

The right to food and Zimbabwe

The last decade has been characterized by different periods of food crises in Zimbabwe. A food crisis can be broadly defined as the occurrence of serious food shortages across a country but where hunger deaths are rare and the incidences of chronic malnutrition are significant, where the country is still unable to achieve food self-reliance and is significantly dependent on international aid.¹ Cases of hunger and malnutrition have been recorded in Zimbabwe over the past years and these are consequences of lack of access to adequate food. A combination of factors ranging from poor government policies, adverse weather, lack of timely availability of inputs and severe economic constraints to under-utilization of land have contributed to these episodic food crises in Zimbabwe. These food crises have grossly undermined the right to adequate food for most people both from the urban and rural settings in Zimbabwe. This edition of the Human Rights Bulletin focuses on the right to food in Zimbabwe. It discusses what the right to food entails, the Government of Zimbabwe's obligations in the realization of this right, how previous government policies have undermined the realization of this right and recommendations on what measures the Inclusive Government of Zimbabwe can take in order to respect, protect and fulfill the right to food.

The right to food explained

The right to adequate food is a basic right and is a binding obligation enshrined under international law, recognized in the Universal Declaration of Human Rights (UDHR) and the **International Covenant on Economic, Social and Cultural Rights (ICESCR)**, as well as a number of other instruments. According to Article 25(1) of the Universal Declaration of Human Rights,

"Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services,

and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control"

Article 11(1) of the International Covenant on Economic, Social and Cultural Rights states that:

"The States Parties to the present Covenant recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing. Moreover, article 11(2) recognizes the fundamental right of everyone to be free from hunger"

The right to food has been well defined in General Comment No.12 of the Committee on Economic, Social and Cultural Rights (CESCR). This defines the right to food as:

"the right of every man, woman and child alone and in community with others to have physical and economic access at all times to adequate food or means for its procurement in ways consistent with human dignity."

At the crux of the right to food is the issue of access to adequate food which must be adequate in terms of quality and quantity. Although there are precise medical indicators that are used to measure adequacy of food through daily nutrient, calories and protein intake, these indicators are not always necessary in determining whether people have access to adequate food. Practical indicators such as non-availability of food in the shops, long queues for basic foodstuffs and occasional food riots are normally used to determine food shortages in a country. The 1998 food riots and the recent food shortages in the retail outlets of Zimbabwe are a clear indication that access to adequate food has been severely compromised in Zimbabwe.

¹Definition adapted from the broad definition used by World Food Program (WFP) in defining a food crisis.



Government's obligations under the right to food

Governments worldwide are obliged to make sure that their citizens do not starve. According to the General Comment No.12 of the CESCR, the right to food implies three types of obligations - the obligations to *respect*, *protect* and to *fulfil*.

● The obligation to respect

Governments are obliged to respect existing access to adequate food. In this regard, governments are required not to take any measure that results in preventing such access. Governments must not take actions that result in increasing levels of hunger, food insecurity and malnutrition.

● The obligation to protect

Governments are required to take measures to ensure that enterprises or individuals do not deprive individuals of their access to adequate food. Governments must protect people from the actions of others that might violate the right to food.

● The obligation to fulfil

Governments are obliged to pro-actively engage in activities intended to strengthen people's access to and utilization of resources and means to ensure their livelihood, including food security. Whenever an individual or group is unable to enjoy the right to adequate food by the means at their disposal, governments have the obligation to fulfil (provide) that right directly.

Under article, 2(1) of the International Covenant on Economic Social and Cultural Rights, States have agreed to take steps, to the maximum of their available resources, to achieve *progressively* the full realization of the right to adequate food. Under article, 2(2) of the same Covenant, States have agreed to guarantee that the right to food will be exercised without discrimination. Finally, under article 3 of the Covenant, States agreed to ensure the equal right of men and women to the enjoyment of the right to food.

Government of Zimbabwe's policies and how they have affected the right to food

The first 10 years of Independence (1980 -1990) were characterized by deliberate government policies that were meant to stimulate food production. This resulted in Zimbabwe being referred to as the “breadbasket” of Southern Africa. According to the Labour Economic Development Research Institute Zimbabwe (LEDRIZ)², the government subsidized commercial food production, provided agricultural infrastructure, inputs and credit, mainly for maize production.

Government's policy on agriculture was affected by the introduction of the Economic Structural Adjustment Program (ESAP). Under ESAP the government liberalized the market, decontrolled the food prices, drastically reduced expenditure on agriculture and reduced subsidies. These measures had a huge impact on food production in Zimbabwe. Most farmers moved from production of food crops to cash crops such as tobacco because of the foreign currency that came after the export of such crops. The net effect of this was reduced food production consequently undermining the right to food for most Zimbabweans, particularly the poor.

In January 1998, Zimbabwe witnessed food riots. Labour and the general populace reacted angrily to sharp increases in the price of food items. The 1998 food riots were an early indication of how government policies for the previous years had seriously undermined access to food especially for the poor. In subsequent years, the country experienced severe food shortages. Long queues for basic food commodities were the order of the day across the country. These shortages were as a result of poor economic policies by the government and some bad weather resulting in droughts.

Land Reform in Zimbabwe

As a result of highly skewed land ownership pattern in Zimbabwe, the government embarked on what it called “Fast Track” land redistribution program in July 2000. The primary aim of this program was to increase access of indigenous people to arable land. The “Fast Track” program is said to have been initiated as a means of

²Labour Economic Development Research Institute Zimbabwe (LEDRIZ),
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expediting the land reform exercise. Since independence, the government had tried to redistribute land under the 'willing buyer willing seller' programme. This, according to the government, was a slow process. The government, through parliament also enacted and made amendments to laws such as the Land Acquisition Act and Constitutional Amendment No 16 to facilitate for both acquisitions and resettlement of previously commercial white farms.

Although access to resources such as land is crucial for the realization of the right to food especially for the poor and marginalized in society, the fast track land reform in Zimbabwe has been blamed for the food shortages that ensued thereafter. Former large-scale farms have been converted into A1 model farms (small subsistence farmers) and A2 model farms (commercial medium and large farmers). Many of these A1 and A2 farmers lack access to capital and other inputs, contributing to severe under-utilization of land resource and low production. In addition, there has been a significant decline in the national dairy and export beef herds.

Food aid and distribution

In response to the growing food crisis and pressure from humanitarian aid agencies, the government declared a state of disaster thereby calling on international aid agencies to help. Organisations such as World Food Program (WFP) rolled out programs to feed those in need. WFP had a target of feeding 5,1 million people in February 2009. Humanitarian aid organizations are still conducting their programs and are helping millions of starving Zimbabweans to access food. There were however some reports over the past years that the government has been meddling in the distribution of food particularly in the rural areas. There were also reports that government was distributing food along political lines. This is highly unacceptable as it violates article, 2(2) of the International Covenant on Economic Social and Cultural Rights under which States agreed to guarantee the exercise of the right to food without discrimination.

Conclusion

Access to food has improved slightly in Zimbabwe. Most retail outlets are now stocked with food items. This has been attributed to the use of a multiple currency system and some confidence is being restored in the economy because of the Inclusive Government that came into effect in February 2009. Furthermore, some people have begun the process of harvesting their grain from the fields. These developments are a huge relief to the millions of Zimbabweans who had endured years of hunger and lack of adequate food. It should be noted however, that there is an urgent need to address issues of food productivity to avoid this cycle of food shortages in the country.

Recommendations

Although the right to food falls under Economic, Social and Cultural rights that are said to be realized progressively by States, it should be borne in mind that food is of paramount importance to the survival of human beings. Thus, the Government of Zimbabwe should take several measures to insure that it fulfils its international obligations to respect, protect and fulfil the right to food. The Human Rights Forum recommends that the government be guided by some of the *Voluntary Guidelines to Support the Progressive Realization of the Right to Adequate Food in the Context of National Food Security*.³ The following are some of the most relevant guidelines to Zimbabwe:

- **Democracy, good governance, human rights and the rule of law**

States should promote and safeguard a free, democratic and just society in order to provide a peaceful, stable and enabling economic, social, political and cultural environment in which individuals can feed themselves and their families in freedom and dignity.

³These guidelines were Adopted by the 127th Session of the Food and Agriculture Organisation Council, November 2004

● Economic development policies

In order to achieve the progressive realization of the right to adequate food in the context of national food security, States should promote broad-based economic development that is supportive of their food security policies. States should establish policy goals and benchmarks based on the food security needs of their population.

States should consider adopting a holistic and comprehensive approach to hunger and poverty reduction. Such an approach entails, *inter alia*, direct and immediate measures to ensure access to adequate food as part of a social safety net; investment in productive activities and projects to improve the livelihoods of the poor and hungry in a sustainable manner.

● Strategies

States, as appropriate and in consultation with relevant stakeholders and pursuant to their national laws, should consider adopting a national human-rights based strategy for the progressive realization of the right to adequate food in the context of national food security as part of an overarching national development strategy, including poverty reduction strategies, where they exist.

● Access to resources and assets

States should facilitate sustainable, non-discriminatory and secure access and utilization of resources consistent with their national law and with international law and protect the assets that are important for people's livelihoods. States should respect and protect the rights of individuals with respect to resources such as land, water, forests, fisheries and livestock without any discrimination.

● Land

States should take measures to promote and protect the security of land tenure, especially with respect to women, poor and disadvantaged segments of society, through legislation that protects the full and equal right to own land and other property, including the right to inherit. As appropriate, States should consider establishing legal and other policy mechanisms, consistent with their international human rights obligations and in accordance with the rule of law, that advance land reform to enhance access for the poor and women.

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