Braamfontein on 06 September 2011, URL: <http://www.labour.gov.za/media-desk/speeches/2011/address-by-the-honourable-ms-mn-oliphant-mp-minister-of-labour>

workers in vulnerable sectors/areas of work. The determination sets minimum working hours, minimum wages, number of leave days and termination rules. In terms of minimum wages and in an endeavour to protect the vulnerable workers in South Africa, the Minister of Labour, on 18 January 2012, announced to progressively raise the minimum wage for farm workers, effective from 01 March 2012.

G. Food adequacy: managing nutrition transition

69. **Paragraph 56:** Promotion of healthy living is at the centre of the government's provision of quality health care to the people of South Africa. In this regard, the Department of Health launched a campaign in 2005 with the slogan, "Vuka South Africa, Move for your Health". It is now part of the government's programme to create a "Long and Healthy Life for All South Africans". The programme consists of five components, namely nutrition, promotion of physical activity, tobacco control, promotion of safer sex practices and combating substance and alcohol abuse. In terms of nutrition, government promotes the intake of traditional and indigenous foods combined with physical activity. The food based dietary guidelines forms a basis for promoting healthy eating habits as well as promoting the use of a variety of healthy foods that are culturally acceptable. These guidelines are promoted in all national healthy lifestyle campaigns

70. Furthermore, government is also in the process of adopting a plan for the complete replacement of trans-fatty acids with polyunsaturated fats and regulations will enforce the restriction of trans-fatty acids in foodstuffs.

IV. Conclusions and recommendations

A. Ratify the International Covenant on Economic Social and Cultural Rights

71. The government assures the Special Rapporteur of the UNHRC on the Right to Food that it places a premium on economic, social and cultural rights and that the ratification of the ICESCR and its Optional Protocol is of high importance. The internal government processes are advancing and it is envisaged that with the co-operation of all government actors, including oversight parliamentary committees, the South African government should be in a position to ratify the ICESCR and its Optional Protocol as soon as possible.

B. Improve and streamline the collection of data on food security

72. Government acknowledges that food insecurity information is pivotal to the policy goals of eradicating hunger, malnutrition and food insecurity. South Africa has several types of information systems that are relevant for understanding food insecurity but micro level analysis is crucial to the spatial development process. Information systems widely used for policy development and decision making include Early Warning Information Systems, Agriculture Information Systems, Health and Nutrition Information Systems, Marketing Information Systems and General Vulnerability Information Systems.

73. The draft Food Security Policy for South Africa provides for the implementation of a Food Insecurity Information System. Once the policy is approved by Cabinet, an understanding of the country's food insecurity situation will be undertaken immediately, by first ascertaining the national chronic food insecurity and vulnerability baseline and its key drivers. The monitoring system would identify predominant risk factors to food insecurity,

and will be the repository for a national data set on food availability (production, imports), access (income, markets), utilization (health, nutrition & sanitation) and the stability of supply (climate change). The usefulness of the data in analysing the food insecurity and vulnerability situation would be ensured by answering the following questions:

- (a) Who are the food insecure and where do they live?
- (b) What is the nature, frequency and depth of their food insecurity and vulnerability?
- (c) What are the characteristics of their livelihood systems and what constraints are they experiencing?
- (d) What is the nature and degree of the risks they are facing?
- (e) What are the characteristics of their coping strategies in response to these risks and are they effective?

74. Food security and vulnerability assessments are being structured to harmonise the diverse data collection and assessment methodologies currently used in various surveys. The structures and methodology used will conform to that of other SADC Member States in order to undertake a regional analysis of food security.

75. Through the War on Poverty Campaign, government has developed social and economic databases of poor households and their members that live in the most deprived municipal wards of the country. The information of household needs that is obtained from this database is then referred to government departments so that the services can be delivered to those poor households. This Campaign also includes coverage of indigenous communities, where a trust was established to drive the development agenda of the entire community. Farms bought through this mechanism have entered into a partnership with a private entity for enhancing management of the community and raising productivity.

C. Strengthening existing strategies that relate to food security, in particular the Outcomes Approach, by adopting a right-based approach

76. The government has agreed on 12 outcomes as a key focus of work up to 2014. This has resulted in the signing of the performance agreements between the President and Ministers. The performance agreement outlines high level outputs, metrics and key activities for each outcome. The performance agreements were converted into a detailed Delivery Agreement that reflects the commitment of key partners which in turn contribute to achieving outcome 7. Effective coordination structures were established. This will allow the partners of the Delivery Agreements to work together for the next four years in the coordination and implementation of the outcomes and carry out monitoring and evaluation in terms of the achievement of the outcomes. The Delivery Agreements are an important tool for budgeting processes and final budget allocations and these arrangements have adequate sanctions and accountability mechanisms built in them.

77. It should be rewarded that government programmes are inclusive of a human rights based approach in their nature and South Africa has consistently supported the notion of the Right to Development which has been mainstreamed into all policies and strategies. Please see paragraphs 40–42 in this regard.

D. Pursuing and accelerating the creation of comprehensive rural development policies, including agricultural policies, which will progressively improve the right to food of vulnerable groups

78. Food security is integral to the Bill of Rights and other sections of the Constitution of the Republic of South Africa. The Constitution refers to food in Section 27 1 (b) of the Bill of Rights, which states that “every citizen has a right to access to sufficient food and water” and that “the State must take reasonable legislative and other measures, within its available resources, to achieve the realisation of this right”.

79. The right to food is a multifaceted and multidimensional issue which will never be attained through agricultural production alone. It requires inter-sectoral co-ordination and the integration of existing policies and programmes in health, education, and environmental protection, as well as in agrarian reform and overall economic development of a country. The emphasis of the Food Security Policy for South Africa prioritises household food security within a context of national food security. The right to food will be attained through the implementation of the following five Food Security Policy strategic objectives:

(a) Alignment of agriculture and land reform towards economic development, particularly of the poor and marginalized, by implementing a government food purchase programme, providing inputs and support services for the establishment of sustainable rural, peri-urban and urban agriculture;

(b) Improved market participation of the emerging agricultural sector through the implementation of the Agri-BEE Charter which requires agri-industry, through preferential procurement practices, to prioritise and broaden its supply base for the benefit of the emerging agricultural sector, and procuring 10% of their products from the emerging agricultural sector.

(c) Improved food distribution to ensure access by all through the availability of improved safety nets [cash and food transfers], and agro-industrial spatial development supported by local production;

(d) Improved nutrition education through ensuring that every District acquires the services of a nutritionist to assist communities in health meal planning, analysis of the nutritional indices and assistance with consumer literacy;

(e) Increased investment in research and technology to respond to the production challenges currently facing the country, such as climate change and bio-energy.

80. The Draft Food Security Policy to Cabinet, is aimed at developing a framework for South Africa to prescribe a threshold for food secure and insecure individuals and also to inform strategies and national food security programmes aimed at ensuring food security for all at all times. Government will also be introducing the Zero Hunger Programme, modelled on the very successful Brazilian initiative. The Zero Hunger Programme aims to shift procurement of food by schools and other government institutions, in favour of smallholder producers, while supporting subsistence production and stimulating local food economies in a manner that seeks to enhance local household-level food security.

81. In terms of rural development, the Department of Rural Development and Land Reform is in constant consultations aimed at promoting the participation of civil society in policy dialogue, the planning and implementation of programmes relating land reform and rural development. The DRLDR has also established the National Reference Group (NAREG) that includes organized agriculture, traditional leadership, land reform beneficiaries and land rights organizations. A land rights management facility has also been established and a panel of attorneys has been appointed in order provide mediation, negotiation and the handling of court cases with regards to evictions on farms.

82. The recently published Green Paper on Land Reform, as discussed paragraph 28 of this Addendum, seeks to undo the legacy of apartheid's highly unequal land distribution. The measures proposed in the current Green Paper are informed by an in-depth analysis of the consequences of previous policies as well as comparable studies in other countries

83. In terms of post settlement support, as discussed in paragraph 29 of this Addendum, it is important to emphasise that in 2010, government introduced, as a means of responding to challenges of collapsing land reform projects, and defunct irrigation schemes in the former homelands, a new programme called Recapitalisation and Development. Government also launched the National Rural Youth Service Corps, where more than 7 000 young people from rural communities participate in the programme, which includes training in disaster management, construction and information management.

84. In terms of the empowerment of rural women, and as discussed in paragraph 37 of this Addendum, government will continue to ensure that issues of rural women remain on government's agenda. Government hosted the National Rural Women Summit in 2011, as well as two provincial summits which served as platforms for rural women to influence government's Women Empowerment Strategy. Through the DWCPD, Issues relating to women, children and people will continue mainstreamed into all government programmes such as the Comprehensive Rural Development Programme.

85. In terms of the EPWP, and as discussed in paragraphs 42–43, EPWP projects are encouraged to at least employ participants for 100 days or more per annum, so as to impact positively on the socio-economic conditions of the poor unemployed people. Through the Community Works Programme (CWP), unemployed people are provided work for 100 days per annum and this programme has been mainstreamed to comply with EPWP principles. The CWP is an employment safety net, giving participants a minimum number of regular days of work, typically two days a week or eight days a month, thus providing a predictable income stream. The CWP is an ongoing Programme that does not replace government's existing social grants programme but complements it. Other programmes of the EPWP that are longer in duration include the Home Community Based Care (HCBC) and Early Childhood Development (ECD).

86. As elaborated in paragraph 42 of this Addendum, Government will continue to ensure that the response to the eradication of extreme poverty and hunger is comprehensive, combining cash transfers with social wage packages.

E. Improving programmes to strengthen household food production and prioritizing support for collective projects

87. The right to food can only be achieved through multifaceted interventions. Through the Zero Hunger and other Social Welfare Programmes, food insecure populations will gain access to productive resources and will be linked to protected markets. In situations where the food insecure population is unable to gain access to productive resources, food security interventions will ensure that this segment gains access to income and job opportunities in order to enhance their purchasing power to food. Where the food insecure population does not have control over any means of production and are in a destitute situation – food security interventions will ensure that the state provides relief measures that may be short to medium term on sustained basis in the form of food and cash transfers.

88. Government will strengthen the support given to vulnerable subsistence and smallholder producers, through, among others, the following programmes: (a) the Comprehensive Agriculture Support Programme (CASP), (b) Ilima/Letsema and (c) Micro Agricultural Finance Institutions of South Africa (MAFISA). CASP makes provision for agricultural support for targeted beneficiaries of the land and agrarian reform programme.

Ilima/Letsema is aimed at increasing Household Food Production (HFP) for subsistence farmers and MAFISA ensures access to cheap production loans with very little collateral.

89. The support is also extended collectively to Community and Institutional Gardens which are also found in urban areas. Community Garden participants constitute members of the community that have a shared vision. Its basic aim is usually for both sharing for household consumption and for sales. The land is usually allocated by a traditional authority or municipality within a commonage urban area for use communally by the communities resident in that area, again the cost is based on what is provided as per an approved business plan which may in addition to what is provided in a home garden, some are also equipped with boreholes, pumps and an irrigation system and a pack house and storerooms.)

90. The Institutional Garden is usually a partnership initiative between the community and an institution like a clinic or a school. The produce might be intended to support patients or school feeding schemes and partly for the participating members or even for sale to members of the community.

91. Government aims to strengthen coordination and support provided by the various government ministries, private sector and civil society to subsistence and smallholder farmers. As an intervention Cabinet, in 2010, approved the Value Chain Financing Model, as a mechanism to ensure sustainable production of subsistence and smallholder farmers.

F. Prioritizing the rebuilding of local food systems and the strengthening of links between local small-scale producers and urban consumers

92. Despite adequate food supply and distribution on a national level by the established commercial industry, the ultimate determinant of accessibility to urban food markets for smallholder farmers remains a challenge. Food security is not guaranteed by food availability; and as pointed out by the Special Rapporteur of the UNHRC on the Right to Food, this is demonstrated in a country like South Africa that is food sufficient nationally but has a high prevalence of malnutrition at household and individual level, which is indicative of poor diets in urban areas and lack of market access. The implementation of the Zero Hunger Programme will ensure sufficient access to food by all South Africans by ensuring that:

(a) Through contractual agreements, farmers will be linked to the commercial food value chains by ensuring that contracted food service providers to government institutions are linked food produced by smallholders. Over time service providers will therefore facilitate linkages of smallholder farmers to rural and urban consumers.

(b) Secondly the distribution of locally produced and processed food to government institutions and to the public at large is key towards the decrease in local food prices. For this purpose government food outlets and distribution agencies will be established, with an aim to enable smallholder farmers to contribute towards the development of rural economies and reduce unemployment. Furthermore, these outlets will ensure shorter rural food value chains for the consuming urban centres. In addition, the development of alternative local vegetable and processing facilities through the Agri-Park concept will not only ensure the off-take of excess household production, but will also provide local employment and a local supply of processed, nutritious and preserved foodstuffs.

G. Strengthening the protection of farm workers

93. In terms of the recommendation to certify union representatives to conduct farm inspections, it should be noted that the current labour regime only provides for inspectors that have so been appointed by the Minister of Labour, in line with the (BCEA section 63) it does not cater for the accreditation of any other agency except designated agents of bargaining councils. Inspections can therefore only be conducted in terms of the legislation. The inspectorates, on a regular basis conduct awareness campaigns as well as inspections (targeted, blitz and general) in the sector. Please also see paragraphs 49 – 58 of this Addendum.

H. Supporting agroecological processes

94. African agriculture is vulnerable to climate change and ensuring food security under a changing climate is therefore one of the major priorities of the continent. It is in this context that an African Ministerial Summit on Climate-Smart Agriculture was held in September 2011. This Summit developed a Communiqué and Action Plan that calls on developed countries and other partners, to support the implementation and scaling-up of early action programmes, including best practice and technologies in climate-smart agriculture and food security, through regional, subregional and national programmes and institutions as a matter of priority. It also urges African countries to invest in research, technology and information dissemination to facilitate the adaptation and application of climate-smart agriculture wherever possible. Furthermore, the Action Plan was launched during the COP17 High-Level Side Event on Climate-Smart Agriculture.

95. Through Climate-smart agriculture, proven practical techniques and approaches will help achieve a triple win for food security, adaptation and mitigation. These techniques include mulching, intercropping, conservation agriculture, crop rotation, integrated crop-livestock management, agro-forestry, improved grazing and improved water management.

96. Under the UN Convention on Biological Biodiversity, South Africa has also pledged to adopt an ecosystems approach to all aspects of human enterprise, and agro-ecology is key to this approach.

97. DAFF is currently finalizing a policy on organic farming which will help promote the agro-ecology in the production system of South Africa. The government is also looking at promoting aquaculture development both for the sea and land areas. In this regard it has also established an Aquaculture Demonstration Centre.

98. South Africa is currently advancing rural development through Conservation Agriculture, based on sound agroecology principles. Such principles include conserving natural capital, protecting natural capital, re-investing the dividends of 'green practice', building ecosystem resilience, building natural capital explicitly and diversifying the factors of production.

99. The government will further work with rural communities to design innovative models for the creation of sustainable economic opportunities in agroecology for Small Medium and Micro Enterprises (SMMEs) and cooperatives, in the context of the Comprehensive Rural Development Programme. There is also a strong focus on local production to replace imports so that the carbon footprint of the sector is minimised.

I. Concluding remark

100. The South Government is, notwithstanding its unique historical challenges, and lack of adequate resources, and as guided by its policies and national legislative framework, firmly on track towards meeting its obligations of ensuring food security for all in its jurisdiction.
