



Refiloe Joala and Nkanyiso Gumede

REALISING THE RIGHT TO FOOD IN SOUTH AFRICA

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An update of the policy effort, resource allocation
and status of the right to food in South Africa

PREFACE

The **Studies in Poverty and Inequality Institute (SPII)** is an independent research think tank that focuses on generating knowledge, information and analysis in the field of poverty and inequality studies.

The working paper forms part of the 'Monitoring the progressive realisation of socio-economic rights' project conducted by SPII with support of the Foundation for Human Rights and endorsement from the Institute for Poverty, Land and Agrarian Studies of the University of the Western Cape, and the South African Human Rights Commission (SAHRC).

The objective of this project through the combination of policy and budget analysis and statistical indicators is to provide a comprehensive framework and set of tools to monitor the progressive realisation of socio-economic rights. We hope that this will be a useful tool for policymakers, for those that exercise oversight over the executive, including Parliament and Chapter Nine Institutions (notably the SAHRC) and civil society.

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OTHER PUBLICATIONS BY THE SOCIO- ECONOMIC RIGHTS MONITORING TOOL

Available at www.spii.org.za

Wildeman, R 'Realising the right to basic education in South Africa: An update of the policy effort, resource allocation & enjoyment of the right to Basic Education in South Africa'(2018) Studies in Poverty and Inequality Institute, Working Paper 20.

Kota, Z and Kota, K 'Realising the right to a healthy environment: An analysis of the policy efforts, budgeting and enjoyment of the right to a healthy environment in South Africa'(2018) Studies in Poverty and Inequality Institute, Working Paper 19.

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CONTENTS:

	Acronyms	07
	List of tables	08
	List of Figures	08
	List of Indicators	09
CHAPTER 1:	Introduction	10
	1.1 Socio-economic rights & transformation	10
	1.2 The Socio-Economic Rights Monitoring Tool	10
	1.3 Objectives of the Tool and end users	11
	1.4 Bridging the gap: Citizen-Based Monitoring (CBM)	12
	1.5 Overview of the paper	12
CHAPTER 2:	Right to Food developments in South Africa	13
	2.1 Introduction	13
	2.2 International and regional developments on the right to food	13
	2.3 Jurisprudential developments on the right to food in South Africa	14
	2.4 Key legislation and evolving policies on the Right to Food	16
	2.5 Recommendations	17
CHAPTER 3:	Budget analysis: An update on budget allocation and spending on the Right to Food in South Africa	18
	3.1 Introduction	18
	3.2 Understanding the difference between nominal and real figures	19
	3.3 National School Nutrition Programme (NSNP)	20
	3.3.1 Programme description	20
	3.3.2 Adequacy and Efficiency of the NSNP budget	21
	3.3.3 Conclusion	23
	3.3.4 Recommendations	24
	3.4 The Comprehensive Agricultural Support Programme (CASP) and Ilima/Letsema Programme	25
	3.4.1 Background	25
	3.4.2 CASP	25
	3.4.2.1 Programme Description	25
	3.4.2.2 An assessment of the CASP budget allocation and expenditure	26
	3.4.2.3 The effectiveness of the CASP	27
	3.4.3 Ilima/Letsema	30
	3.4.4 CONCLUSION	32
	3.4.4 Recommendations	32
	3.5 Recapitalisation and Development Programme (RADP) also popularly known as RECAP.	33
	3.5.1 Programme Description	33
	3.5.2 Budget allocation and expenditure analysis and effectiveness of the RADP	34
	3.5.3 conclusion	36
	3.5.4 Recommendations	36

3.6 Health Promotion and Nutrition – Vitamin A Supplementation Programme	37
3.6.1 introduction	37
3.6.2 Programme Description	37
3.6.3 Health Promotion and Nutrition Programme budget analysis	38
3.6.4 conclusion	39
3.6.5 Recommendations	40
3.7 Household Food and Nutrition Programme	40
3.7.1 Programme description	40
3.7.2 Budget analysis	41
3.7.3 Effectiveness of the Food Relief Programme	41
3.7.4 Conclusion	42
3.7.5 Recommendations	42
CHAPTER 4: Right to Food Indicators: An update of measures of enjoyment of the Right to Food	43
4.1 Introduction	43
4.2 Overview of Right to Food indicators	45
4.3 Populated indicators based on the indicators developed in the SPII’s Right to Food in South Africa Report 2015	46
4.3.1 Access Indicators	46
4.3.2 Adequacy Indicators	56
4.3.3 Quality Indicators	58
CHAPTER 5: Key Findings	60
CHAPTER 6: Bibliography	62
Journals	64
Reports, working papers, policy briefs, conference papers	64

ACRONYMS AND ABBREVIATIONS

CASP	Comprehensive Agricultural Support Programme
CESCR	Committee on Economic, Social and Cultural Rights
CPI	Consumer Price Index
DAFF	Department of Agriculture, Forestry and Fisheries
DBE	Department of Basic Education
DoH	Department of Health
DoRA	Division of Revenue Act
DRDLR	Department of Rural Development and Lane Reform
HFNSP	Household Food and Nutrition Security Programme
ICESCR	International Covenant on Economic, Social and Cultural Rights
NDP	National Development Plan
NFCS	National Food Consumption Surveys
NPFNS	National Policy on Food and Nutrition Security NPFNS
NSNP	National School Nutrition Programme
PLAS	Proactive Land Acquisition Strategy
RADP	Recapitalisation and Development Programme
SANHANES	South African National Health and Nutrition Examination Survey
SER	Socio-Economic Rights
SPII	Studies in Poverty and Inequality Institute
Stats SA	Statistics South Africa
VAS	Vitamin A Supplementation
NPFNS	National Policy on Food and Nutrition Security
WHO	World Health Organisation
VFH	Volunteer Food Handlers

LIST OF TABLES:

Table 1	National Departments involved in food security and expenditure programmes	18
Table 2	Total number of agricultural jobs created under the CASP from 2010/11 to 2016/17 nationally	29
Table 3	Right to Food indicators	45

LIST OF FIGURES:

Figure 1	The SER Monitoring Tool, 3-step methodology	11
Figure 2	National real budget allocations and the real allocation annual percent change for the NSNP from 2012/13 to 2017/18 financial years	21
Figure 3	Provincial real budget allocations for the NSNP from 2014/2015 to 2017/2018	21
Figure 4	Beneficiaries of the NSNP nationally from 2013/2014 to 2016/2017	22
Figure 5	National real budget allocation and the real allocation annual percent change for the CASP from 2014/2015 to 2017/2018 in Rands	26
Figure 6	Provincial real budget allocation and expenditure from 2014/15 to 2017/18 in Rands	27
Figure 7	Farmers supported (subsistence, smallholder and black commercial) through CASP from 2014/2015 to 2016/2017	28
Figure 8	Number of agricultural jobs created under the CASP 2016/2017 per province in South Africa	28
Figure 9	National real growth rate of the budget allocation and expenditure for the Ilima/Letsema Grant from 2012/13 to 2017/18	30
Figure 10	Land under production, farmers supported through Ilima/Letsema	30
Figure 11	Farmers supported (subsistence, smallholder and commercial black farmers) 2014/2015 to 2015/2016	31
Figure 12	Number of subsistence farmers supported, number of smallholder farmers supported and maize production in 2016/2017	31
Figure 13	National real allocation, expenditure and annual % change in Million Rands for the RADP from 2014/15 to 2017/18	35
Figure 14	Number of farms and trained farmers under RADP from 2014/15 to 2016/17	35
Figure 15	Budget allocation and expenditure per province for financial year 2014/15 to 2016/17 in Rands	38
Figure 16	Percentage of VAS coverage for children 12-59 months by province from 2014/2015 to 2016/2017	39
Figure 17	National real budget allocation and real allocation annual percentage change of the Food and Nutrition programme of the National Department of Social Development from 2013/14 to 2017/18	41
Figure 18	Number of individuals accessing food through DSD Community Nutrition and Development Centres from 2014/15 to 2016/17	42

LIST OF INDICATORS:

INDICATOR 1:	Per capita food supply (kilocalories (kcal)/per capita/per day)	46
INDICATOR 2:	Per capita value of food production (\$USD per annum)	46
INDICATOR 3:	Per capita food supply variability (kcal/per capita/day)	47
INDICATOR 4:	Per capita food production variability (\$USD/per capita/day)	47
INDICATOR 5:	Food Trade Balance: value of food imports over exports for primary and processed agricultural products (R' million, nominal).	49
INDICATOR 6:	Annual food price inflation	50
INDICATOR 7:	Proportion of total household consumption expenditure spent on food, bottom expenditure decile.	50
INDICATOR 8:	Percentage of the population living in poverty	50
INDICATOR 9:	Percentage of households who report land degradation in their communities or on their own or neighbouring farms	51
INDICATOR 10:	Percentage of households producing food crops	51
INDICATOR 11:	Percentage of learners accessing National School Nutrition Programme, by province	54
INDICATOR 12:	Percentage of infants 6-11 months and 12-59 months receiving Vitamin A supplements	55
INDICATOR 13a:	Number of imported food consignments and local food products inspected for food safety standards	56
INDICATOR 13b:	Number of vessels, factories and retail stores inspected for food safety standards	56
INDICATOR 14a:	Percentage of population who are experiencing hunger	57
INDICATOR 14b:	Percentage of population who are at risk of experiencing hunger	57
INDICATOR 15:	Percentage of underweight male and female adults (BMI<18.5)	58
INDICATOR 16:	Percentage of overweight male and female adults (BMI>25)	58
INDICATOR 17:	Percentage of children under 4 years with stunting and severe stunting	59
INDICATOR 18:	Percentage of children under 4 years wasting or extreme wasting	59

1.1 SOCIO-ECONOMIC
RIGHTS & TRANSFORMATION

This working paper provides an update of the 2015 analysis of the content, policy effort, resource allocation and enjoyment of the constitutional right to food in South Africa. Drawing on SPII's Right to Food in South Africa Working Paper 2015, the first section of this working paper provides an outline of the Socio-Economic Rights Monitoring Tool developed by SPII in partnership with the South African Human Rights Commission. This is followed by a brief overview of the objectives of the Monitoring Tool and the methodological approach used for this analysis.

The inclusion of socio-economic rights in South Africa's first democratic Constitution, in line with the International Covenant on Economic, Social and Cultural Rights (ICESR) envisioned the reconstruction and transformation of a divided and unequal society: to heal the divisions of the past and establish a society based on democratic values, social justice, and fundamental human rights, centred around the inalienable right to dignity.¹ However, unacceptable and unsustainable levels of poverty and inequality, compounded by widespread unemployment and a lack of access to basic services for many poor communities, continue to violate people's rights and undermine our fledgling democracy. There have undoubtedly been many achievements in the twenty years since South Africa's *political* transition; what is unclear, however, is the extent to which the social and economic transformation envisioned by the Constitution has been realised, or even if we are on the right

track. Moreover, there remains little consensus within government or civil society on what such transformation would actually look like, how it should be measured, by whom, against what benchmarks, and over what period of time.

The **justiciable socio-economic rights** (SERs) guaranteed to everyone in South Africa include the rights to health, social security, housing, **food**, water, education and the environment. With the notable exception of the right to basic education, however, government's obligation to fulfil these rights, as set down in the Constitution, is to take:

...reasonable legislative and other measures, within its available resources, to achieve the progressive realisation of each of these rights.²

While the Constitution provides an overarching framework, and is the country's 'supreme law'³ governing the rights and duties of citizens, private enterprises and the state, it does not set out the *content* of these rights: what measures the state should take, how it should finance access to SERs, and the timeframes within which they must be realised. The challenge for policy-makers and oversight bodies alike is how best to evaluate government programmes and budget allocations against these binding and competing Constitutional obligations if there is no methodology for monitoring and addressing critical issues relating to the progressive realisation of these rights.

1.2 THE SOCIO-ECONOMIC
RIGHTS MONITORING TOOL

It is for this reason that Studies in Poverty and Inequality Institute (SPII), in partnership with the South African Human Rights Commission, has developed a **Socio-Economic Rights Monitoring Tool**. The Tool uses a methodology for monitoring and evaluating the performance of government and the realisation of SERs that is based on a combination of policy (step 1) and budget analysis (step 2), and the development and population of quantitative indicators for each of the rights (step 3). This involves

unpacking the content of these rights and the obligations they impose on government, evaluating the extent to which government policies and budget allocations adequately address these obligations, and measuring the enjoyment of rights by people on the ground.

SPII has developed working papers on the rights to health care, social security, human settlements, water and sanitation, a healthy environment, basic education and food.

FOOTNOTES:

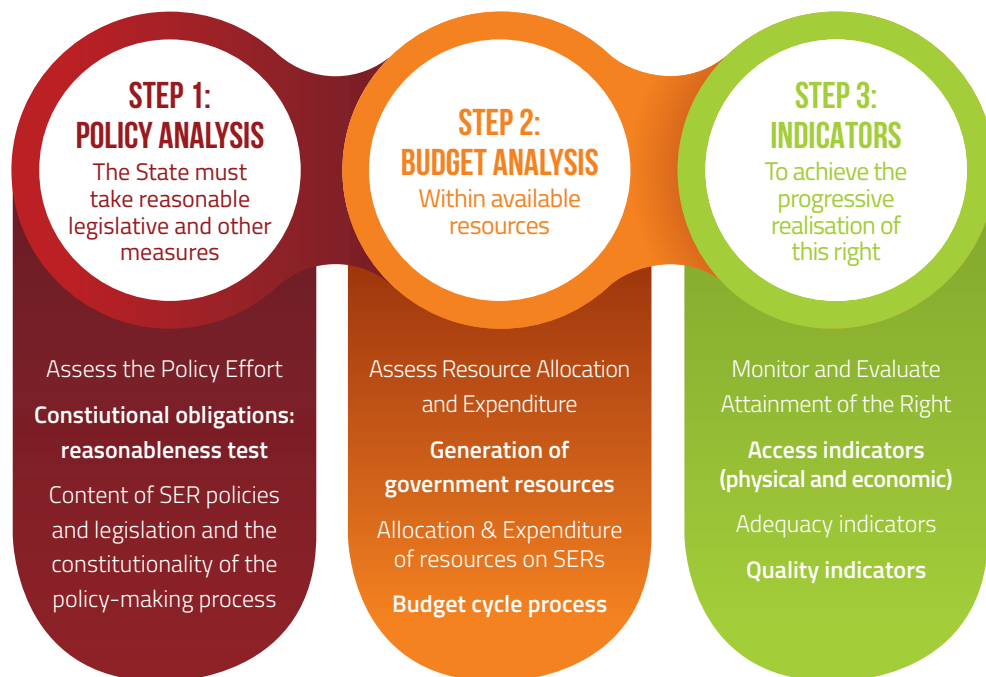
1 Constitution of the Republic of South Africa, 1996, preamble. See: www.thepresidency.gov.za/docs/reports/annual/2008/preamble.pdf
2 Constitution of the Republic of South Africa, 1996, Bill of Rights: Chapter 2, Section 27: Health care, food, water and social security. Available at: <http://www.justice.gov.za/legislation/constitution/SACConstitution-web-eng-02.pdf>
3 Ibid, section 1 (c)

These can be found at www.spil.org.za. Hard copies of the reports can also be requested from SPIL.

This work constitutes an invaluable resource for understanding the content of the SERs, an insight into the growth of jurisprudence around each right a trend analysis of government budgets and spend, as well as a trend analysis of people's enjoyment of these rights across the three dimensions of Access, Adequacy and Quality.

The application of the SER Monitoring Tool to the right to food has benefited from collaboration with a range of stakeholders, and provides a unique picture of the level of enjoyment of the right to food, and of the outcomes of government efforts to realise this right, twenty-four years into South Africa's democracy. We identify areas of progress and regression, gaps and priority areas for action with the aim of guiding government in its obligations to fulfil the right to food, while providing uniquely accessible information for progressive civil society to engage with.

Figure 1
The SER Monitoring Tool,
3-step methodology



1.3 OBJECTIVES OF THE TOOL AND END USERS

The purpose of the SER Monitoring Tool goes beyond building a framework for the assessment of constitutional and human rights compliance and aims to achieve specific objectives. These include, first, to clarify and unpack the content of SERs and the concomitant obligations they place on the state, and in so doing, to move the country towards greater consensus on what progressive realisation of socio-economic rights means and requires in South Africa. Second, to develop an efficient and useful method for monitoring and evaluating progress made in realising SERs to date and in the future, to create an evidence-base for socio-economic policy-making, advocacy initiatives and legal interventions. Third, to determine the extent to which organs of the state have respected, protected, promoted and fulfilled their obligations to rights-holders. This involves identifying achievements, deprivations, disparities, and regression to illuminate both causation and accountability in terms of

policies, resources spent, implementation and institutional capacity. Lastly, the Tool seeks to make recommendations to broaden and accelerate the progressive – and ultimately attainment – universal enjoyment of all SERs.

As the importance placed on stakeholder engagement in the process of developing indicators testifies, the Tool aims to support and be of practical use to a variety of actors, including: civil society, government and policy-makers, advisory and oversight bodies such as the DPME and Chapter 9 institutions, especially the SAHRC, the judiciary and public interest lawyers, and academia. For a detailed outline of the objectives of SPIL's 3-step methodology and anticipated use and users of the tool, please refer to SPIL's publication: "A Framework for Monitoring and Evaluating the Progressive Realisation of Socio-Economic Rights in South Africa"⁴ available at www.spil.org.za.

FOOTNOTES:

⁴ Dawson, Hannah & McLaren, Daniel. "A Framework for Monitoring and Evaluating the Progressive Realisation of Socio-Economic Rights in South Africa." Studies in Poverty and Inequality Institute. 2015. Available at: <http://spil.org.za/wp-content/uploads/2015/03/SPIL-A-Framework-for-Monitoring-the-Progressive-Realisation-of-SERs-pdf>.

1.4 BRIDGING THE GAP: CITIZEN-BASED MONITORING (CBM)

The SER Monitoring Tool places emphasis on the importance of respecting and promoting human rights principles at all stages of the country's development process. However, moving all actors towards thinking about how to develop roadmaps and timeframes to achieve universal access for all citizens can only go so far without input from the most vulnerable and marginalised within society. Thus far, the SER Monitoring Tool has emphasised quantitative measures that are well suited to mapping trends and patterns over time, but in addition to this, SPII seeks to include citizen-based monitoring (CBM)⁵ and other mechanisms for public participation as a way of verifying the actual **enjoyment** of the socio-economic rights in practice.⁶

SPII is currently considering how to incorporate and operationalise a CBM dimension to the SER

Monitoring Tool. This is because, in addition to the reasons above, a **bottom-up approach to monitoring** the progressive realisation of SERs would provide a very effective mechanism for determining the relationship between individuals and groups with valid claims (right-holders) and the state and non-state actors with correlative obligations (duty-bearers). One of the main causes preventing the realisation of human rights is the failure of duty-bearers to fulfil their obligations, combined with a lack of capacity among rights-holders to claim and exercise their rights effectively. **Developing these capacities and improving the relationship between these two groups** is a cross-cutting and crucial element of the human rights-based approach to development chosen by post-apartheid South Africa.

1.5 OVERVIEW OF THE PAPER

The first task of human rights policy-making and monitoring is to define the content of the right in question. International norms and constitutional jurisprudence, among other sources, are used in Chapter 2 to guide an analysis of the content of the right to sufficient food in South Africa. This paper builds on SPII's Right to Food in South Africa Working Paper 2015, and pays special attention to the status of the right to food in South Africa following the States ratification of the International Covenant on Economic, Social and Cultural Rights (ICESCR) in 2015 and the ongoing policy dialogue on the right to food.

Having established the status of the application of the right to food and related policy development in South Africa, the 3-step Monitoring Tool is then applied to evaluate government programmes and budgets in Chapters 3, while Chapter 4 offers an analysis of the status of the right to food using the set of indicators developed to track and measure the enjoyment of the right to food over time. Chapter 5 concludes the paper with a summary of the key findings of the policy, budget and indicator analyses and makes recommendations for how access to sufficient and nutritious food can be broadened and accelerated.

FOOTNOTES:

- 5 The SER Monitoring Tool is committed to ensuring that the tool meaningfully reflects the concerns, priorities and needs of people on the ground and is able to support and accommodate monitoring information from citizens and communities themselves. It is for this reason that the Tool has surveyed the existing organisations and their methodologies for community participation and monitoring, which the project aims to engage with going forward.
- 6 Dawson et al, 2015. See note 4.

2.1 INTRODUCTION

Section 27(1)(b) guarantees the right of access to sufficient food to everybody in South Africa, subject to the progressive realisation provisions contained in Section 27(2). Following a marked improvement in poverty levels that were reported in 2011 as the country recovered from the 2008 global financial crisis, poverty levels in South Africa are once again on the rise. According to Stats SA's 2016 Poverty Trends in South Africa report,⁷ which provides an update of poverty estimates from 2011 to 2015, over half of South Africa's population was living in poverty in 2015. The number of people living in poverty across the country rose to 30.4 million in 2015, when applying the upper-bound poverty line and 21.9 million when applying the lower-bound poverty line.⁸ The upper-bound and lower-bound poverty lines take into consideration the cost of basic food as well as the cost of other basic living needs such as those related to shelter, clothing and transportation.⁹ In 2015, the lower-bound poverty line, which assumes an austere estimation for minimum expenditure on non-food was adjusted to

R647 per person per month, while the upper-bound poverty line, which assumes a higher consumption expenditure for non-food items was adjusted to R992 per person per month.¹⁰ The inflation-adjusted upper-bound and lower-bound poverty lines for 2018 are R1 183 and R785 respectively.¹¹

This section assesses the constitutional jurisprudence on the right to adequate food and related policy frameworks in South Africa. It offers an update on the government's commitment to protect and enforce the right to food by tracking new case law and policy developments relating to the right to adequate food in South Africa. It builds on **SPII's Right to Food in South Africa Working Paper 2015**, which marked the first comprehensive monitoring and evaluation report on the right to food in South Africa that combines policy, budget and statistical analysis of the status and direction of the progressive realisation of the right to food in South Africa.

**2.2 INTERNATIONAL AND
REGIONAL DEVELOPMENTS
ON THE RIGHT TO FOOD**

Although a lot of gains have been made in the struggle for the right to food globally since the adoption of General Comment No. 12 of the Committee on Economic, Social and Cultural Rights (CESCR),¹² in which the right to food is clarified and interpreted, international jurisprudence on the right to food internationally remains limited.¹³ Since the adoption of General Comment 12 of the CESCR in 1999, and the designation of the first Special Rapporteur¹⁴ on the right to food in 2000, the United Nations (UN)

treaty monitoring bodies, including the CESCR, have not received any communications directly related to the right to food. The UN Human Rights Committee¹⁵ has, however, issued opinions related to the right to food on several occasions.¹⁶ This lack of communications on right to food violations has been attributed to the lack of sufficient international mechanisms for the justiciability of the right to food because up until recently, individual communication could not be brought before the CESCR until

FOOTNOTES:

7 Statistics South Africa, "Poverty trends in South Africa: An evaluation of absolute poverty 2006 and 2015," Pretoria, South Africa. Available at <http://www.statssa.gov.za/publications/Report-03-10-06/Report-03-10-062015.pdf>. Accessed 26 May 2018.

8 Ibid

9 Statistics South Africa, "Methodological report on rebasing of national poverty lines and development of pilot provincial poverty lines," Pretoria, South Africa, 2015. Available at <http://beta2.statssa.gov.za/publications/Report-03-10-11/Report-03-10-11.pdf>. Accessed on 25 May 2018.

10 Ibid

11 Statistics South Africa, "National Poverty Lines 2018," Pretoria, South Africa. Available at: <http://www.statssa.gov.za/publications/P03101/P031012018.pdf>. Accessed 12 September 2018.

12 The CESCR is the body responsible for monitoring the Economic, Social and Cultural rights as set out in the 1966 International Covenant on Economic, Social and Cultural Rights.

13 Golay, C., "The Right to Food and Access to Justice: Examples at the national, regional and international levels," The Food and Agriculture Organisation of the United States, 2009, Rome, Italy. Available at: <http://www.fao.org/3/a-k7286e.pdf>. Accessed 11 May 2018.

14 The Special Rapporteur is an independent expert appointed by the Human Rights Council to examine and report back on the status of the progressive realisation of the right to food at country level, and to provide advice and support on the implementation of the right to food to state authorities.

15 The Human Rights Committee is a quasi-judicial body of independent experts that monitors the implementation of the 1966 International Covenant on Civil and Political Rights by its State parties. See: <https://www.ohchr.org/en/hrbodies/ccpr/pages/ccprindex.aspx>

16 Durojaye, E. and Chilemba, E.M. "Accountability and the right to food: A comparative study of India and South Africa," Food Security SA Working Paper Series No. 003. DST-NRF Centre of Excellence in Food Security, South Africa, May 2018, Available at: <https://foodsecurity.ac.za/wp-content/uploads/2018/06/CoE-FS-WP3-Accountability-and-the-right-to-food.pdf>. Accessed on 12 May 2018.

the Optional Protocol to the CESCR came into force in May 2013.¹⁷ Examples of opinions issued by the UN Human Rights Committee in relation to the right to food only addressed the issue indirectly. For instance, the Human Rights Committee explained that depriving detained persons of food not only violated their right to human dignity and the right not to be subjected to cruel, inhumane and degrading treatment, but is equivalent to a violation of the right to life, which is inextricably linked to the right to food. Similarly, opinions issued on cases pertaining to the rights of indigenous people invoked the right of minorities to their own culture, which enabled these communities to defend their way of life and protect their right to food.¹⁸ It is important to note that while there are other legal remedies for right to food violations that are provided for under the Committee for the Elimination of Discrimination relative to Women and the Committee for the Elimination of Racial Discrimination, these monitoring committees have never received communications on the right to food specifically. This points to a lack of willingness to report violations of the right to food and make submissions to the relevant monitoring bodies among human rights organisations and a lack of information for victims.¹⁹

Regional judicial and quasi-judicial remedies have played a critical role in the enforcement

of the right to food, where domestic judicial processes are unavailable or ineffective. The 2001 Social and Economic Rights Action Centre (SERAC) and *Another v Nigeria* case illustrates how the limit of domestic law can be overcome through the use of regional legal processes and highlights how the right to food can be interconnected with land issues and other rights.²⁰ This case was brought before the African Commission on Human and People's Rights which found the government of Nigeria liable for violating the right to food on the basis that its actions undermined the efforts of the people of Ogoni to feed themselves.²¹ The outcome of this case is important and special because it demonstrated that although the right to food is only implicitly located within the African Charter on Human and People's Rights, the Commission ruled that the right to food is inextricably linked to the rights to life and dignity of every human being.²² While South Africa has not yet signed or ratified the 2008 Optional Protocol to the UN Commission on Human Rights,²³ the ratification of the ICESCR in January 2015 marked an important step forward and represented an affirmation of the state's recognition of its obligations in guaranteeing socio-economic rights and its commitment to the protection and enforcement of the Bill of Rights as contained in the Constitution of South Africa.²⁴

2.3 JURISPRUDENTIAL DEVELOPMENTS ON THE RIGHT TO FOOD IN SOUTH AFRICA

Despite the increasing prominence of the right to food approach to food security in policy and programming – which entails food access, availability and adequacy, and obliges states to respect, protect and fulfil the right to food for all – attempts to litigate the right to food in South African courts, including the Constitutional Court, remain few. The original SPII Right to Food in South Africa Working Paper 2015,²⁵ outlines the only three cases²⁶

relating to the right to food and no new cases on the right to food directly have been brought before South African courts.²⁷ While the right to food was affirmed in all three cases, none of the cases specifically clarified the nature of the South African government's obligation on the progressive realisation of the right to food. In the case of *Wary Holding v Stwalo*, the Constitutional Court deliberated on the right to sufficient food contained in S27(1)(b) of the

FOOTNOTES:

- 17 Ibid
- 18 Golay, 2009. See note 13.
- 19 Ibid
- 20 International Development Law Organisation, "Realising the right to food: Legal strategies and approaches," 2014, Rome, Italy, Available at: <https://www.idlo.int/publications/realizing-right-food-legal-strategies-and-approaches>. Accessed 15 May 2018.
- 21 Durojaye, E. and Chilemba, E., M. See note 16
- 22 Nkrumah, B., "Mobilizing the realization of the right to food in South Africa," DPhil thesis, University of Pretoria, Pretoria, South Africa, 2007, Available at: <https://repository.up.ac.za/handle/2263/64629>. Accessed 10 May 2018.
- 23 ESCR-Net, "Has your country ratified the OP-ICESCR?" OP-ICESCR, 2017, Available at: <https://www.escr-net.org/op-icescr>. Accessed 10 May 2018.
- 24 South African Human Rights Commission, "SAHRC welcomes Government's decision to ratify the International Covenant on Economic, Social and Cultural Rights (ICESCR)," 18 January 2015, Available at: <https://www.sahrc.org.za/index.php/sahrc-media/news-2/item/305-sahrc-welcomes-government-s-decision-to-ratify-the-international-covenant-on-economic-social-and-cultural-rights-icescr>. Accessed 12 May 2018.
- 25 McLaren, D., Moyo, B., and Jeffery, J., with Kota, Z., and Suleman, M., Z., "The Right to Food in South Africa: An analysis of the content, policy effort, resource allocation and enjoyment of the constitutional right to food," Studies on Poverty and Inequality Institute, July 2015, Available at: <https://www.spil.org.za/research-and-advocacy/the-socio-economic-rights-monitoring-tool/food/>. Accessed 4 May 2018.
- 26 *Wary Holdings v Stwalo*; *Mukudamm v Pioneer Foods Ltd and Others*; and *Kenneth George and others v. Minister of Environmental Affairs and Tourism*
- 27 Durojaye, E., and Chilemba, E.M. See note 14.

Constitution. However, the Court refrained from using the opportunity to interrogate and articulate the contours of the right to food and define the obligations of the state, seeming to avoid the clarification of the content of the right to food on the part of the Court.²⁸ As indicated in SPII's Right to Food in South Africa Working Paper 2015,²⁹ the case *Wary Holding v Stwalo* was concerned with the legality of subdividing and selling land classified as 'agricultural land'. The Constitutional Court gave a judgement acknowledging that government had a responsibility not to violate anyone's right to food, but refrained from articulating whether any particular forms of land ownership actually have the potential to violate anyone's right to food.³⁰ Documentation of right to food violations in South Africa is improving in line with international trends, but litigation on the rights to food and water remains rare.³¹

Right to food cases can be categorised into three defining groups based on the nature of the violation. The first group consists of cases involving failure to ensure the right to be free from hunger. The second group comprises of cases relating to the ability to produce or procure food in order to feed oneself. The third group involves cases related to the protection of vulnerable groups. While matters that mention the right to food and cite section 27 (1)(b) have been heard since the publication of SPII's Right to Food in South Africa Working Paper 2015, there are no records of new cases brought before the courts in South Africa that deal with the right to food directly. Despite the rapid increase in the number of people living in extreme poverty and an increase in the overall depth of poverty in South Africa between 2011 and 2015,³² the right to food continues to be side-lined in comparison with other socio-economic rights that are guaranteed in the Constitution. For instance, the right to an adequate living in international law provisions for the right to housing, food and clothing. Yet, the right to housing has become one of the most adjudicated socio-economic rights in South Africa, while the right to food is not equally affirmed.

Much recent attention on the promotion of socio-

economic rights by members of civil society, including academia, NGOs and social movements has been on persuasion of the State to ratify the Optional Protocol on the ICESCR (the Protocol), as the Protocol enables South Africans to access the regional and international systems for the remedy for the violation of socio-economic rights.

Following South Africa's ratification of the ICESCR in 2015, in line with procedural requirements imposed on State Parties, the South African government submitted its Initial Report to the UN CESCR on 25 April 2017, indicating South Africa's progress towards the realisation of economic, social and cultural rights. The CESR has requested some preliminary engagement. Parallel reports were also submitted by civil society organisations to comment and respond to the contents of the report submitted by the South African government.

On the matter of the right to food, the CESR provided a response to South Africa's report based on Article 11 of the ICESCR 'Right to an adequate standard of living' seeking greater detail on the impact of the food security policy framework and other related policies in the implementation of the right to food:

"21. Please provide information on:

(a) The impact of the integrated food security strategy for South Africa and the national policy on food and nutrition security on the reduction of hunger, particularly as it affects chronic malnutrition and stunting among children;

(b) The measures taken to reform food systems (see E/C.12/ZAF/1, para 106, footnote 123), including those involving the private sector, and the progress made so far in enhancing the availability, accessibility and affordability of food for all;

(c) The efforts made to promote breastfeeding;

(d) The measures taken to implement the strategy for the prevention and control of obesity in South Africa, 2015-2020."

FOOTNOTES:

- 28 Ibid
 29 McLaren, D. See note 25.
 30 Ibid
 31 Jung, C., Hirshil, R., and Rosevear, "Economic and Social Rights in National Constitutions," *American Journal of Comparative Law*, Vol 62(4), 2014, p.1043-1049.
 32 Stats SA measures the depth of poverty using the poverty gap, which gauges how poor the poor are by measuring the average distance of the population in with the national three poverty lines (upper-bound poverty line, lower-bound poverty line and food poverty line) and is expressed as a percentage of the poverty line. The increase in the poverty gap across all three national poverty lines between 2011 and 2015 means that more people are moving further away from the poverty line relative to their position in 2011, and are farther away from graduating out of poverty. See: Statistics South Africa, 2017, "Poverty trends in South Africa: An evaluation of absolute poverty 2006 and 2015, page 16. Available at: <http://www.statssa.gov.za/publications/Report-03-10-06/Report-03-10-062015.pdf>

The issues raised in the response of the CESCR highlight some of the core issues that were outlined in SPII's Right to Food in South Africa 2015. The questions shine a light on the **contradictions of South Africa's food systems** and its outcomes and expose the **apparent lack of coordination in the current policy and programmes.**

A range of programmes including the Department of Social Development social grants programmes, the National School Nutrition Programme (NSNP) of the Department of Basic Education and the Department of Health's nutrition education and food safety programmes have been implemented.³³

On the basis of these multi-sectoral policies and programmes, the three main channels by which the right to food is realised in South Africa include:

- 1) own production, which requires access and control over productive resources,
- 2) purchasing of food, which requires the ability to earn income either through employment, self-employment or social transfers, and
- 3) direct food aid.

However, current initiatives do not adequately address the structural factors that shape the realisation of the right to food, including the extent to which the National Policy on Food and Nutrition Security (NPFNS) is addressing the complex nature of South Africa's food insecurity, which is fundamentally underpinned by poverty and not food shortages.³⁴ Furthermore, the continued marginalisation of the informal sector, which is made up of a great proportion of food traders, through a policy and legal framework that is designed to mitigate the risks of informality and support the formal corporate food sector, raises questions about the state's commitment to supporting the informal sector.³⁵

2.4 KEY LEGISLATION AND EVOLVING POLICIES ON THE RIGHT TO FOOD

Despite repeated calls by civil society, South Africa has not yet enacted a framework law recognising the right to food and that sets out the obligations to respect, protect, promote and fulfil the right to food. Basically, this means that the scope of the content of the right to food is currently not legally defined. This makes it difficult to determine the responsibilities of the state and private sector actors on the right to food, which weakens the ability to hold these actors accountable. In order to bring the denial of socio-economic rights successfully before the courts as civil lawsuits, certain criteria need to be met for a case to be successful. Although the right to food is explicitly guaranteed in the Constitution, applications need to be able to "establish deprivation, *demonstrate duty bearer's responsibility and fashion a remedy*."³⁶

While no new policies were introduced between 2015 and 2018 related to the right to food, there have been several developments at the national level that have some impact on the existing policy framework.³⁷

When the NPFNS was first published in 2014, the policy was accompanied by a food and nutrition security draft policy implementation plan to provide an outcomes-based framework to guide food security for all. As highlighted in the 2015 Right to Food report, the implementation consists mainly of background data on the status of South Africa's food security situation in 2014, and sets out targets for some sectors but **without a clear strategy for enacting the new policy and reaching the targets for relevant sectors and sub-sectors.** In 2017, a new National Food and Nutrition Security Plan (NFNSP) (2017-2022) was initiated to provide a detailed implementation and governance proposal to give effect to the National Policy on National Food and Nutrition Security. Currently in draft form, the NFNS Plan is being coordinated by the Department of Planning, Monitoring and Evaluation (DPME). Following various consultations with key stakeholders during a two-day indaba in January 2017, the pending national implementation plan on food security

FOOTNOTES:

- 33 McLaren et al, 2015. See note 25.
- 34 Swinburn B, Kraak V, Rutter H, Vandevijvere S, Lobstein T, Sacks, Gomes, F, Marsh, T, Magnusson, R, "Strengthening of accountability systems to create healthy food environments and reduce global obesity," *Lancet*, 2 June 2015, 385(9986): p.2534-2545, Available at: [https://www.thelancet.com/journals/lancet/article/PIIS0140-6736\(14\)61747-5/abstract](https://www.thelancet.com/journals/lancet/article/PIIS0140-6736(14)61747-5/abstract). Accessed 12 May 2018.
- 35 In a submission to the Grocery Retail Sector Market Inquiry, Peterson (2017) asserts that inappropriate policy on land use zoning and arduous business permitting processes which essentially require informal sector enterprises in township economies to formalise in order to obtain legal registration of any kind, marginalise actors in the informal food system. See: Submission to Grocery Retail Sector Market Inquiry by Leif Petersen, Sustainable Livelihoods Foundation in 2017.
- 36 Jung et al, 2014
- 37 International Development Law Organisation, 2014. See note 20.

was presented to the Portfolio Committee on Agriculture, Forestry and Fisheries about the National Food and Nutrition Security Plan and progress on Operation Phakisa on 17 November 2018.³⁸

The NFNS Plan³⁹ is set to involve the departments of Monitoring and Evaluation, Health, Social Development, Rural Development and Land Reform, and Basic Education. Six objectives that were outlined in the presentation, and in greater detail in the six objectives set out for the National Food and Nutrition Security Plan, aim to look at the following: *“establishing a multi-sectoral Food and Nutrition Security Council to oversee alignment of policies, legislation and programmes, and coordination and implementation of programmes and services which address Food and Nutrition Security; establishing inclusive local food value chains to support access to nutritious affordable food; expanding targeted social protection measures and sustainable livelihood programmes; scaling up of high impact nutrition specific interventions targeting nutritionally vulnerable groups across the life cycle; developing an integrated communication plan to influence people across the life cycle to make informed food and nutrition decisions; and developing a monitoring and evaluation system for Food and Nutrition Security, including an integrated risk management system for monitoring Food and Nutrition Security related risks.”*⁴⁰

In February 2018, the government announced an increase in the value-added tax (VAT) of one percentage point, from 14-15%. The VAT represents a direct consumption tax levied on

all goods and services that are traded in the economy. With effect from 1 April 2018, the VAT hike affected food prices directly and will negatively impact on poor and vulnerable people’s ability to feed themselves. The government has argued that the impact of the VAT increase is mitigated by the National Treasury’s zero-rated VAT programme which exempts 19 food items, and through the provision of social cash transfers – the existing social grants. While these programmes do bring some relief, the VAT increase will affect all South Africans, including poor and unemployed individuals between 18 and 59 who do not qualify for the current categories of the social grants. Equally importantly, food preparation requires a range of other food and non-food items that are not included in the zero-rated goods and services. The lack of prior consultation regarding the increase of a flat rate tax that impacts disproportionately harshly upon the poor has been strongly criticised. During the announcement of the VAT increase on 29 March 2018, the Minister of Finance declared that the current 19 zero-rate food items will continue to be zero-rated and mandated the Chair of the Davis Tax Committee,⁴¹ Judge Dennis Davis, to appoint a panel of experts to explore effective ways of mitigating the impact of the VAT increase on poor and low-income households. The review will involve an assessment of the current list of zero-rated items and evaluate how current social development programmes, including all food security programmes, can be improved.⁴²

2.5 RECOMMENDATIONS

The State must provide detail on its steps to ratify the Optional Protocol on Economic, Social and Cultural Rights and its budgetary commitments to this.

The adoption of a comprehensive legislative framework by the state reflecting both horizontal and vertical immediate and medium to long-term responsibilities to progressively realise the right to sufficient food in terms of the Constitution of South Africa and the right to adequate food under the ICESCR.

The right to food needs to be tested and clarified in the courts. CSOs should consider litigation as a tool for claiming the right to food and holding government accountable.

Consider, in view of government’s goal to reduce the number of government departments, identifying a specific department that will be mandated with the implementation and monitoring of the NPFNS.

FOOTNOTES:

- 38 Parliamentary Monitoring Group, “National Food and Nutrition Security Policy Implementation Plan; Operation Phakisa for Agriculture, Rural Development and Land Reform: progress report - Agriculture, Forestry and Fisheries,” 14 November 2017, Available at: <https://pmg.org.za/committee-meeting/25488/>. Accessed 27 May 2018.
- 39 Despite several attempts to contact the Department of Planning, Monitoring and Evaluation with the Presidency, and the Department of Health we could not obtain further information about the adoption and implementation of the NFNS Plan.
- 40 Ibid
- 41 Formerly the Tax Review Committee, the Davis Tax Committee, was set up in 2013 by the Minister of Finance to investigate the role of the tax system in the promotion of inclusive economic growth, employment creation, development and fiscal sustainability. See: <http://www.taxcom.org.za/termsreference.html>. Accessed 27 May 2018.
- 42 National Treasury, “Establishment of an independent panel of experts to consider and review the current list of vat zero-rated food items,” Pretoria, South Africa, 29 March 2018. Available at: http://www.treasury.gov.za/comm_media/press/2018/20180405%20Media%20statement%20-%20experts%20on%20VAT%20zero-rated%20items.pdf. Accessed 27 May 2018.

CHAPTER 3:
 BUDGET ANALYSIS: AN
 UPDATE ON BUDGET
 ALLOCATION AND
 SPENDING ON THE RIGHT
 TO FOOD IN SOUTH
 AFRICA

3.1 INTRODUCTION

An analysis of the public budget allocation and spending provides a concrete way of measuring government’s commitment toward the realisation of the right to food. The steps taken by the government on the right to food are articulated chiefly in the 2014 National Policy on Food and Nutrition Security (NPFNS) and the National Development Plan (NDP),⁴³ which present multi-sectoral and multi-dimensional strategies for promoting adequate access to food for all.⁴⁴ Efforts to address hunger and malnutrition in South Africa are implemented through several programmes in diverse government line departments, with some programmes contributing directly

to improving access to food, while other programmes contribute to people’s right to food by addressing the underlying cause of food insecurity at the household level due to income poverty. Examples of the latter include the Department of Social Development Social Assistance programmes and the National Treasury’s zero-rating programme for food and non-food essential items.

This current analysis builds on our 2015 report. The report focuses on five main food and nutrition-security programmes in South Africa, summarised in the table below.

Table 1
 National Departments involved in food security and expenditure programmes

DEPARTMENT	PROGRAMME
Department of Health	Vitamin A Supplementation Programmes
Department of Rural Development and Land Reform	Recapitalisation and Development Programme
Department of Social Development	Food for All Programme
Department of Basic Education	National School Nutrition Programmes
Department of Agriculture, Forests and Fisheries	Comprehensive Agriculture Support and Feta Tlala Programme

The Constitution assigns exclusive or concurrent functions to all three spheres of government. With the devolution of more responsibilities to the provincial and local government levels, some government programmes are undertaken across all spheres of government. Provincial and municipalities spheres are assigned the responsibility for providing education, health, social development, housing, roads, electricity and water, and municipal infrastructure services.⁴⁵ The equitable division of nationally

raised revenue across the three levels of government in South Africa is determined each year through the Division of Revenue Act (DoRA), which is passed by parliament each year. Local government and provinces are entitled to an equitable share of providing basic services and performing prescribed functions. Budgetary conditions and other requirements are put in place to ensure that the funds that are transferred by National Treasury are allocated and spent appropriately.⁴⁶ This budget analysis

FOOTNOTES:

43 The National Development Plan is a long-term government initiative that was developed by the National Planning Commission through a collaborative and consultative process and adopted by cabinet in September 2013. See: <https://nationalplanningcommission.wordpress.com/the-national-development-plan/>

44 Department of Agriculture, Forestry and Fisheries, “National Policy on Food and Nutrition Security,” Pretoria, South Africa, 2013. Available at: <http://www.daff.gov.za/daffweb3/Home/aid/30>. Accessed 26 May 2018.

45 National Treasury, “Explanatory memorandum to the division of revenue,” 2017 Budget Review, Pretoria, South Africa, Available at: <http://www.treasury.gov.za/documents/national%20budget/2017/review/Annexure%20W1.pdf>. Accessed 26 May 2018.

46 Parliamentary Monitoring Group, “Provincial and Local Government Equitable Share Formulas,” 13 May 2018, Available at: <http://pmg-assets.s3-website-eu-west-1.amazonaws.com/150513treasury.pdf>. Accessed 4 June 2018.

focuses on budget allocation and spending at the national and provincial level for each of the main food security programmes outlined in the Table 2.1, and tracks specific changes in the budget allocation and expenditure of the five departments involved in the implementation of food and nutrition security in the period 2015–2018. Although the right to food is ultimately about ensuring the individual’s ability to feed oneself, the constitutional mandate to ensure

the progressive right to food, through policies, plans and programmes cannot be implemented without funding. Since there is no specific budget line for the implementation of food and nutrition security across all three spheres of government, a budget and expenditure analysis of this nature is critical for understanding how government mobilises resources to ensure people’s right to adequate to food, which is recognised and protected in the Constitution.

3.2 UNDERSTANDING THE DIFFERENCE BETWEEN NOMINAL AND REAL FIGURES

With regards to budget allocation and expenditure (or spending), the difference between nominal and real figures (or amounts) is essentially marked by inflation-adjusted prices, which are referred to as real prices, as opposed to nominal prices that are not adjusted. *Inflation* refers to the increase in general prices of goods and services as measured by the Consumer Price Index or CPI. As the most widely used measurement of inflation in South Africa, the CPI is a current social and economic indicator that is defined by a basket of goods or services that households acquire, use, or pay for. The cost of the basket is tracked by Statistics South Africa (Stats SA) over time to determine the rate of inflation. As such, positive inflation reduces the value of money (buying power) over time because with the same amount of money, fewer goods can be bought than before.⁴⁷

Financial reports that provide detail on budget allocations and expenditure in the departmental annual reports and treasury documents provide *nominal* amounts, which are unadjusted for inflation. The use of nominal figures for comparing budget allocations and expenditure

will tend to bias figures for recent years, as these figures will all be higher due to the general higher cost of goods and services. Therefore, using figures that have been adjusted for inflation is important for ensuring accurate comparison of budgets over time because it reflects the *real* value of the amounts allocated and spent over time. In order to adjust the nominal amounts provided in Government’s Estimates of National Expenditure (ENE), which offer detailed spending plans of each government department for the coming year and departmental annual reports of the five departments directly involved in the implementation of the right to food in South Africa, we make use of ‘*inflatos*,’ retrieved from the annual CPI inflation rate provided by Stats SA. In this report, the nominal amounts were deflated using the Consumer Price Index,⁴⁸ which is provided by Stats SA. All amounts in this chapter have been adjusted to 2017 prices. Data for both allocation and expenditure were sourced from annual reports from different government departments.⁴⁹ In some cases, they were sourced from the budgets votes of both national and provincial departments.⁵⁰

	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18
Consumer Price Index Average ⁵¹	80	84	89	94	100	104

FOOTNOTES:

47 Stats SA, “What is CPI,” Pretoria, South Africa, 1 July 2013, Available at: <http://www.statssa.gov.za/?p=955>. Accessed 4 June 2018.
 48 Conversion formula: Real value = budget amount of the current year x (base index year/current year index value)
 49 Department of Education; Department of Social Development; Department of Health; Department of Agriculture, Fisheries and Forestry - National and Provincial.
 50 Available at <http://www.treasury.gov.za> or [vulekamali.gov.za](http://www.vulekamali.gov.za)
 51 Methodology: Real value = budget amount of the current year x (base index year/current year index value). Our base index year is 104 of the financial year 2017/18 (ending March 31, 2017).

3.3.1 PROGRAMME DESCRIPTION

The National School Nutrition Programme (NSNP), which came into effect in 2004 is a programme of government that is funded through a conditional grant to improve the health and nutritional status of pupils from poor households. The programme targets public no-fee-paying schools, which account for eight out of every ten schools in South Africa. The school feeding programme was first established in 1994 under the Primary School Nutrition Programme (PSNP), which was implemented by the Department of Health (DoH) to provide learners in a limited number of identified primary schools in poor socio-economic areas with a small meal daily. In 2004, the programme was transferred to the Department of Education (DBE) and renamed the NSNP. The programme was expanded in 2011 to secondary schools.⁵² With more than 17 million South Africans accessing social grants, about a third of the nation's population either barely or cannot afford a balanced diet.⁵³ A 2017 report on Poverty Trends in South Africa between 2006 and 2015 by Statistics South Africa revealed that about 25% of South Africa's population (about 13.8 million people) lived below the food poverty line, which was R441 in 2015.⁵⁴ In 2011, the proportion of the population unable to purchase enough food for adequate health was recorded at 21.4%, the marked increase in the number of people living below the poverty line paints a grim picture of growing poverty and inequality. The food poverty line essentially represents the amount of money that a person requires every month to purchase sufficient food in order to meet the minimum 2 100 calories per day international threshold as set by the World Health Organisation (WHO).⁵⁵

Education remains the priority for the South African government,⁵⁶ however, nutrition and health have a powerful influence on the development and learning performance for children.⁵⁷ The NSNP consists of three components: feeding, nutrition

education and school gardens. The biggest proportion of the NSNP budget is allocated to the feeding component, through which learners in quintile 1-3 primary, secondary and special schools are provided with daily nutritious meals.⁵⁸ In 2005, the South African Schools Act was amended to establish a quintile system, which essentially categorises public schools into 5 groups or "quintiles" based on available resources and socio-economic characteristics of the community, ranging from Quintile 1 (which represents the poorest) to Quintile 5 (the least poor) schools.⁵⁹ The NSNP targets all quintile 1, 2 and 3 primary, secondary and special schools which have been declared no-fee-paying schools, and represent 60% of South Africa's public schools.⁶⁰

To ensure improved nutrition outcomes, meals are designed to be balanced and should cover three food groups including starch, proteins and vegetable. Menus are set at the provincial level annually and are to be displayed on the walls where learners are served their meals.⁶¹ The Department of Basic Education implements the nutrition education initiatives in collaboration with a range of private partners. While the school garden component has been de-emphasised under the NSNP, in some provinces schools continue to maintain their school gardens. The school garden component of the NSNP is essentially aimed at promoting food production and a skills transfer to schools and the larger community in order to address food insecurity. Out of the 151 schools that were visited by officials from National Department of Basic Education as part of the department's 2017 monitoring and support efforts, 70 schools had vegetable gardens.⁶²

The provision of NSNP meals by schools has been implemented using a two-pronged strategy that involves both a centralised and a decentralised model. Under the centralised

FOOTNOTES:

- 52 Rendall-Mkosi, K., Wenhold, D., and Sibanda, N.B., "Case Study of the National School Nutrition Programme in South Africa," University of Pretoria; Department of Basic Education, 2013, Available at: <https://www.eldis.org/document/A68505>. Accessed 7 June 2018.
- 53 Govender, L. et al. "Food and Nutrition Insecurity in Selected Rural Communities of KwaZulu-Natal, South Africa—Linking Human Nutrition and Agriculture," *International Journal of Environmental Research and Public Health*, 2017, 14 (7).
- 54 Stats SA, p.8-14. See note 8.
- 55 Ibid
- 56 National Treasury, "Provincial budgets and expenditure review: 2010/11 – 2016/17," Pretoria, South Africa. Available at: www.treasury.gov.za/publications/igfr/2015/prov/03.%20Chapter%203%20-%20Education.pdf. Accessed 6 June 2018.
- 57 Jet Education Services, "Report on the Implementation Evaluation of the National School Nutrition Programme," Department of Planning, Monitoring and Evaluation and Department of Basic Education, Pretoria, South Africa, 26 September 2016, Available at: <http://www.dpme.gov.za/news/Documents/NSNP%20Report%20Final%2016092016.pdf>. Accessed 10 June 2018.
- 58 Department of Basic Education, "National School Nutrition Programme 2013/2014 Annual Report," Pretoria, South Africa, March 2015. Available at: <https://www.education.gov.za/Portals/0/Documents/Reports/NSNP%20ANNUAL%20REPORT%202014%20website%20up-load.pdf?ver=2015-07-06-153339-633>. Accessed 6 June 2018.
- 59 Ibid
- 60 Jet Education Services, 2016. See note 57
- 61 See NSNP menus here: <https://www.education.gov.za/Portals/0/Documents/Publications/NSNP%202014%20updated%20menus.pdf?ver=2015-04-01-101659-850>
- 62 Department of Basic Education, "Annual Report 2016/2017," Pretoria, South Africa, July 2017, Available at: [https://nationalgovernment.co.za/department_annual/173/2017-department--basic-education-\(dbe\)-annual-report.pdf](https://nationalgovernment.co.za/department_annual/173/2017-department--basic-education-(dbe)-annual-report.pdf). Accessed 11 June 2018.

model, which is operated in KwaZulu-Natal, Gauteng, Mpumalanga, and the Western Cape, National Treasury releases funds to the Provincial Education Departments (PEDs), which appoint service providers and enter into service level agreements (SLAs) to procure and deliver food to schools. Under the decentralised model, which is implemented in the Eastern Cape, Free State, North West, and Northern Cape and Limpopo, PEDs transfer funds to schools to purchase fuel and pay Volunteer Food Handlers (VFHs) stipends.⁶³ In 2017, a study by the Legal Resources Centre found that schools benefitting from the NSNP in the Eastern Cape favoured the decentralised model as it grants schools

control over the allocation of available resources in response to learners' needs. For instance, in addition to the NSNP meals, some schools provide breakfast to selected needy learners who arrive at school hungry, particularly learners from child-headed households.⁶⁴ Moreover, under the decentralised model, schools have direct contact with suppliers and can influence what food is procured, when food is delivered and can return perished or spoiled food to local suppliers. Menus can be adjusted to respond to learners' needs and price changes, and suppliers are deterred from soliciting bribes as they are accountable to the schools and community.⁶⁵

3.3.2 ADEQUACY AND EFFICIENCY OF THE NSNP BUDGET

Figure 2
National real budget allocations and the real allocation annual percent change for the NSNP from 2012/13 to 2017/18 financial years

Source: National Treasury ENE and Department of Education Annual Reports 2012/13 to 2016/17,⁶⁶ own calculations

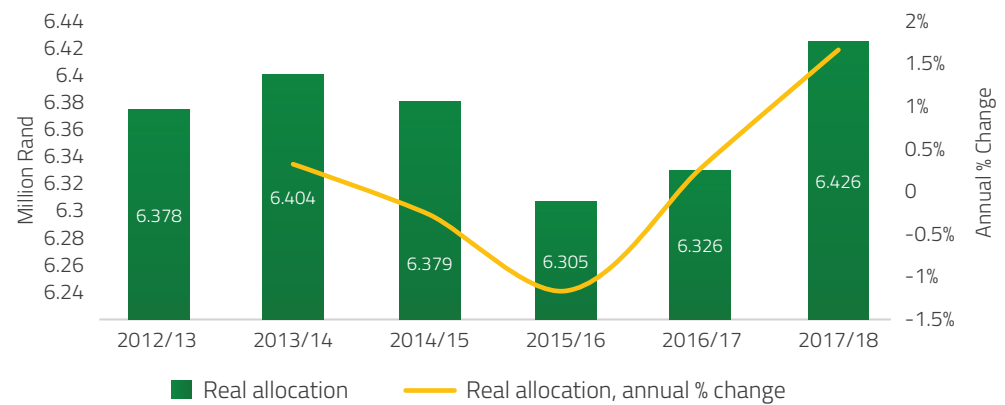
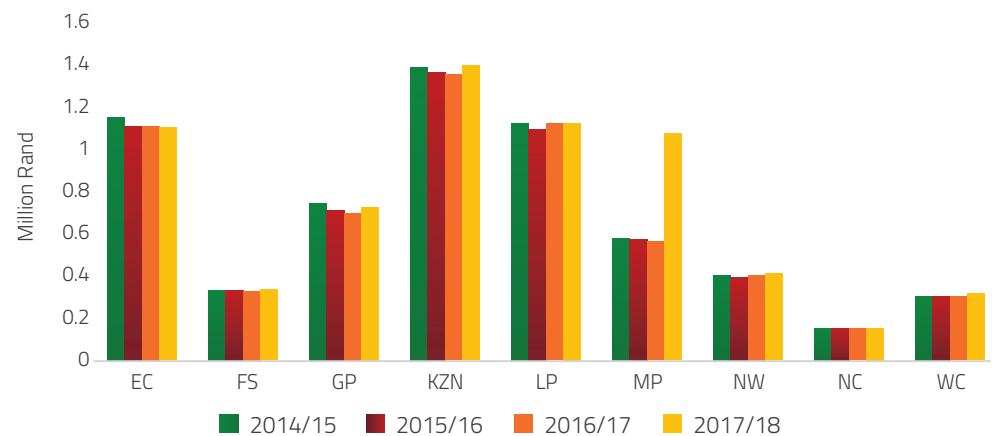


Figure 2 indicates a positive upward trend from the 2015/16 financial year following a downward trend in the real budget allocation for the NSNP, reaching a peak of R6,4 million in the 2017/18 financial year. Despite the slight decline in the real budget allocation for the NSNP

in 2015/16, the budget allocation has remained within a range of R6.3m and R6.4m. Although not progressively realised, a stable allocation over a period of six consecutive financial years is an indication that the programme is a key priority for government.

Figure 3
Provincial real budget allocations for the NSNP from 2014/2015 to 2017/2018

Source: Provincial Departments of Basic Education Annual Reports 2014/15 to 2017/18,⁶⁷ own calculations



FOOTNOTES:

63 Department of Basic Education. See note 59.
 64 Learners from child-headed household rely entirely on the NSNP for their access to food, and generally consume less food, less frequently on weekends and over school holidays.
 65 Legal Resources Centre, "Realising every child's right to nutrition: An analysis of the National School Nutrition Programme in the Eastern Cape," 2017, Available at: http://lrc.org.za/art_external/pdf/2017%20NSNP%20report.pdf. Accessed on 11 June 2018.
 66 National Treasury, "Basic Education budget votes Estimates of National Expenditure," Pretoria, South Africa, p.6; National Department of Education, "Annual Report 2012/13," p.17; 2013/14 p.17; 2014/15 p.17; 2015/16 p.17; 2016/17 p.17.
 67 Provincial Departments of Education Annual Reports: KZN 2014/15, p.289; 2015/16, p.150; 2016/17, p.201; 2017/18, p.201 Estimates of the Provincial Revenue and Expenditure (EPRE) - 2018/19 Financial Year; LP 2014/15, p.186; 2015/16, p.53; 2016/17, p.201; 2017/18, p.58; Estimates of the Provincial Revenue and Expenditure (EPRE), 2018/19 Financial Year; MP 2014/1, p.320; 2015/16, p.273; 2016/17, p.23; 2017/18, p. 233 Estimates of the Provincial Revenue and Expenditure (EPRE) - 2018/19 Financial Year; NW 2014/15, p.81; 2015/16, p.207; 2016/17, p.230; 2017/18, p. 316 Estimates of the Provincial Revenue and Expenditure (EPRE) , 2018/19 Financial Year; NC 2014/15, p.194; 2015/16, p.189; 2016/17, p.191; 2017/18, p.5 Estimates of the Provincial Revenue and Expenditure (EPRE) - 2018/19 Financial Year; WC 2014/15, p.191; 2015/16, p.99; 2016/17, p.131; 2017/18, p.172 Estimates of the Provincial Revenue and Expenditure (EPRE) - 2018/19 Financial Year; GP 2014/15, p. 263; 2015/16, p.253; 2016/17, p. 314; 2017/18, p.175 Estimates of the Provincial Revenue and Expenditure (EPRE) - 2018/19 Financial Year; EC 2014/15, p.119; 2015/16, p.208; 2016/17, p.219; 2017/18, p. 286 Estimates of the Provincial Revenue and Expenditure (EPRE) - 2018/19 Financial Year; FS 2014/15, p.70; 2015/16, p.232; 2016/17, p. 250; 2017/18, p. 11. Estimates of the Provincial Revenue and Expenditure (EPRE) - 2018/19 Financial Year.

Figure 3 of the provincial NSNP budget allocations and spending from 2014/15 to 2017/18 shows slight fluctuations in the budget allocations by the National Treasury to the PEDs, and a small increase in the allocation for the 2016/17 financial year across all 9 provinces with the exception of Mpumalanga which registered a significant spike in its budget allocation. In addition, distribution of funds for this programme shows that while there is room for improvement, funds are dispersed in a relatively equitable manner as the three poorest provinces, namely the Eastern Cape, Limpopo and KwaZulu-Natal, which are also home to the largest number of no-fee-paying schools, continue to account for the largest share of the grant. However, the positive growth in allocation of resources is not enough on its own to address the basic nutritional needs of the most vulnerable learners. SPII's Right to Food in South Africa Report 2015 recommended that "there is a need for an in-depth analysis of the nutritional quality and overall impact of the

NSNP," and highlighted the need for "concerted efforts to ensure the monitoring and evaluation of the programme is undertaken regularly and rigorously."⁶⁸

A 2016 evaluation of the implementation of the NSNP for 2014-2015 by the Department of Planning, Monitoring and Evaluation, found that the programme plays a critical role in alleviating short-term hunger.⁶⁹ Nonetheless, there is a lot of room for improvement in the implementation of the programme not only in terms of logistical processes for the delivery of food to schools and in the quality of meals, but also in strengthening the school nutrition programme. The DPME report noted that an expansion of the programme to add the provision of the breakfast meals in quintile 1-3 schools to the current NSNP meals will be necessary for upscaling the programme and strengthening the programme's impact on the nutritional status of children.⁷⁰

Figure 4
Beneficiaries of the NSNP nationally from 2013/2014 to 2016/2017
Source: Department of Basic Education Annual Reports and National Treasury ENE

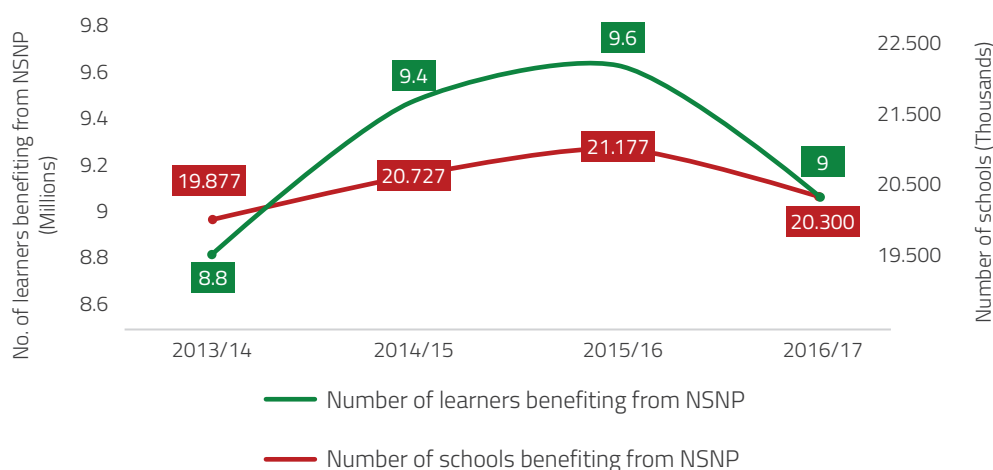


Figure 4 shows that the number of learners receiving NSNP meals and the total number of schools (which includes all quintile 1-3 primary, secondary and special schools) that benefited from the programme dropped by 6.8% and 4.14% respectively between 2013/14 and 2016/17. Given that 61.3% of poor households with children in South Africa receiving support from child support grants,⁷¹ for approximately 12 247 565 children⁷² that make up about 65% of all children under the age of 18, children are among the hardest hit by poverty. In 2015, roughly 66.8% of all children between 0 and 17

years in South Africa were living in poverty while about 25.2% of all children were living below the food poverty level, the highest proportion when compared to other age groups.⁷³ During the 2016/17 financial year, the school nutrition programme provided daily meals to just over 9 million learners in 20 300 primary, secondary and identified special schools nationally, compared to about 9,6 million learners in 21 777 such schools in 2015/2016. This marked a considerable drop in the programme's coverage as there were about 877 fewer primary, secondary and identified special schools, and 6

FOOTNOTES:

68 McLaren et al, 2015. See note 25.
69 Jet Education Services, 2016. See note 57.
70 Ibid
71 Stats SA, 2016. See note 7.
72 Stats SA, 2017, "A statistical summary of social grants in South Africa," Fact sheet: Issue no 2 of 2018, 28 February 2018, Pretoria, South Africa. Available at: <http://www.sassa.gov.za/index.php/statistical-reports>. Accessed 11 June 2018.
73 Stats SA, see note 8

000 fewer learners that received NSNP meals in the 2016/17 financial year compared to the 2015/16 financial year. In 2015, the National Department of Basic Education reported that an additional 254 603 learners in quintiles 4 and 5 primary and secondary schools benefited from the programme as some PEDs (Gauteng, KwaZulu-Natal and the Northern and Western Cape) offered meals in quintiles 4 and 5 schools without securing additional funding for the NSNP specifically from treasury for the programme.⁷⁴ The expansion of the coverage

of the NSNP school feeding programme to fee paying (quintiles 4 and 5) schools marks an important step forward in addressing short-term malnutrition among learners in all public schools. The increase in the number of learners who are granted fee exemptions⁷⁵ is an indicator of growing poverty in households with children in quintile 4 and 5 schools, which raises concerns about these households' ability to meet the nutritional needs of the household members.

3.3.3 CONCLUSION

The largest numbers of social protection recipients are poor households with children, owing to the means tested nature of the grants and the numerical supremacy of the Child Support Grants amongst all grant types.⁷⁶ Given that the child support grant, which is currently R400 per month (which increases to just R410 from 1 October 2018) falls below the inflation adjusted Food Poverty Line of R547 per capita per month in 2018 set by Statistics South Africa,⁷⁷ the provision of nutritious meals that cover all three food groups (starch, protein and vegetables) during school hours is critical for children coming from households that rely on social grants as the main source of income. The abovementioned report by DPME reported that 22.7% of learners arrived at schools without having had breakfast at home on the day the survey was undertaken.⁷⁸ It is important to consider expanding the programme to include nutrient-dense breakfast for children that arrive at school hungry.

improve the learning process.⁷⁹ While some PEDs are currently providing NSNP meals to needy learners in quintile 4 and 5 schools using their own funds, there is currently no indication of plans by the DBE to expand the programme to benefit learners in quintile 4 and 5 schools. When all provinces begin to identify learners in quintile 4 and 5 schools as eligible for the school nutrition programme, the conditional grants set aside by Treasury for the NSNP will need to be revised considerably. In 2016, the estimated cost of providing NSNP meals to about 25% of learners in quintile 4 and 5 schools came to R298.5 million in all provinces.⁸⁰ As highlighted in SPII's Right to Food in South Africa Report 2015, the DBE must urgently develop clear policy guidelines and mechanisms for identifying learners in need in quintile 4 and 5 schools and provide NSNP meals to needy learners in these schools, as the current NSNP policy explicitly targets quintile 1-3 schools only.

Currently only a few provinces have provided NSNP meals to learners in quintile 4 and 5 schools. According to the DBE's Action Plan for 2015-2019, the department's focus has not been on expanding the programme further, but rather it has placed emphasis on maintaining the quality of meals and ensuring that the programme functions in a manner that will

The Department of Basic Education has implemented a two-pronged strategy, based on centralised and decentralised processes for providing NSNP meals to eligible learners. By granting schools more control in the implementation of the NSNP, the decentralised model does create more efficiency as schools are able to influence the activities of the actors involved in the implementation of the school

FOOTNOTES:

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- 74 Jet Education Services, 2016. See note 57.
75 Ally, N. and McLaren, D., "Fees are an issue at school too, not just university," GroundUp, 17 November 2017, Available at: <https://www.groundup.org.za/article/fees-are-issue-school-too-not-just-university/>. Accessed 12 September 2018.
76 Jacobs, P., Ngcobo, N., Hart, T., and Baijphets, M., "Developmental social policies for the poor in South Africa: Exploring options to enhance impacts?" Conference Paper, Paper presented to 'Overcoming inequality and structural poverty in South Africa: Towards inclusive growth and development on 20-22 September 2010 Birchwood Hotel and OR Tambo Conference Centre, Johannesburg, South Africa, 2010, Available at: <https://www.plaas.org.za/sites/default/files/publications-pdf/Ngcobo%20et%20al.pdf>. Accessed 14 June 2018.
77 Smith, J. and Abrahams, M., "PACSA Food Price Barometer," 2016 PACSA Food Price Barometer: Annual Report, 2016, Available at: https://www.pacsa.org.za/images/food_barometer/2016/2016_PACSA_Food_Price_Barometer_REDUCED.pdf. Accessed 12 June 2018.
78 Jet Education Services, 2016. See note 57.79 Department of Basic Education, "Action Plan to 2019: Towards the realisation of Schooling 2030," Pretoria, South Africa, 2015, Available at: <https://www.education.gov.za/Curriculum/ActionPlan2019.aspx>. Accessed 13 September 2018.
80 Jet Education Services, 2016. See note 57.

nutrition programme, including procurement, preparation and delivery of meals to learners.⁸¹ However, this approach also creates an enormous administration burden for schools. While the centralised model does allow for better monitoring of the implementation of the NSNP by the PEDs, the tendering process has led to delays in the signing of SLAs with service providers, and delays in payments and delivery of food to schools, which have led to some learners going without meals. For example, in November 2017, the Bid Appeals Tribunal ruled against the KwaZulu-Natal education department's flawed NSNP tender process following allegations of irregularities, and ordered the department to cancel all its current contracts with its existing NSNP service providers and redo the entire bidding process.⁸² According to the findings of the DPME 2016 evaluation report of the NSNP,⁸³ the challenges and failures across provinces highlighted weaknesses that tend to be situation specific and relate to contexts within provinces rather than across all of the provinces that use the same NSNP implementation model. Furthermore, schools in different locations within the same province can be confronted with different challenges:

for instance, access to infrastructure and capacity is not the same for schools in urban areas compared to those in rural areas. This suggests that imposing a specific model for the implementation of the NSNP in vastly different schools just because they fall within the borders of the same province will result in different experiences and outcomes. There are evident weaknesses in both of the models for the implementation of the NSNP, and until more suitable models are developed and adopted, a robust reporting system from the school level to the district and provincial levels is necessary to ensure that bureaucratic procedures do not hamper the provision of NSNP meals.

With the bulk of the budget allocated to the feeding component of the NSNP, school gardens and nutrition education remain under resourced. In 2016, the DPME recorded adherence to the menus for the NSNP meals, which are set at the provincial level by the PED, at nearly 60% nationally. This has been attributed to lack of infrastructure and appropriate equipment, and late deliveries of food to the schools; all of which makes food preparation challenging.⁸⁴

3.3.4 RECOMMENDATIONS

The models for the implementation of the NSNP at the provincial level should allow for more flexibility for provinces to respond effectively to learners' needs and differences in food prices and the costs of preparing the food. The National Department of Basic Education must thus develop mechanisms that will allow for flexibility and still uphold strict reporting as well as monitoring and evaluation of standards for the NSNP budget allocation and spending.

Provincial Education Departments must ensure better coordination with schools and service providers in order to ensure that service providers are accountable to schools.

The national Department of Basic Education needs to urgently consider conducting a needs assessment to mainstream the provision of breakfast for children who arrive at school hungry in the morning.

Given rising poverty levels, the national Department of Basic Education must expand the NSNP to benefit needy learners in quintile 4 and 5 schools and develop a clear criterion for identifying the proportion of learners in these schools. National Treasury must allocate additional funds in the conditional grant to accommodate the expansion of the programme.

FOOTNOTES:

- 81 Legal Resources Centre, 2017. See note 66.
82 Khanyile, N., "KZN Education to cancel feeding deals," *The Witness*, 2 February 2018, Available at: <https://www.pressreader.com/south-africa/the-witness/20180202/281543701366206>. Accessed 24 June 2018.
83 Jet Education Services, 2016. See note 57.
84 Jet Education Services, 2016. See note 57

3.4.1 BACKGROUND

The Department of Agriculture, Forestry and Fisheries (DAFF) implements two related programmes, namely, the Comprehensive Agricultural Support Programme (CASP) and Ilima/Letsema, funded through conditional grants under the Department's programme on Food Security and Agrarian Reform. Before delving into the budget analysis of these two main food security programmes by DAFF, it is important to provide some background on the Fetsa Tlala Integrated Initiative, which was adopted by Cabinet in 2013 along with the NPFNS to serve as the food production pillar, under the leadership of DAFF. The Fetsa Tlala Initiative aims to maximise cultivation of food by supporting subsistence and smallholder farmers to put one million hectares of land under production by the 2018/19 production season.⁸⁵ The Fetsa Tlala production plan indicated an estimated cost of R11.4 billion for achieving the target of expanding production to cover one million hectares of underutilised land. A review of DAFF's expenditure trends shows that the Fetsa Tlala Initiative does not have a dedicated budget line of its own. **SPII's Right to Food in South Africa Working Paper 2015** indicated that approximately 50% of the Fetsa Tlala Initiative was funded primarily through the CASP infrastructure budget allocation in the first year of implementation during the 2014/2015 financial year. These funds were essentially redirected from the CASP grant towards procuring inputs and small production

equipment to support the production of staple crops by subsistence and smallholder farmers in order to ensure the implementation of the Fetsa Tlala Initiative.⁸⁶ In addition, DAFF continued to support smallholder food producers through its Ilima/Letsema grant as part of the Fetsa Tlala Initiative. By 2016, support for the production of staple crops among smallholder producers was allocated R28 billion through the CASP, and R4.4 billion through Ilima/Letsema over the period of the medium term expenditure framework (MTEF), from 2016/2017 to 2018/2019.⁸⁷ According to DAFF, a total number of 19 791 households benefited from its food production initiatives in the 2016/2017 financial year, which included fencing, garden tools, dairy, poultry and piggery structures, pack houses, storage facilities, training on vegetable production and seeds packs in all 9 provinces.

In this budget analysis, we will provide a brief analysis of the CASP and introduce the Ilima/Letsema programme, which is oriented towards supporting food production among farming communities, and more specifically, beneficiaries of government's land reform programmes. The three key performance areas of Programme 3: Food Security and Agrarian Reform that we will be focusing on in this analysis include: (i) areas cultivated for production, (ii) number of households benefiting from food and nutrition security initiative, and (iii) smallholder producers established and supported.⁸⁸

3.4.2 CASP

3.4.2.1 Programme Description - The CASP was first implemented in 2004 with the aim of "enhancing the provision of support services to promote and facilitate agricultural development."⁸⁹ The main objective of the programme is to provide post-settlement support to targeted beneficiaries of land reform, restitution and redistribution, and was

expanded to include previously disadvantaged farmers who acquired land through private means and are engaged in value addition activities for domestic and export markets.⁹⁰ The CASP targets four different categories of beneficiaries, namely: the hungry and vulnerable, subsistence and household food producers, farmers, and agricultural macro-systems within

FOOTNOTES:

- 85 DDG: Programme Food Security and Agrarian Reform, "Fetsa Tlala: Production Plan 2014/2015," Department of Agriculture, Forestry and Fisheries, Pretoria, South Africa, 2015, Available at: www.nda.agric.za/.../DoAProgrammes/.../Fetsa%20Tlala%20Plan%20-%202015%20Jun... Accessed 30 June 2018.
- 86 McLaren et al, 2015. See note 25.
- 87 National Treasury, "Budget Vote 24: Agriculture, Forestry and Fisheries," 2016 Estimates of National Expenditure, Pretoria, South Africa, 2016, Available at: <http://www.treasury.gov.za/documents/national%20budget/2016/enebooklets/Vote%2024%20Agriculture,%20Forestry%20and%20Fisheries.pdf>. Accessed 30 June 2018.
- 88 Ibid
- 89 National Department of Agriculture, "Progress Report on The Implementation of The Comprehensive Agricultural Support Programme (CASP)," Pretoria, South Africa, 2004, Available at: http://www.nda.agric.za/docs/CASP/CASP%20Report_31%20August.pdf. Accessed 18 June 2018.
- 90 Ibid

the consumer environment. The population groups that are targeted under these categories include the hungry and vulnerable; previously disadvantaged subsistence; emerging and commercial farmers; and entrepreneurs, with emphasis on women, youth and people with disabilities.⁹¹ The programme seeks to contribute to the reduction of poverty and food insecurity by ensuring that its beneficiaries have access to food. In this sense, the CASP is designed to contribute to food access of beneficiaries by ensuring increased agricultural production for own household consumption and job creation.⁹² As indicated in SPII's Right to Food in South Africa Working Paper 2015, the categorisation of the CASP as a food security

programme is based on the underlying logic that the transformation of the agricultural sector through government support for subsistence, smallholder commercial black farmers will improve the household food security status of farming families, and combat rural poverty.

3.4.2.2 An assessment of the CASP budget allocation and expenditure - In the 2016/17 financial year, DAFF was allocated a total budget of R6.5 billion and managed to spend 99.6% of its total appropriation. Approximately R2.2 billion (about 34%) of the Department's total budget for 2016/2017 went to conditional grants, and 75% of the conditional grants appropriation – which amounted to R1.64 billion – was allocated to CASP.

Figure 5
National real budget allocation and the real allocation annual percent change for the CASP from 2014/2015 to 2017/2018 in Rands

Source: DAFF Annual Reports 2012/13 to 2017/18,⁹³ own calculations

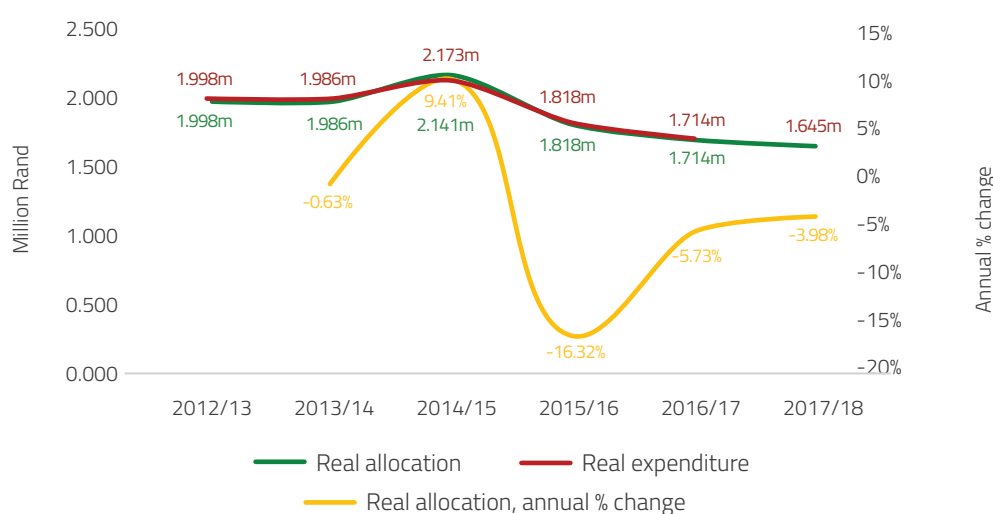


Figure 5 shows a decline in the real allocation of funds for the CASP over time from R2.173 million in the 2014/2015 financial year to R1.645 million in the 2017/18 financial year. While the real budget allocation for the CASP continues to shrink, the rate of decline slowed down considerably from 16.32% in the 2015/16 financial year to 3.98% in the 2017/18 financial year. Following severe droughts between 2014 and 2017, adjustments were made in

the conditional grants allocated to DAFF, and funds were redirected to increase spending on water infrastructure, livestock feed and transportation.⁹⁴ In addition, the decline in the budget allocation for the CASP can be attributed to the reprioritisation of Operation Phakisa by DAFF. Approximately R581.7 million was allocated to support black commercial producers as part of Operation Phakisa.⁹⁵

FOOTNOTES:

- 91 Business Enterprises at University of Pretoria (Pty) Ltd "Impact evaluation of the Comprehensive Agricultural Support Programme (from its inception in 2004 to February 2013)," Department of Monitoring, Planning and Evaluation, Pretoria, South Africa, 2015, Available at: <https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&cad=rja&uact=8&ved=0ahUKewi7100-x6aLcAhXCbMAKHrf1DyEQfggpMAA&url=https%3A%2F%2Fevaluations.dpme.gov.za%2Fevaluations%2F506%2Fdocuments%2F-802c1c13-5fec-496d-a8da-88cf3cdd176d&usq=AOvVaw3WWLBU2lwJKXwngJhSxoKH>. Accessed 9 June 2018.
- 92 Ibid
- 93 National Department of Agriculture, Forestry and Fisheries Annual Reports: 2012/13, p.144; 2013/14; 2014/15 p. 281; 2015/16 p. 225; 2016/17 p. 225; Annual Report 2017/178 p.225
- 94 Greenberg, S., Swanepoel, S., and Lewis, L., "Input supply in South Africa's smallholder farmer support programmes: A tale of neo apartheid plans, dodgy dealings and corporate capture," African Centre for Biodiversity, 2018, Available at: <https://acbio.org.za/sites/default/files/documents/SA%20FISP%20report%20WEB.pdf>. Accessed 13 June 2018.
- 95 National Treasury, "Estimates of National Expenditure 2018 (abridged version)," Available at: <http://www.treasury.gov.za/documents/national%20budget/2018/ene/FullENE.pdf>

Figure 6
Provincial real budget allocation and expenditure from 2014/15 to 2017/18 in Rands

Source: Provincial Departments of Agriculture Annual Reports 2014/15 to 2017/18⁹⁶

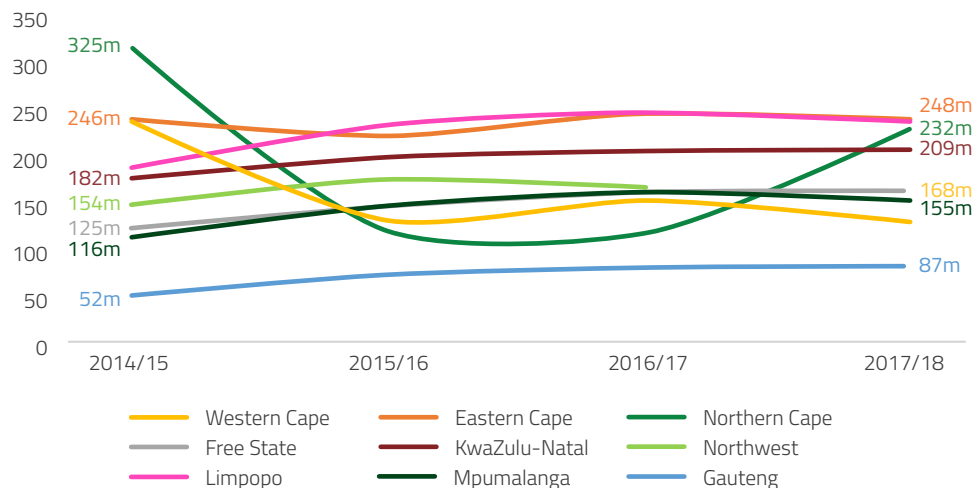


Figure 6 shows fluctuations in the real budget allocation of the CASP across six out of the nine provinces from 2014/2015 to 2017/2018, with the exception of Gauteng and the Free State, which saw a constant positive increase in the budget allocation over the same period. The budget allocation for Gauteng increased from R125 million in 2014/2015 to R87 million in 2017/2018 while the Free State saw an increase from R125 million to R168 million between 2014/2015 and 2017/2018. The Eastern Cape, KwaZulu-Natal, Limpopo and the Northern Cape received the grants. Allocations from the national department vary across provinces based on the following criteria: previous CASP performance, agricultural land area, land area transferred under the DRDLR's restitution and redistribution processes, number of households involved in agriculture (based on Stats SA General Household Survey), and prevailing benchmarks on production and national policy imperatives.⁹⁷ Based on these criteria, the grant allocations to provinces are largely determined by what Hall,⁹⁸ described as the 'ruralness of the province as the respective allocations transferred tend to reflect the agrarian land area rather than the achievement of the programme's stated objective.⁹⁹

3.4.2.3 The effectiveness of the CASP - In line with the initial assessment carried out in SPII's Right to Food in South Africa Working Paper 2015, the effectiveness of CASP on meeting its objective of contributing towards improvement of food security in South Africa is measured in terms of employment opportunities generated by the programme and the number of subsistence farmers that received support. A 2018 study by the African Centre for Biodiversity titled, "Input Supply in South Africa's Smallholder Farmer Support Programmes," indicates that the CASP provides varied support, largely based on need, and provinces allocate funding according to their own plans.¹⁰⁰

The CASP programme offers support to subsistence, smallholder and black commercial farmers in various ways, among others, by providing production inputs and small production equipment, training and advisory services, access to financial support and credit.¹⁰¹ In order to achieve its objective of creating a favourable and supportive agricultural services environment for the farming community, DAFF aims to support 450 black commercial farmers and 435,000 subsistence and smallholder farmers over

FOOTNOTES:

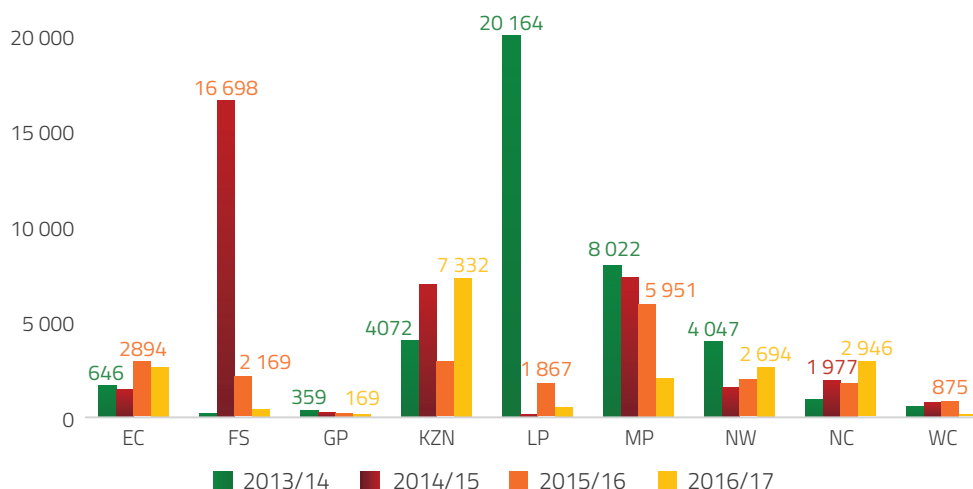
- 96 All figures obtained from 2018/19 Estimates of Provincial Revenue and Expenditure (budget vote) for Eastern Cape, p.417; Free State p.13; Gauteng p.366; KwaZulu-Natal p.76; Limpopo, p.101; Mpumalanga, p.174; Northern Cape, p. 7; Western Cape, p.581; North West Department: Rural, Environment and Agricultural Development 2014/15, p.20; North West Department: Rural, Environment and Agricultural Development 2015/16, p.134; North West Department: Rural, Environment and Agricultural Development 2016/17 p.172; 2017/18 figure missing – annual report not found.
- 97 National Treasury, "Division Of Revenue Amendment Bill." Republic of South Africa Government Gazette, Vol 2 No. 41432, 9 FEBRUARY 2018, Available at: https://juta.co.za/media/filestore/2016/10/b_15_-_2016_-_Division_of_Revenue_AB.pdf. Accessed 27 July 2018.
- 98 Hall, R., and Aliber, M., "Working Paper 17: The Case for Re-Strategising Spending Priorities to Support for Small-Scale Farmers in South Africa," Institute for Poverty, Land and Agrarian Studies, 2010. Available at: <http://www.plaas.org.za/plaas-publication/wp-17>. Accessed 22 July 2018.
- 99 Rakabe, E., "The role of PES and Conditional Grants in funding Provincial Rural Development mandates," Financial and Fiscal Commission 2017-2018 Submission for the Division of Revenue, 2018, Available at: www.ffc.co.za/uncategorised/144-2017-18-submission-for-the-division-of-revenue. Accessed 23 June 2018.
- 100 Greenberg et al, 2018. See note 94.
- 101 Public Service Commission, "An Evaluation of the Comprehensive Agricultural Support Programme (CASP)," Pretoria, South Africa, 2011, Available at: <http://www.nda.agric.za/daaDev/sideMenu/links/docs/CASP%20DOCUMENTS/CASP%20Report%20%20FINAL%20APROVED%20SEPTEMBER%202011.docx>. Accessed 22 July 2018.

the medium term (2018/19 to 2020/21) with farm equipment, fencing, fertilisers, seedlings and other essentials. The targets set out in the strategic plan are premised on the NDP and the New Growth Path,¹⁰² which identify farmer support as a means for improving the living and working conditions of farming communities.¹⁰³

However, DAFF's annual performance between 2014/15 and 2017/18 and medium term strategic plan do not indicate specific annual targets for each programme, and it appears that the annual targets set for farmer support by the department are aimed at both the CASP and Ilima/Letsema.¹⁰⁴

Figure 7
Farmers supported (subsistence, smallholder and black commercial) through CASP from 2014/2015 to 2016/2017

Source: DAFF Annual Reports 2013/14 to 2016/17¹⁰⁵

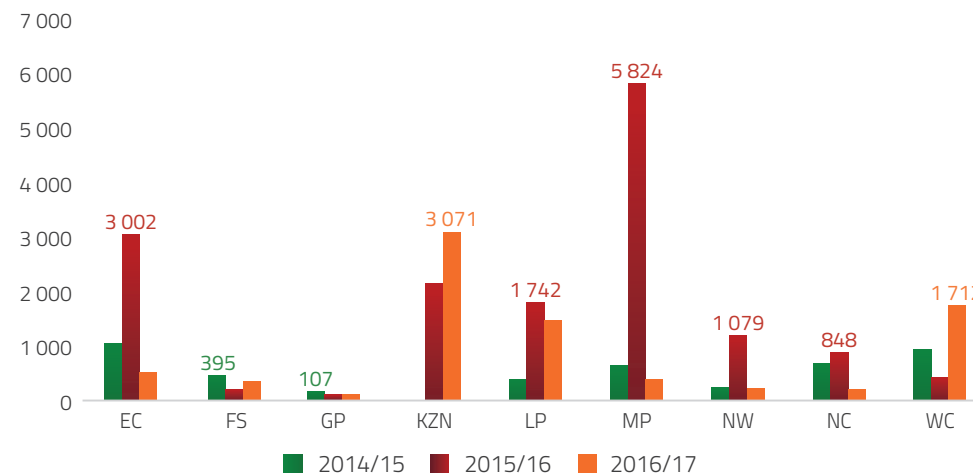


While DAFF reported an increase in the number of households that benefitted directly from the CASP from 14 486 households (about 36.5% of the targeted number) in the 2015/16 financial year to 19 791 households (about 49% of the targeted number) in all nine provinces, the programme's reach for this category of

beneficiaries fell below 50% for two consecutive years. The low number of households supported was attributed to the severe drought conditions in 2016, which led to the dilution of funds. In 2016, DAFF set aside R205 million to drought relief efforts that were mobilised through the CASP and Ilima/Letsema project grants.

Figure 8
Number of agricultural jobs created under the CASP 2016/2017 per province in South Africa

Source: DAFF Annual Reports 2014/15 to 2016/17,¹⁰⁶ own calculations



In order to contribute to the creation of the targeted of 1 million jobs by 2030 as set out in Chapter 6 of the National Development Plan (NDP) on an integrated and inclusive rural

economy, DAFF aims to expand commercial agriculture to achieve 250 000 direct jobs and 130 000 indirect jobs by 2030.¹⁰⁷ According to DAFF's 2015/16 – 2019/20 Strategic Plan,

FOOTNOTES:

- 102 The New Growth Path (NGP) is a national policy which broadly aims to unblock private investment and job creation to address systematic blockages to employment-creating growth (Infrastructure, skills, regulatory framework, etc). It focuses on productive sectors and pro-actively intends to support industries, activities and projects that will generate employment." See: <https://www.gov.za/about-government/government-programmes/new-growth-path>
- 103 Department of Agriculture, Forestry and Fisheries, "2015/16 to 2019/20 Strategic Plan," Pretoria, South Africa, p.46-47, March 2015, Available at: https://www.daff.gov.za/daaDev/topMenu/DAFF_SP_%20complete.pdf. Accessed 15 September 2018.
- 104 Ibid
- 105 Department of Agriculture, Forestry and Fisheries Annual Reports: 2013-2014, p.61-66; 2014-2015 p.69 -77; 2015-2016, p.75 – 81; 2016-2017, p. 85-87
- 106 National Department of Agriculture, Forestry and Fisheries Annual Reports 2014/15 p.69-77 ; 2015/16 p.75-81; 2016/17 p.85-92.
- 107 Department of Agriculture, Fisheries and Forestry, "Presentation to Select Committee on Land and Mineral Resources CASP and Ilima/Letsema 2018/19 Conditional Grants," 22 May 2018, Available at: http://pmg-assets.s3-website-eu-west-1.amazonaws.com/180522CASP_ILIMA.pdf. Accessed 16 September 2018.

the department set out to create 8000 jobs in 2014/15, about 12,000 in 2015/16 and 15,000 between 2016/17 and 2019/20.¹⁰⁸ Figure 8 shows that the number of agricultural jobs generated by the CASP increased more than threefold from 4 124 jobs created in the 2014/15 financial year to 15 136 in the 2015/2016 financial year, but dropped considerably in 2016/2017. A different data source shows fewer jobs were created through the programme. Table 2 shows data retrieved from a DAFF report that was presented to the National Council of Provinces Committee (NCOP) in Parliament on 17 October 2017 indicating the number of jobs created under the CASP from 2010/11 to 2017/18. The data illustrate that 7 894; 9 363 and 5 673 agricultural jobs were

created in the Eastern Cape under the CASP for the 2016/17, 2015/16 and 2014/15 financial years respectively while the DAFF annual reports indicated significantly lower numbers of agricultural jobs under the CASP in the Eastern Cape over the same period. According to DAFF annual reports about 486 jobs were created in 2016/17, while 3,002 were created in 2015/16 and 1,026 in 2014/2015. While both sources show high fluctuation of agriculture jobs created over time, the lack of consistency in the data reported in DAFF's annual reports and the data presented to the NCOP points to deep reporting problems within the department and raises questions about the validity of performance reporting data and DAFF's monitoring and evaluation systems.

Table 2

Total number of agricultural jobs created under the CASP from 2010/11 to 2016/17 nationally

	WORKERS			PERMANENT			TEMPORARY		
	MALE	FEMALE	SUB-TOTAL	MALE	FEMALE	SUB-TOTAL	MALE	FEMALE	SUB-TOTAL
2010/11	3 744	5 617	9 361	342	512	854	3 403	5 104	8 507
2011/12	4 264	2 355	6 619	1 087	731	1 818	3 170	1 631	4 801
2012/13	7 979	5 701	13 680	2 186	2 050	4 236	5 793	3 651	9 444
2013/14	5 995	3 937	9 932	1 109	976	2 085	4 887	2 960	7 847
2014/15	3 222	2 451	5 673	712	773	1 485	2 504	1 684	4 188
2015/16	4 676	4 687	9 363	777	1 220	1 997	3 900	3 466	7 366
2016/17	4 137	3 757	7 894	1 190	1 220	2 410	3 026	2 458	5 484
2017/18	659	318	977	88	28	116	565	296	861
TOTAL	34 676	28 823	63 499	7 491	7 510	15 001	27 248	21 250	48 498

Source: Department of Agriculture, Forestry and Fisheries CASP, Ilima/Letsema, Land Care Programme Conditional Grants performance: hearing, with Minister¹⁰⁹

DAFF's annual reports from 2015 to 2017 do not disaggregate the budget allocation and expenditure for the different components of the CASP and spending is considerably varied across provinces. As highlighted in SPII's Right to Food in South Africa Report 2015, some of the jobs generated under the CASP are temporary, which implies the CASP's contribution to the creation of sustainable livelihoods is limited.¹¹⁰ For instance, the 486 jobs that were created in the Eastern Cape in 2016/2017 were through CASP infrastructure

projects. These projects include all on-farm infrastructure such as chicken houses, irrigation schemes and off-farm infrastructure including sanitation and electricity. Once the agricultural projects are set up, the number of jobs retained for operations drops significantly. This suggests that jobs from the CASP bring temporary relief by improving household income, which is likely to improve food access for brief periods, but do not effectively contribute towards people's right to food.

FOOTNOTES:

¹⁰⁸ Department of Agriculture, Fisheries and Forestry, 2015. See note 103.

¹⁰⁹ Department Agriculture, Forestry and Fisheries, "CASP, Ilima/Letsema, Land Care Programme Conditional Grants performance: hearing, with Minister", National Council of Provinces Committee, 17 October 2017. Available at: <http://pmg-assets.s3-website-eu-west-1.amazonaws.com/171017daff.pdf>. Accessed 15 June 2018.

¹¹⁰ The data provided in the DAFF Provincial annual report is inconsistent as some provinces indicate the jobs created through the CASP infrastructure, while others simply provide an aggregate number for jobs created.

3.4.3 ILIMA/LETSEMA

3.4.3.1 Programme Description -

In 2009, DAFF introduced a new programme – Ilima/Letsema – to reduce poverty through initiatives for intensive agricultural production including irrigation infrastructure and support services for farmers in all provinces. When it was first introduced, the Ilima/Letsema conditional grant aimed to increase food production by an average annual 2% over the medium term period between 2009/10 and 2011/12.¹¹¹ The programme provides rural households with farming inputs such as fertilisers, seeds, seedlings, feed and medication for breeding animal and poultry machinery and equipment, irrigation infrastructure and production fertilisers.¹¹²

3.4.3.2 An assessment of the Ilima/Letsema budget allocation and expenditure -

The Ilima/Letsema conditional grant supports vulnerable households, subsistence and smallholder farmers to produce their own food. According to the abovementioned study by the African Centre for Biodiversity on farmer support programmes, the budget allocation for the Ilima/Letsema grant between 2010 and 2020 (as per the MTEF) amounts to roughly 30% of the size of CASP grants allocated in the same period.¹¹³

Figure 9

National real growth rate of the budget allocation and expenditure for the Ilima/Letsema Grant from 2012/13 to 2017/18

Source: DAFF Annual Reports 2012/13 to 2016/17,¹¹⁴ own calculations

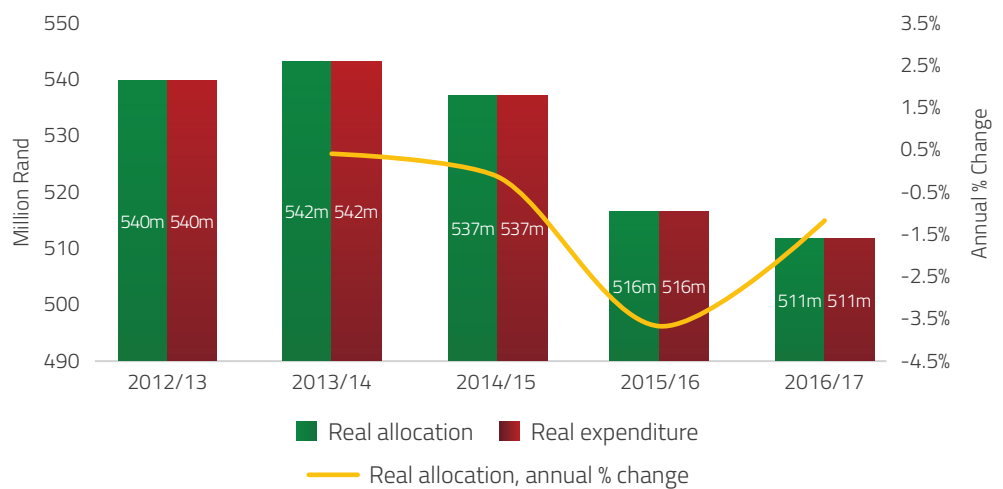


Figure 9 shows that the real budget allocation and spending fluctuated slightly between 2012/2013 and 2014/2015. This was then followed by a decline in the budget allocation

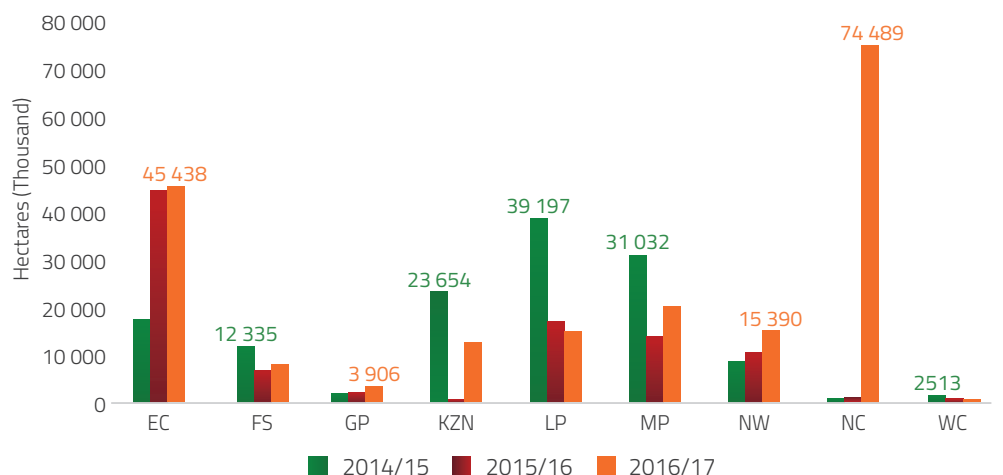
by 3.79% in 2015/16 and a further drop in the 2016/17 financial year, albeit at a lower rate of 1.11%.

3.4.3.2 The effectiveness of Ilima/Letsema Grant

Figure 10

Land under production, farmers supported through Ilima/Letsema

Source: DAFF Annual Reports 2014/15 to 2016/17¹¹⁵



FOOTNOTES:

- 111 National Treasury, "Chapter 7: Land and agriculture, Provincial Budgets and Expenditure Review: 2005/06 – 2011/12," Pretoria, South Africa, 2009. Available at: <http://www.treasury.gov.za/publications/igfr/2009/prov/07.%20Chapter%20-%20Agriculture%20and%20Land.pdf>. Accessed 11 July 2018.
- 112 National Treasury, "Budget Vote 14: Agriculture, Forestry and Fisheries," 2018 Budget Estimates and Expenditure, Pretoria, South Africa, 2018, Available at: <http://www.treasury.gov.za/documents/national%20budget/2018/enebooklets/Vote%20-%20Agriculture%20Forestry%20and%20Fisheries.pdf>
- 113 Greenberg et al, 2018. See note 94.
- 114 National Department of Agriculture, Forestry and Fisheries Annual Report 2012/13 p.144; 2013/14 p.144; 2014/15 p.281; 2015/16 p.225; 2016/17 p.225.
- 115 National Department of Agriculture, Forestry and Fisheries Annual Report 2014/15, p. 77 - 82; 2015/16, p.81 - 84; 2016/17 p.93 - 97.

Figure 10 shows the area of land cultivated through the farmer support initiatives of the Ilima/Letsema programme from 2014/15 to 2016/17 in all provinces. The total hectareage of agricultural land cultivated shows fluctuations in all nine provinces, and uneven growth across provinces. Following a continued decline registered in the budget allocation for the

overall Ilima/Letsema programme in 2016/17, there was an improvement in agricultural production among subsistence and smallholder farmers. Six provinces registered an expanded hectareage of cultivated land in 2016/17 compared to 2015/2016. However, severe drought conditions in 2016 had a significant negative impact on agricultural production.

Figure 11
Farmers supported (subsistence, smallholder and commercial black farmers) 2014/2015 to 2015/2016

Source: DAFF Annual Reports 2014/15 to 2015/16¹¹⁶

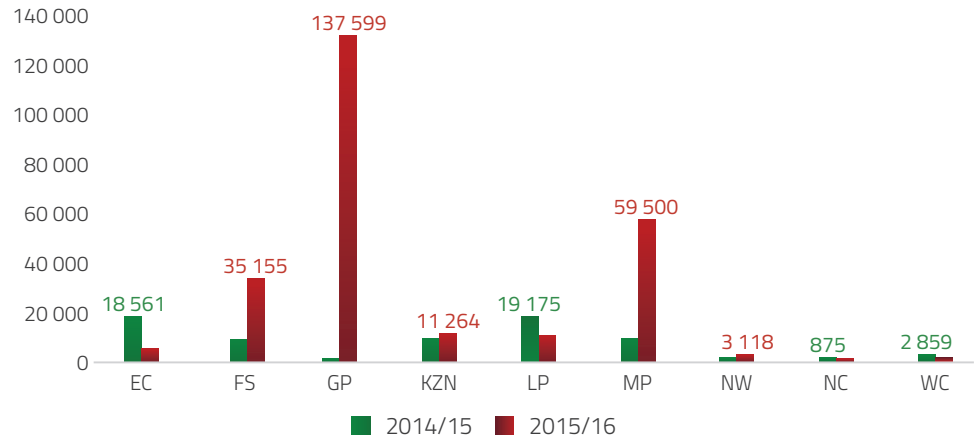
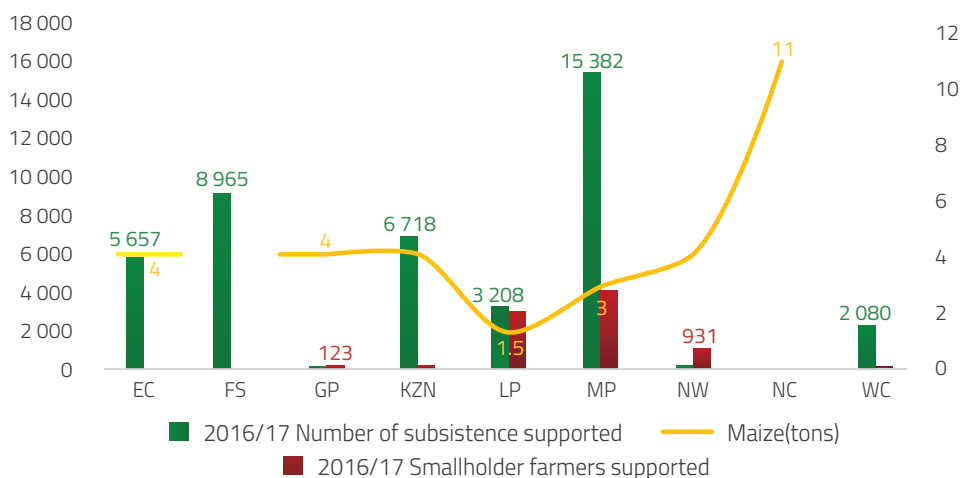


Figure 11 indicates significant fluctuations within and across provinces in terms of the number of farmers that received support through Ilima/Letsema. For example, in Limpopo the number decreased significantly from 19 175 farmers in 2014/2015 to 11 282 in 2015/16, while in the Free State, the number of supported farmers increased sharply from 10 131 in 2014/15 to 35 155 in 2015/16. The data reported by the provincial departments on the number of farmers that were supported through the Ilima/Letsema conditional grant in 2014/15 and 2015/16 are problematic, however, because they are not disaggregated and therefore do not explicitly show number

of beneficiaries for each category of farmers, as all the farmers (subsistence, smallholder and black commercial farmers) are grouped together. In addition, there is mention of black commercial farmers under the Ilima/Letsema programme even though the programme is specifically aimed at supporting subsistence and smallholder farmers to improve household food security. The reporting suggests that black commercial farmers benefitted from the programme as this group of farmers is listed among the programme's beneficiaries next to subsistence and smallholder farmers in DAFF's annual reports.

Figure 12
Number of subsistence farmers supported, number of smallholder farmers supported and maize production in 2016/2017

Source: DAFF Annual Reports 2016/17 page 81 - 84.



FOOTNOTES:

116 National Department of Agriculture, Forestry and Fisheries Annual Report 2014/15 p.77 - 82; 2015/16 p.81 - 84.

While the data provided from 2016/17 are disaggregated, it is unclear if any black commercial farmers benefitted from the programme as the annual report lumps smallholder farmers and black commercial farmers in the same category, even though the Ilima/Letsema conditional grant is explicitly targeted at subsistence and smallholder producers. As a result, tracking this data to determine the impact of the Ilima/Letsema on food production at the household level is

difficult because it is impossible to ascertain the total contribution of smallholder farmers in the overall total production. The number of tonnes of maize reported in the 2016/17 annual report is useful because it provides a proxy of the productivity levels of subsistence and smallholder producers in each province. On average, yield in most provinces was recorded at 4 tonnes/hectare, the estimated yield for white maize in 2017 for commercial farmers was 6.02 tonnes/hectare.

3.4.4 CONCLUSION

The activities in the CASP place a strong emphasis on the commercialisation of small-scale agriculture. While the programme has benefitted some black commercial farmers and helped to integrate smallholder farmers into commercial commodity value chains, it excludes the majority of land reform beneficiaries who are smallholder producers and subsistence farmers. Linked to this, the 2015 *Impact Evaluation of the Comprehensive Agricultural Support Programme (From Its Inception in 2004 to February 2013)* by the DPME found that the CASP has only made a limited contribution to food security across all

provinces.¹¹⁷ The effectiveness of the CASP in SPII's Right to Food in South Africa Working Paper 2015 was measured on the basis of the number of jobs created, with the underlying logic that higher levels of employment will contribute to household incomes and food security. The Ilima/Letsema conditional grant provides a better measure of DAFF's effort to address food security as it offers support aimed at bolstering food production, including the rehabilitation of irrigation schemes, fencing, and the supply of inputs and implements geared towards small-scale food production.

3.4.4 RECOMMENDATIONS

There must be better coordination of DAFF programmes and activities to avoid overlaps and exclusion of specific categories of farmers, CASP and other programmes geared towards smallholder farmers tend to privilege farmers that are either already commercialising or show potential for commercialising. CASP sets out to provide post-settlement support to four categories of land reform beneficiaries, including the hungry. However, the programme's current focus is skewed toward smallholder and black commercial farmers. On this basis, food security is no longer a priority under the CASP programme.

The CASP is currently allocated a larger budget than the Ilima/Letsema grant. Given that food security has been de-emphasised under the CASP, the Ilima/Letsema programme is currently DAFF's main food security programme and should therefore receive a higher budget allocation if the agriculture development and land reform processes aim to combat poverty and improve household food security.

DAFF must set clear food security targets that address the three pillars of the right to food accessibility, availability and adequacy in order to ensure that the CASP contributes to the realisation of the right to food.

FOOTNOTES:

117 Department of Monitoring, Planning and Evaluation, "Impact evaluation of the comprehensive agricultural support programme (from its inception in 2004 to February 2013)." Prepared by Business Enterprises at University of Pretoria (Pty) Ltd, 2015, Available at: <https://www.google.com/url?sa=t&ct=j&q=&esrc=s&source=web&cd=1&cad=rja&uact=B&ved=0ahUKEwi7100x6aLcAhXCbMAKHHRF1DyEQF-ggpMAA&url=https%3A%2F%2Fevaluations.dpme.gov.za%2Fevaluations%2F506%2Fdocuments%2F802c1c13-5fec-496d-a8da-88cf-3cdd176d&usg=AOvVaw3WWLBU2lwjKXwngjH5xoKH>

3.5.1 PROGRAMME DESCRIPTION

The Recapitalisation and Development Programme (RADP) of the Department of Rural Development and Land Reform (DRDLR) was launched in 2009 with the aim of promoting agricultural production, food security, the graduation of small farmers into commercial farmers; and job creation in the agricultural sector.¹¹⁸ Although the DRDLR has promoted the RADP as a flagship programme through which it will pursue the policy objectives of land redistribution, and contribute to job creation, improve food security and eradicate poverty, food security has not been on the top agenda, rather emphasis has largely been placed on supporting agricultural productivity to supply markets.¹¹⁹ The RADP does not encourage land reform beneficiaries to make use of the land for their own needs,¹²⁰ and as a result own production remains limited among beneficiaries owing to lack of support. The programme is designed to revitalise unproductive land reform projects. As outlined in SPII's Right to Food in South Africa Working Paper 2015, RADP beneficiaries are required to enter into a strategic partnership with a farming or agribusiness company in a mentorship or joint venture arrangement. The grant allocation for each project is guided by a business plan, and all projects are fully funded on a five-year funding model. The programme targets beneficiaries who acquired land under land reform and whose farms have failed (farms that have become unsustainable or are about to be re-possessed), and emerging farmers who purchased land with loan funding but face challenges with sustaining productive use of the land.¹²¹ The vast majority of RADP projects are farms that were acquired and

redistributed under the Land Reform for Agricultural Development (LRAD) programme, which was discontinued in 2011, and the Proactive Land Acquisition (or PLAS).¹²² In 2013, the state leasehold model was amended through the State Land Lease and Disposal Policy (SLLDP), which grants black farming households and communities 30-year leases that can be renewed for 20 years after which beneficiaries can apply for full ownership and title.¹²³ The leasehold model introduces new constraints to poor and vulnerable households as they now have to ensure that they are able to make rent payments to the state as the leaseholder, and further undermines their right to food as it reduces the households' disposable income.

An evaluation of the RADP by the DPME¹²⁴ in 2015 revealed extensive shortcomings in the programme including the lack of technical knowledge transfer from the strategic partner to the beneficiary, the unclear selection criteria used to identify beneficiary farms and a significant overlap in the RADP and DAFF's CASP objectives and programme activities. Both grants are geared towards providing agricultural post-settlement support to land reform beneficiaries, yet the two programmes are implemented without clear coordination channels between the two departments. A key recommendation that came out of the DPME implementation evaluation report is that strengthening the RADP should be viewed as a second-best solution and that the RADP should continue in the interim while the department pursues a lasting solution for its farmer support efforts.¹²⁵ According to the

FOOTNOTES:

- 118 Department of Rural Development and Land Reform, 2014, "The Recapitalization and Development Programme," Available at: <http://www.ruraldevelopment.gov.za/about-us/309-growing-tomorrow/644-the-recapitalization-and-development-programme-04-march-2014#.W2cFvi17HOQ>
- 119 Dawood, G., 2016, "Chapter 3: The National Land Reform Programme and Rural Development, 2017/18," Submission for the Division of Revenue, Available at: <http://www.ffc.co.za/2-uncategorised/144-2017-18-submission-for-the-division-of-revenue>
- 120 South African Human Rights Commission, "Monitoring and Investigating the Systemic Challenges Affecting the Land Restitution Process in South Africa," 2013, Available at: <https://www.sahrc.org.za/home/21/files/Land%20Restitution%20Report%20Proof%202.pdf>
- 121 Department of Monitoring and Evaluation, "Implementation evaluation of the recapitalisation and development programme (from its inception in 2010 to June 2012)," 2013, Available at: <https://webcache.googleusercontent.com/search?q=cache:NszQJmpR-EJ:https://evaluations.dpme.gov.za/evaluations/407+&cd=1&hl=en&ct=clnk&gl=za&client=safari>
- 122 This was introduced in 2001 with the aim of providing support to black South Africans over the age of 18 years who wish to farm on any scale. In 2006, the department started implementing experiments of the PLAS, which is a supply-based approach for the redistribution of land through which the state purchases land from farmers upfront and then transfers the land to the selected. See: Hall, R., and Kepe, T., 2016, "Land Redistribution in South Africa," Parliament of South Africa, Available at: https://www.parliament.gov.za/storage/aP/_media/Pages/2017/october/High_Level_Panel/Commissioned_Report_land/Commissioned_Report_on_Land_Redistribution_Kepe_and_Hall.pdf
- 123 Hall, R. and Kepe, T., "Elite capture and state neglect: new evidence on South Africa's land reform," Review of African Political Economy, 2017, Available at: <https://www.plaas.org.za/sites/default/files/publications-landpdf/2017%20-%20Hall%20%26%20Kepe%20-%20Elite%20capture%20%26%20state%20neglect%20new%20evidence%20on%20South%20Africa%27s%20land%20reform%20-%20ROAPE.pdf>
- 124 Department of Planning, Monitoring and Evaluation, "Implementation evaluation of the recapitalisation and development programme (from its inception in 2010 to June 2012)," Prepared by Business Enterprises at University of Pretoria (Pty) Ltd, 2015, Available at: <https://evaluations.dpme.gov.za/evaluations/407>
- 125 Ibid

DPME's recommendations, "the best and lasting solution would entail a redesign and overhaul of all public agricultural support programmes and doing away with existing silos of funding for agricultural support services. This would entail the establishment of an all-inclusive fund to support land acquisition, extension services and mentorship, agricultural finance and market access."¹²⁶ Beyond the programme implementation failures, the evaluation by the DPME pointed out that the RADP was generally viewed as a funding programme aimed at resuscitating failed land reform projects. This has led to the side-lining of the programme's key objectives, and lack of coordination of activities and mismanagement of funds within the department.

The land reform process is aimed at combating poverty and improving food security and rural livelihoods by ensuring access to land for grain and livestock agriculture and securing people's land rights. However, since the RADP is designed to support the farms to commercialise, farmers' decisions regarding cropping and livestock production are not driven by household needs, but rather by business plans and the interests of the strategic partners. The DRDLR developed a turnaround strategy in 2015 to establish a cohesive approach in the implementation of the programme and to address the shortcomings highlighted in the DPME's 2015 evaluation report, and other programme evaluation processes including public hearings and the department's own programme monitoring efforts.¹²⁷ However, the turnaround strategy has not delivered visible positive changes and improvements, as the findings of the 2017 High Level Panel on the Assessment of Key Legislation and the Acceleration of Fundamental

Change (HLP) indicate that the RADP continues to be riddled with widespread shortcomings that have contributed to the failure of the country's land reform process.¹²⁸ According to the report of the HLP on land reform, business plans developed for the strategic partnerships are essentially based on the model of large commercial agriculture. In addition, the number of farmers selected per farm is too high. With about 300 families substituting on average the previous white farmer (from whom the land was acquired by the state),¹²⁹ the approach being used for redistributing agricultural land and supporting farmers is flawed and there is a disjuncture between the vision of transforming the agricultural sector and the methods employed to achieve the goals set out for the land reform process.¹³⁰

In many ways, the RADP is similar to the CASP as both programmes are aimed at providing post-settlement support to increase agricultural production, promote agriculture commercialisation, create jobs in the agriculture sector and ensure food security among land reform beneficiaries. Much like the CASP programme, reporting on the programme's performance only indicates the number of farmers supported without clear information on the type of support provided and the extent to which the farmer support contributes to the overall objectives of the programme.¹³¹ SPII's Right to Food in South Africa Report 2015 identified the number of jobs created by the programme as a useful measure for assessing the RADP's impact on household food security on the basis that higher household incomes will contribute to the realisation of people's right to food.

3.5.2 BUDGET ALLOCATION AND EXPENDITURE ANALYSIS AND EFFECTIVENESS OF THE RADP

As indicated in SPII's Right to Food in South Africa Working Paper 2015, the RADP accounts for 25% of the land reform budget as a whole.¹³² However, the DRDLR groups all of the department's grants together as a single budget

line and it is unclear how the funds allocated under each grant are utilised. Since the initiation of the programme in 2009, 1 675 farms, which cover over 1.5 million hectares, have benefitted from the RADP amounting to R4.8 billion.

FOOTNOTES:

- 126 Ibid
- 127 Parliamentary Monitoring Group, "Turnaround strategy for Recapitalization and Development Programme: Department of Rural Development and Land Reform (DRDLR) presentation," 15 March 2018, Available at: <https://pmg.org.za/committee-meeting/20002/>
- 128 Parliament of RSA, "Report of High Level Panel on the Assessment of Key Legislation and the Acceleration of Fundamental Change," Cape Town, South Africa, 2017, Available at: https://www.parliament.gov.za/storage/.../High_Level_Panel/...Report/HLP_report.pdf. Accessed 23 July 2018.
- 129 Under the Proactive Land Acquisition Strategy, the state must acquire white-owned agricultural land in order to meet the 30% redistribution target. See: Department of Land Affairs, 2007, "Manual for the implementation of the Proactive Land Acquisition Strategy: Version 2," Available at: http://www.ruraldevelopment.gov.za/phocadownload/Land_Acquisition_Warehouse/manual%20for%20the%20implementation%20of%20the%20proactive%20land%20acquisition%20strategy.pdf. Accessed 23 July 2018.
- 130 Parliamentary Monitoring Group, "High Level Panel on land reform and rural development: Dr Aninka Claassens briefing," 2018, Available at: <https://pmg.org.za/committee-meeting/25991/>. Accessed 23 July 2018.
- 131 Financial and Fiscal Commission, "National Land Reform Programme and Rural Development," Policy Brief 3, Available at: <http://www.ffc.co.za/docman-menu-item/policy-briefs-2016/1158-2016-policy-brief-3-national-land-reform-programme-and-rural-development/file>. Accessed 15 September 2018.
- 132 Page 114

Figure 13 shows that the real budget allocation for the RADP has been on a declining trajectory from R823 million in 2014/15 to R657 million in the 2017/18 financial year.¹³³ Through the programme, the Department has secured approximately 772 strategic partnerships to provide technical, financial and infrastructure

support to emerging farmers, with 228 RADP commitments in total, amounting to R302.525 million.¹³⁴ Items are classified as commitments when the department has committed itself to future transactions that will normally result in the outflow of cash.¹³⁵

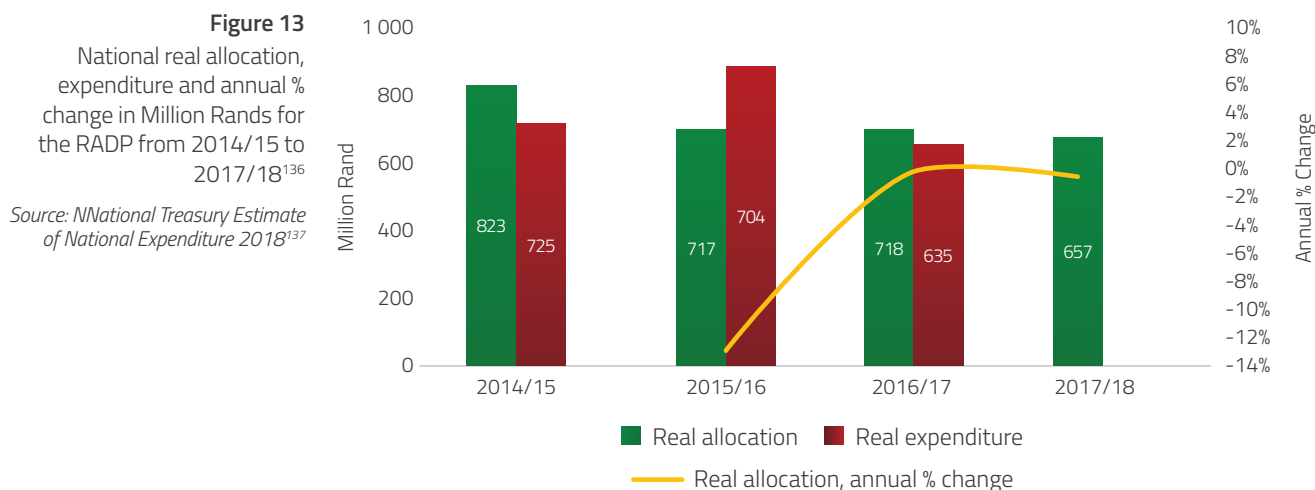
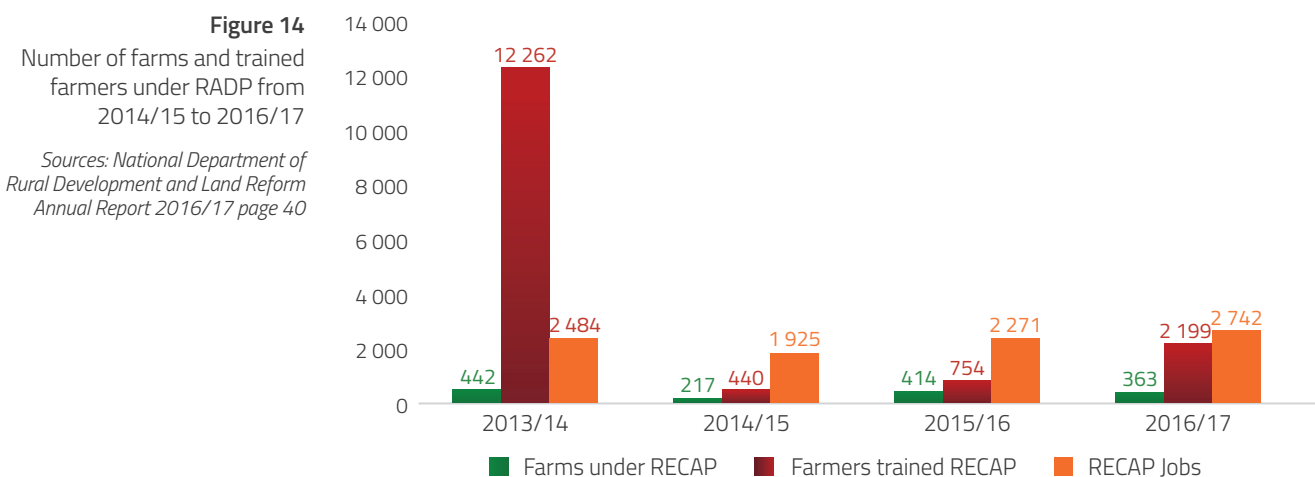


Figure 13 shows that although the budget allocation for the RADP has decreased considerably since the 2014/2015 financial year, the number of farms under the RADP increased from 217 in 2014/15 to 441 in the

2016/17 financial year, and increased the number of trained farmers from 440 to 2199 respectively while the number of jobs created has been increasing, following a 23% decline in 2014/15.



Data retrieved from DRDLR annual reports indicate a year-on-year increase in the number of jobs created under the RADP from 1 925 jobs in 2014/2015 to 2 742 jobs in 2016/17.

Much like in the case of the CASP, the DRDLR does not report on the nature or sustainability of the jobs created through the RADP.

FOOTNOTES:

- 133 Department of Rural Development and Land Reform Annual report 2016/17, Available at: <https://nationalgovernment.co.za/departments/annual/198/2017-department-rural-development-and-land-reform-annual-report.pdf>
- 134 Parliamentary Monitoring Group, "RECAP transfer: Strengthening Relative Rights of People Working the Land: with Minister & Deputy Minister," 14 June 2017. Available at: <https://pmg.org.za/committee-meeting/24624/>. Accessed 16 September 2018.
- 135 Department of Rural Development and Land Reform, "Annual report 2016/17," Pretoria, South Africa, 2017. Available at: <https://nationalgovernment.co.za/departments/annual/198/2017-department-rural-development-and-land-reform-annual-report.pdf>. Accessed 16 September 2018.
- 136 National Treasury, "Budget Vote 39: Department of Rural Development and Land Reform," 2017 Estimates of National Expenditure, p.5, Pretoria, South Africa, Available at: <https://data.vulekamali.gov.za/dataset/nat-dept-rural-development-and-land-reform-2017-18/resource/35911345-08a8-4ae3-b80e-6ba4b175eab8/download/vote-39-rural-development-and-land-reform.pdf>. Accessed 17 September 2018.
- 137 The allocations for the RADP accounts for 25% the total grant for Programme 5 Land Reform Programme of the DRDLR, p. 5 of the 2018 DRDLR Budget Vote.

3.5.3 CONCLUSION

At its core, the land reform process in South Africa aims to restore people's access and control over their land and other related natural resources. In so doing, the policy mandate of land and agrarian reform is to contribute to the creation of jobs, poverty eradication, and ensuring improved food production and food security for urban and rural dwellers.¹³⁸ One of the major gaps that were flagged in the DPME's 2013 evaluation of the RADP, the public hearings that were held in 2014 as well as the more recent evaluation by the FFC following the adoption of the DRDLR 2015 turnaround strategy, is the funding model of the programme. Because of the lack of affordable loans offered through the RADP, most beneficiaries do not qualify

for loans. Furthermore, because of a lack of coordination between provincial DRDLR and provincial DAFF, there is nothing preventing a beneficiary from applying to both departments for funding support. According to the findings of the FCC 2016 study on national land reform programmes and rural development, food security for beneficiaries of the land reform projects is determined by the extent to which land reform projects are functioning. At present, performance indicators for the RADP do not include food security or levels of income. Improved household food security in successful land reform farms has shown a dependency between productive land use and strategic partnerships.

3.5.4 RECOMMENDATIONS

There should be a stronger emphasis on food security and specific criteria for monitoring and evaluating the impact of the RADP on household food security among land reform beneficiaries. The DRDLR's key performance indicators do not include food security, even though the programme sets out to guarantee national and household food security.¹³⁹

The criteria for identifying and selecting beneficiaries needs to be broadened and standardised nationwide in order to ensure that the RADP does not only benefit farmers who are already benefitting from other state support programmes.

The impact of strategic partnership should be monitored closely and evaluated periodically to ensure the programme does not unduly benefit agribusiness and farming companies at the expense of beneficiaries.

The CASP and the RADP target the same group of beneficiaries. A case can be made to consolidate the activities of DRDLR and DAFF at the provincial level to avoid duplication of activities and to ensure that beneficiaries do not exploit the gaps in the system to receive funding from both programmes.

FOOTNOTES:

138 Ibid
139 Department of Rural Development and Land Reform, "The Recapitalization and Development Programme," Pretoria, South Africa, 2014, Available at: <http://www.ruraldevelopment.gov.za/about-us/309-growing-tomorrow/644-the-recapitalization-and-development-programme-04-march-2014#.W2cFvi17HOQ>. Accessed 2 August 2018.

3.6.1 INTRODUCTION

Vitamin A deficiency (VAD) has been identified as one of the most prevalent micronutrient deficiencies in the world and presents a public health problem in more than half of all countries, with high prevalence in Africa and South-East Asia.¹⁴⁰ According to the World Health Organisation (WHO), VAD is the leading cause of preventable blindness in children and a major contributor to under-five mortality. Among pregnant women, VAD causes night blindness and may increase the risk of maternal mortality.¹⁴¹ In 2001, the government launched a Vitamin A supplementation programme, which was implemented in health facilities through the National Department of Health (DoH) Expanded Programme for Immunisation (EPI). The programme was

found to be effective for 6-12 month infants because of the frequent immunisation that enabled the administration of Vitamin A supplements, however, the programme proved ineffective for reaching children between 12 and 59 months.¹⁴² The findings of the 2005 National Food Consumption Survey revealed that over 63% of South African children between the ages of one and nine years old were Vitamin A deficient.¹⁴³ In 2012, the National Health Department adopted a Vitamin A supplementation policy to provide stakeholders at the provincial and district level that implement child survival interventions with guidance on how to best address Vitamin A deficiency in the country.¹⁴⁴

3.6.2 PROGRAMME DESCRIPTION

The government has identified health promotion and nutrition as one of the main pillars of the National Policy on Food and Nutrition Security (NPFNS).¹⁴⁵ Implemented by the Department of Health (DoH), the Health Promotion and Nutrition Programme contributes to government efforts to ensure the realisation of the right to adequate food through a range of programmes and initiatives including clinical nutrition, public health nutrition, and food-service management strategies. The National Vitamin A Supplementation (VAS) Policy for South Africa, which was adopted prior to the 2014 NPFNS continues to be an integral part of the DoH's strategy. According to Stats SA's 2015 Mortality and Causes of Death in South Africa Survey, malnutrition is the third leading natural cause of death among both male and female children between the ages of 1-14 years.

Furthermore, the South Africa Demographic and Health Survey (SADH) 2016 reported that 27% of South African children under the age of five years suffer from stunted growth, and 10% of children in this cohort are considered severely stunted. Child stunting refers to the impaired growth and development that children experience from poor nutrition, as a result of which a child is considered to be too short for their age.¹⁴⁶ Stunting is one of the key indicators of a child's nutritional status and it reflects the cumulative effect of chronic malnutrition. The Demographic and Health Survey found that 30% of male children are stunted compared to 25% of girl children.¹⁴⁷ Sex differences in nutritional status can be explained by different infant feeding patterns observed between male and female children as well as biological differences that are independent of infant feeding patterns such

FOOTNOTES:

- 140 World Health Organization, "Global Prevalence of Vitamin A Deficiency in Populations at Risk 1995–2000," Geneva, Switzerland, 2019, Available at: http://apps.who.int/iris/bitstream/handle/10665/44110/9789241598019_eng.pdf?sessionid=4D05E9F895BDB328BD-663C52D08507AC?sequence=1. Accessed 16 September 2018.
- 141 World Health Organisation, 2018, "Nutrition: Micronutrient deficiencies," Geneva, Switzerland, Available at: <http://www.who.int/nutrition/topics/vad/en/>. Accessed 16 September 2018.
- 142 Department of Health, 2012, "National Vitamin A Supplementation Policy Guidelines For South Africa," Available at: http://www.adsa.org.za/Portals/14/Documents/DOH/Vit%20A%20policy%20guidelines%200F%205%20A%20-%20recent_1.pdf
- 143 Labadarios, D., Swart, R., Maunder, E.M.W., Kruger, H.S., Gericke G.J., Kuzwayo P.M.N., Ntsie P.R., Steyn, N.P., Schloss L., Dhansay M.A., Jooste, P.L., Dannhauser A., Nel J.H., Molefe D., Kotze T.J.v.W., 2007, "The National Food Consumption Survey-Fortification Baseline (NFCS-FB-I): South Africa, 2005," Directorate: Nutrition, Department of Health. Pretoria, Available at: <http://www.sajcn.co.za/index.php/SAJCN/article/view/286>
- 144 Department of Health, 2012, "National Vitamin A Supplementation Policy Guidelines For South Africa," Available at: http://www.adsa.org.za/Portals/14/Documents/DOH/Vit%20A%20policy%20guidelines%200F%205%20A%20-%20recent_1.pdf
- 145 Department of Health, "Department of Health Annual Report 2014/15," Pretoria, South Africa, 2015, Available at: <https://www.gov.za/documents/department-health-annual-report-20142015-12-oct-2015-0000>. Accessed 18 July 2018.
- 146 World Health Organisation, "Nutrition: Stunting in a nutshell," Geneva, Switzerland, 2018, Available at: http://www.who.int/nutrition/healthygrowthproj_stunted_videos/en/. Accessed 24 July 2018.
- 147 Statistics South Africa, "Demographic and Health Survey: Key Indicator Report" Pretoria, South Africa, 2017, Available at: <https://www.statssa.gov.za/publications/Report%2003-00-09/Report%2003-00-092016.pdf>

as susceptibility to infectious diseases.¹⁴⁸ The global prevalence of stunting in children younger than 5 years dropped from 39% in 1990 to 22% in 2017, indicating that stunting levels for both male and female children in South Africa are above the global average.¹⁴⁹ Stunting levels are significantly correlated with a household's wealth quintile, indicating that poor child nutrition is primarily an outcome of low household incomes.¹⁵⁰ Given that South Africa is one of few nations that produce enough to feed its population, poverty remains at the core of hunger.¹⁵¹ Poor and low-income households are unable to make it through the month on their incomes and tend to prioritise household expenses including transport,

education, electricity, and burial insurance over food because it is one of the few expenses that households can control.¹⁵² As a result, meals are typically made up of empty-calorie foods in order to satiate hunger.¹⁵³ While government has taken measures to contribute to the reduction of hunger, these measures do not address the structural economic and social factors that undermine people's ability to feed themselves. The 2016-2017 South African Human Rights Commission (SAHRs) report on the right to access to nutritious food in South Africa cited a statement from the DoH stating that nutrition is not prioritised or budgeted for adequately by the state.¹⁵⁴

3.6.3 HEALTH PROMOTION AND NUTRITION PROGRAMME BUDGET ANALYSIS

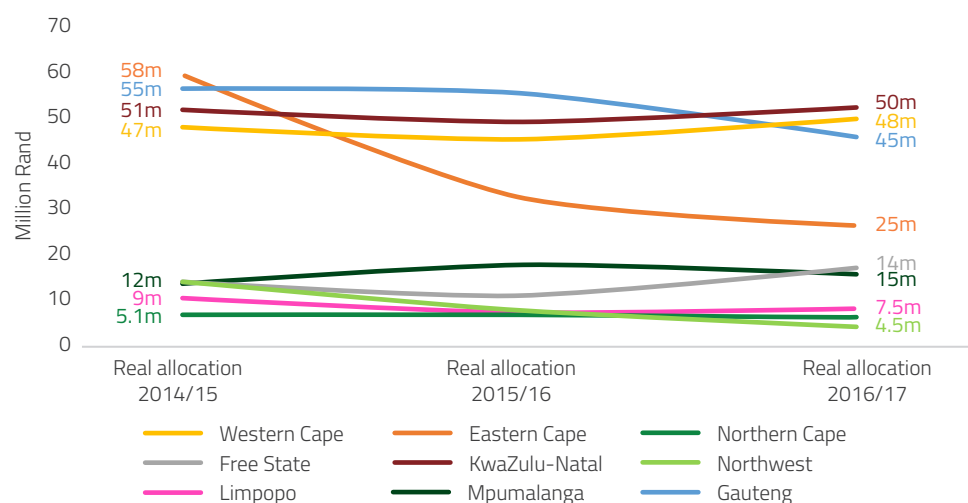
Figure 15 shows that the nutrition budget allocation for eight provinces (KwaZulu-Natal, Free State, Gauteng, North West, Western Cape, Eastern Cape, Limpopo and Mpumalanga)¹⁵⁵ was reduced in 2015/16, with the highest reduction recorded in budget allocation for North West and Eastern Cape

at 44.5% and 45.8% respectively. The budget allocation for the nutrition programme has fluctuated over time. For Gauteng, North West and the Northern Cape the budget has been declining since the 2014/15 financial year by 17.2%, 59.6% and 13.4% respectively.

Figure 15

Budget allocation and expenditure per province for financial year 2014/15 to 2016/17 in Rands

Source: Provincial Department of Health Annual Reports 2014/15 to 2016/17, own calculations¹⁵⁶



The Health Promotion and Nutrition Programme formulates and monitors policies, guidelines, and norms and standards for health

promotion and nutrition. With the decrease in the nutrition budget allocation, the DoH's efforts to promote nutrition guidelines will be

FOOTNOTES:

- 148 Wamani, H., Nordrehaug Åstrøm, A., Peterson, S., Tumwine, J.K., and Tylleskär, T., "Boys are more stunted than girls in Sub-Saharan Africa: a meta-analysis of 16 demographic and health surveys," *BMC Pediatr.* 7(17), 2007, Available at: <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC1865375/>. Accessed 18 September 2018.
- 149 World Health Organisation, "Nutrition | Joint child malnutrition estimates 2018 edition," Global Health Observatory (GHO) data, Geneva, Switzerland, 2018, Available at: <http://app.who.int/go/tableau-public/tpc-frame.jsp?id=402>. Accessed 17 September 2018.
- 150 Statistics South Africa, "South Africa Demographic and Health Survey 2016: Key Indicator Report," Available at: <http://www.statssa.gov.za/publications/Report%2003-00-09/Report%2003-00-092016.pdf>
- 151 Oxfam, "Hidden Hunger in South Africa: The Faces of Hunger and Malnutrition in a Food-Secure Nation," 2014, Available at: https://d1tn3v-j7xz9fdh.cloudfront.net/s3fs-public/file_attachments/hidden_hunger_in_south_africa_0.pdf
- 152 Smith, J., and Abrahams, M., 2016. See note 77
- 153 Stassen, W., "South Africa: A fat, hungry nation," The South African Health News Service, 7 April 2015, Available at: <https://www.health-e.org.za/2015/04/07/south-africa-a-fat-hungry-nation/>
- 154 The statement from the DoH is based on personal communication between the SAHR and L Moeng from the DoH. See: Ramkissoon, Y., 2017, "The Right to Access to Nutritious Food in South Africa 2016-2017," South Africa Human Rights Commission, Available at: <https://www.sahrc.org.za/home/21/files/Research%20Brief%20on%20The%20Right%20to%20Food%202016-2017.pdf>
- 155 KwaZulu-Natal, Free State, Gauteng, North West, Western Cape, Eastern Cape, Limpopo and Mpumalanga
- 156 Provincial Department of Health Annual Reports Nutrition Budget: EC 2014/15, p. 259; 2015/16, p.298; 2016/17, p.107; Nutrition MP 2014/15, p.139; 2015/16, p. 37; 2016/17, p. 56; Nutrition GP 2014/15, p. 11; 2015/16, p. 51; 2016/17, p.53 Nutrition KZN 2014/15, p.301; 2015/16, p.265-16/17; 2016/17, p. 265; Nutrition LP 2014/15, p. 204; 2015/16, p.227; 2016/17, p. 64; Nutrition NC 2014/15, p.153; 2015/16, p. 63; 2016/17, p. 71; Nutrition NW 2014/15, p.70; 2015/16, p.185; 2016/17, p.271; Nutrition FS 2014/15, p.52; 2015/16, p.58; 2016/17, p.66; Nutrition WC 2014/15, p.73; 2015/16, p.71; 2016/17, p.59

negatively affected as well as its intervention to contribute towards healthier diets and the progressive realisation of the right to food for all. This is indicative of how the state continues to place emphasis on food availability and access, while side-lining the issue of food adequacy, which relates to the nutritional and cultural value of food.

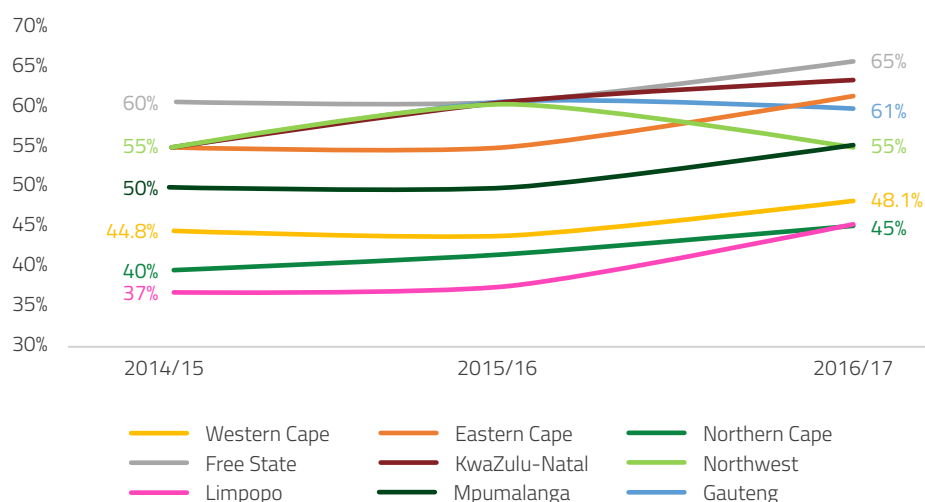
The effectiveness of the VAS programme is measured by the level of coverage achieved based on the number of children reached. Targets for the programme are set at the provincial level. Figure 16 shows while

coverage was low in 2014/2015, there has been improvement in coverage over time as five provinces in 2015/2016 and six provinces in 2016/2017 were able to achieve and exceed targets set out in each province, with North West as the only exception as there was decline in the provincial coverage from 60% in the 2015/2016 financial year to 55% in the 2016/2017 financial year. However, it is important to note that coverage in the Northern Cape, the Western Cape and Limpopo has remained significantly low at less than 50% between 2014/2015 and 2016/2017.

Figure 16

Percentage of VAS coverage for children 12-59 months by province from 2014/2015 to 2016/2017

Source: Provincial Departments of Health Annual Reports 2014/15 to 2016/17



3.6.4 CONCLUSION

The VAS programme remains an important programme for reducing the number of child deaths and addressing malnutrition among children below the age of five.¹⁵⁷ Failure to spend the allocated budget for the nutrition programme decelerates the impact of the VAS programme and reduces its reach. Accessibility of budgetary information on the VAS programme still remains a challenge. The concern raised in the SPII 2015 report, namely that "there is no indication of what portion of the provincial budget has been allocated to the VAS programme or how much has been spent,"¹⁵⁸ still remains. This hinders proper analysis of the adequacy of budgeting for VAS by government. As observed in the SPII 2015 report, "VAS for children under 12 months is not a priority,¹⁵⁹ and provinces do not report

on VAS for children under 12 months in their annual reports."¹⁶⁰ Despite several calls to DoH officials in KZN and the Western Cape, and e-mails to the national DoH, we were not able to get any comments or feedback on the status of the VAS programme for 6-11 month infants. While the VAS programme addresses a public health problem, South Africa is faced with a complex food security problem characterised by lack of nutrition and diet-related noncommunicable diseases. Low-income and poor households are not able to spend money on diversified diets and opt to alleviate hunger through the intake of cheap, calorie-empty food such as large portions of maize meal porridge that do not provide adequate nutrients, particularly for young growing children.¹⁶¹

FOOTNOTES:

157 Faber, M., and Wenhold, F., "Nutrition in Contemporary South Africa," *Water SA* 33(3): p.395. As cited in SPII's *The Right to Food in South Africa Report 2015*.
 158 McLaren et al, 25. See note 25.
 159 Ibid
 160 Phone calls to various offices within the Department of Health at provincial level revealed that lack of knowledge about the status of the VAS for 6-12 months children and suggested that the programme may have been replaced by a vaccination drive.
 161 South African Human Rights Commission, 2014, "Right to Food Fact Sheet," Johannesburg, South Africa, Available at: https://www.sahrc.org.za/home/21/files/brochure_A3_English.pdf

Measures to improve access to food do not address the structural economic and social factors that undermine people's ability to feed themselves adequately. Given that poverty remains central to South Africa's food insecurity situation, a right to food approach to food security calls for measures that not only address the availability of sufficient, nutritious and culturally appropriate food, but address the socio-economic factors that influence people's food access and consumption patterns. Growing public health concerns related to the increase of obesity among adults alongside stunting and wasting among children have been attributed to the ongoing nutrition transition, which is characterised by a shift from traditional diets consisting of cereals and fibre to highly refined diets high in fat, salt and caloric sweeteners.¹⁶²

3.6.5 RECOMMENDATIONS

Under expenditure of the budget needs to be addressed to ensure effectiveness and wide coverage of the programme.

Decrease in budget allocation for provinces needs to be addressed to ensure proper implementation of the programme, and the setting of progressively increasing targets.

Budget allocation and expenditure information needs to be made accessible. Information must be disaggregated at a sub-programme level.

3.7 HOUSEHOLD FOOD AND NUTRITION PROGRAMME

3.7.1 PROGRAMME DESCRIPTION

The Food for All programme, which was launched in 2011, is the Department of Social Development's (DSD) main food security programme which formed part of the Zero Hunger initiative, and later part of the Fetsa Tlala initiative, which is driven by Operation Phakisa.¹⁶³ The programme was developed to ensure access to food for poor and vulnerable people, improve nutrition security of the poor and vulnerable, improve food production capacity of households, develop market channels through bulk government procurement of food, and foster partnerships with relevant stakeholders within the food supply chain.¹⁶⁴ However, as indicated in the SPII's Right to Food in South Africa Report 2015, there is a lack of clarity about the Food for All programme among DSD staff and its linkages to the Fetsa Tlala initiative.¹⁶⁵ The Food for All programme does not have its own dedicated budget line as it is not cited in the National Treasury's Estimates of the National Expenditure for DSD from 2015-2017 and is instead referred to as the Food Relief programme, which forms part of the community development sub-programme under the Social Policy and Integrated Service Delivery programme.¹⁶⁶ While the Food for All programme is cited once in the 2016 DSD annual report, there is no mention of this programme in the 2017 annual report, which instead refers to the Household Food and Nutrition Security Programme (HFNSP). The HFNSP was approved by Cabinet in September 2013 along with the NPFNS as one of the four pillars of the Policy, which includes adequate availability of food, accessibility of food, utilisation and quality of food and stability of food supply.¹⁶⁷ The objectives set out for the HFNSP are exactly the same as those of the Food for All programme, but it is not clearly communicated that the HFNSP replaces the Food Relief programme. The DSD annual reports cite the Household Food and Nutrition Security Programme under the Food for All Programme. The lack of consistency

FOOTNOTES:

- 162 Pereira LM., "The Future of South Africa's Food System: What is research telling us?" SA Food Lab, South Africa, 2014, Available at: http://awsassets.wwf.org.za/downloads/safl_brochure_email.pdf. Accessed 19 September 2018.
- 163 Department of Social Development, "The Household Food and Nutrition Security," Presentation to Portfolio Committee on Agriculture, Fishery and Forestry, 2-3 February 2016, Available at: <http://pmg-assets.s3-website-eu-west-1.amazonaws.com/160202household.pdf>. Accessed 19 September 2018.
- 164 Department of Social Development, "Social Development Zero Hunger Programme," Presentation to the Portfolio Committee on Social Development, 19 March 2013, Available at: pmg-assets.s3-website-eu-west-1.amazonaws.com/docs/130319zero.P. Accessed 27 July 2018.
- 165 McLaren et al, 2015. See note 25.
- 166 National Treasury, "Budget Vote 17: Department of Social Development," Estimates of National Expenditure 2016, Pretoria, South Africa, 2016, Available at: <https://data.vulekamali.gov.za/dataset/nat-dept-social-development-2016-17/resource/21fb9223-1ec7-4329-9378-b5832a87bf52/download/vote-17-social-development.pdf>. Accessed 5 August 2018.
- 167 Department of Social Development, "Household Food and Nutrition Security Department of Social Development: Right to Food Launch," Powerpoint presentation, 27 July 2015. Available at: <http://spii.org.za/wp-content/uploads/2015/07/DSD-Right-to-food-presentation.pdf>. Accessed 5 August 2018.

in how the programme is defined and titled makes it difficult to understand the scope of the programme and track its outcomes. This inconsistency is evident in DSD's annual reports across different years, and in how the programme is described in the budget reports released by National Treasury.

Similar to the Food for All programme, the HFNSP sets out to establish a network of Food Distribution Centres (FDCs) at provincial level, operated by NPOs as Implementing Agents that distribute food to Community Nutrition Development Centres (CNDCs). In November 2015, Meals on Wheels Food Security and Development Agency was appointed to implement and support the Centres at provincial and community level in all provinces.¹⁶⁸ The Provincial FDCs (PFDCs), which are operated by different NPOs, distribute procured and donated bulk food from producers, manufacturers, wholesalers and retailers.¹⁶⁹ Thereafter, the ingredients are delivered to CNDCs on a weekly basis. The CNDCs inform the PFDCs about the requirements of the menus and the PFDCs in turn supply them accordingly. In addition, the PFDCs supply the community food distribution centres (CFDs) with prepared food parcels that

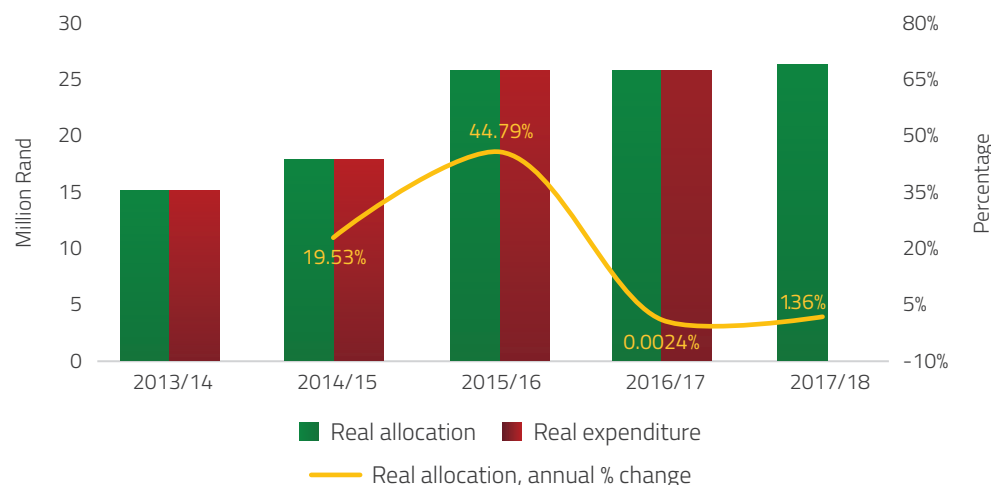
are to be distributed to needy households. The CFDs inform the PFDCs about the number of households they serve per week and the PFDCs supply them accordingly. The CNDCs are community-based feeding centres operated by local community-based organisations (CBOs) aimed at providing cooked nutritious meals to vulnerable persons and food insecure members of the community. In short, the CNDCs provide ready nutritious meals, while the CFDs distribute food parcels.¹⁷⁰ Under the Food for All programme, DSD worked with the FoodBank until 2013 in rolling out the food distribution centres.

Figure 17 shows that the budget allocation for the Food and Nutrition Programmes increased dramatically in the 2015/2016 financial year, and has not changed significantly since, as indicated by the significant drop in the real allocation rate of change from 44.79% in 2015/16 to just 1.36% in the 2017/18 financial year. The Food Relief programme accounts for 66% (about R190 million) of the total projected spending in the Community Development sub-programme in the Social Policy and Integrated Service Delivery programme in the MTEF (from 2018/19 to 2020/21).

3.7.2 BUDGET ANALYSIS

Figure 17
National real budget allocation and real allocation annual percentage change of the Food and Nutrition programme of the National Department of Social Development from 2013/14 to 2017/18

Source: National Department of Social Development Annual Reports 2013/14 to 2016/17, own calculations¹⁷¹



3.7.3 EFFECTIVENESS OF THE FOOD RELIEF PROGRAMME

The effectiveness of the household and food nutrition programme can be measured by the number of persons that access food through the DSD's food distribution centres. The DSD

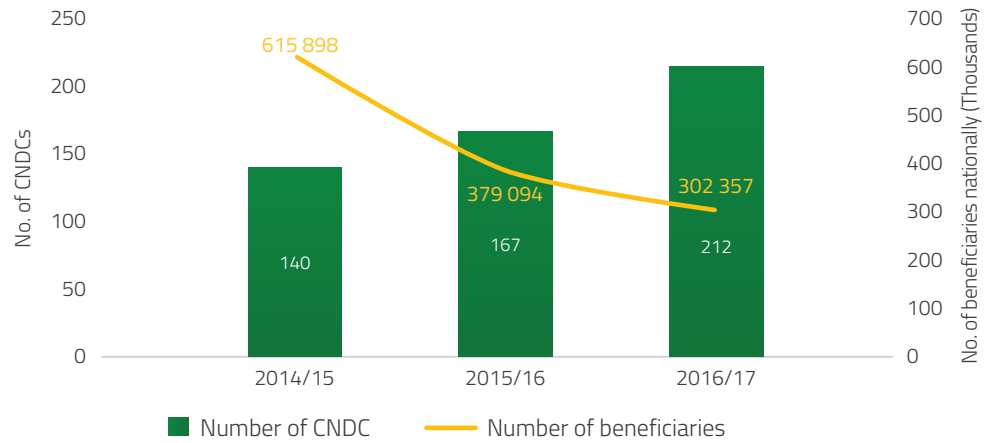
aims to improve access to food by providing more than 4 million meals per year over the medium term, as indicated in the MTEF for 2018/19 – 2020/21.¹⁷²

FOOTNOTES:

¹⁶⁸ Ibid
¹⁶⁹ Meals on Wheels Food Security and Development Agency, "Household Food and Nutrition Security Programme," 2018, Available at: <http://mowfsda.org/site/sample-pagehousehold-food-nutrition-security-strategy/>
 Department of Social Development. See note 162.
¹⁷⁰ National Department of Social Development Annual Report 2013/14 p.203; 2014/15 p.213; 2015/16 p.213; 2016/17 p.201.
¹⁷² National Treasury, "Budget Vote 17: Department of Social Development," Estimates of National Expenditure 2018, Pretoria, South Africa, 2018, Available at: <https://data.vulekamali.gov.za/dataset/nat-dept-social-development-2018-19/resource/15f48a6b-c054-4159-be2a-04243bcc6fc3/download/vote201720social20development.pdf>. Accessed 16 September 2018.

Figure 18
 Number of individuals accessing food through DSD Community Nutrition and Development Centres from 2014/15 to 2016/17

Source: Department of Social Development Annual Reports 2014/15 to 2016/17



In March 2015, the DSD reported that each PFDC supports on average eight CNDCs, and each CNDC feeds a minimum of 250 beneficiaries per day in the 2014/15 financial year. The number of CNDCs expanded to 212, providing over six million meals to 302 357 beneficiaries in the 2016/17 financial year. According to the 2015 DSD annual report, the department was able to establish nine functional PFDCs and 140 CNDCs in all provinces. Figure 18 shows that although the department has been able to increase the number of CNDCs nationally since 2014, the number of individuals accessing food through

the CNDC has decreased over time. This constant decline in the number of beneficiaries can be attributed partly to the stagnant real budget allocation over time in the face of rising poverty levels. In addition, severe droughts in 2015 and 2016, followed by flash floods in 2017, likely led to a decrease in the volume of food donations collected from farmers and fresh produce distributors and retailers in the 2016 and 2017 harvesting seasons. The DSD aims to increase the number of individuals receiving meals and food parcels through the centres by 27% over the MTEF.

3.7.4 CONCLUSION

The DSD's food security interventions play a critical role in ensuring food access for poor and vulnerable households. Although the number of beneficiaries continued to decrease in the 2016/17 financial year, the DSD aims to

increase the number of beneficiaries to 415 000 over the medium term from 2018/2019 to 2019/2020 by partnering with different private sector actors to improve food supply for the programme.

3.7.5 RECOMMENDATIONS

Food relief programmes should be accompanied by more sustainable initiatives such as food gardens and job creation so that people are able to feed themselves.

As highlighted in SPII's Right to Food in South Africa 2015, the food relief programme provides temporary relief, and the impact can be strengthened if the programme is linked to other government and civil society efforts that provide food security efforts, such as the FoodBank.

A rollout of social grants to all poor people, including adults between the ages of 19 and 59, is essential to advance food security.

4.1 INTRODUCTION

This chapter provides an analysis of a set of statistical indicators that were developed in SPII's Right to Food in South Africa Working Paper 2015 to assess and track the realisation of the right to food in South Africa. Based on SPII's Socio-Economic Rights Monitoring Tool methodology, the attainment of the right to food is measured using the dimensions of Access, Adequacy and Quality. Drawing from the concept of food security, which is the fundamental approach internationally to the right to food, SPII's three dimensions of *access*, *adequacy* and *quality* are measured in relation to three critical components of food security, namely: **availability**, which is reflected under the dimension of access and refers to the sufficiency of food supply to feed the entire population; **stability**, which also fits under access and measures the stability of food even within the context of national, local and household shocks; and **utilisation**, which is reflected under both adequacy and access and involves diet diversification, measures to improve nutritional standards, micro-nutrient availability, protein quality and food safety. A total of 20 indicators based mainly on national data were developed and populated in the SPII's Right to Food in South Africa Working Paper 2015 to track and assess the right to food. However, owing to a lack of data on food consumption patterns nationally, there are two indicators that have been left out of this working paper: (i) Percentage of population with poor dietary diversity score and (ii) Percentage of females of reproductive age with Vitamin A deficiency and iron deficiency (anaemia). The latest composite study on nutrition and health titled, South African National Health and Nutrition Examination Survey, was published in 2013 while the latest national survey on food consumption, titled, The South African National Food Consumption Survey was published in 2005. Our literature review revealed several studies relying on secondary data up to 2012.

ACCESS

Indicators on access to sufficient and nutritious food measure physical and economic capacity to access food. Economic access to food is defined as "the individual or household's financial means needed to acquire adequate food," while physical access can be understood as "measures that enable vulnerable groups such as children, the elderly and the disabled to have food."¹⁷³ As outlined in SPII's Right to Food in South Africa Report 2015, the access indicators cover:

- the sufficiency of food supplies to meet needs at national, provincial and household levels,**
- households' physical and economic ability to acquire or produce sufficient food, and
- the stability of food availability and access over time.**

ADEQUACY

The adequacy indicators primarily focus on the dietary needs of an individual, which not only concern the quantity but also the nutritious quality of accessible food. It also refers to non-nutrient values of food, such as the cultural value of food and consumer concerns. The adequacy indicators address:

- food safety,**
- consumer protection, and
- nutritional adequacy**

FOOTNOTES:

173 World Health Organisation, "Food security in South Africa: a review of national surveys," *Bulletin of the World Health Organization* 2011, p.89:891-899, Geneva, Switzerland, 2011, Available at: <http://www.who.int/bulletin/volumes/89/12/11-089243/en/>. Accessed 15 September 2018.

QUALITY

The quality indicators mainly address the food insecurity, health and nutritional outcomes underscored by the prevalence of underweight and overweight people, Vitamin A-deficiency and iron deficiency in South Africa. Nutritious food refers to food containing a good balance of energy, protein, essential fats, vitamins and minerals to enable good health and wellbeing.

As stated in SPII's The Right to Food in South Africa Working Paper 2015, the right to food indicators seek to include the perspectives of different stakeholders and experts, and our analysis is presented in a way that invites comment and deliberation. Therefore, our aim with this analysis is not to provide a prescriptive or final assessment of the right to food in South Africa, rather we seek to deepen understanding of the status of the right to food. This last section of the report provides a comprehensive update of the quantifiable indicators to gauge the extent to which the right to food is enjoyed by all people, particularly poor and vulnerable households.¹⁷⁴ We also wish to reiterate in this update that there have been various datasets collected on food security and related issues, which employ a diverse range of methodological approaches with varying strengths and weaknesses. It is important to note that much of the data was used to develop the right to food indicators and report on the measure of progress of the realisation of the right to food in South Africa, and essentially relied on a set of important surveys that have contributed immensely to the analysis of public health and food security in South Africa. These include the following:

General Household Survey 2016

National Food Consumption Survey 2005

South Africa Demographic and Health Survey (SADH) 2016

South African Social Attitudes Survey (SASAS) 2008

Living Conditions Survey (LCS) 2014/15

General Household survey 2017

South African Demographic Survey 2016

South African National Health and Nutrition Examination Survey 2013

While the themes and questions covered in these surveys have been continued in several other more frequent rigorous surveys by Statistics South Africa, it is important to note that the level of detail and analytical depth captured in these surveys has **not** been continued. Hence, some data on health and nutrition outcomes of various government programmes and efforts by various stakeholders to understand and address health and nutritional gaps, as well as food insecurity, in South Africa are currently inadequate.

FOOTNOTES:

174 McLaren et al. See note 26.

4.2 OVERVIEW OF RIGHT TO FOOD INDICATORS

Table 3
Right to Food indicators

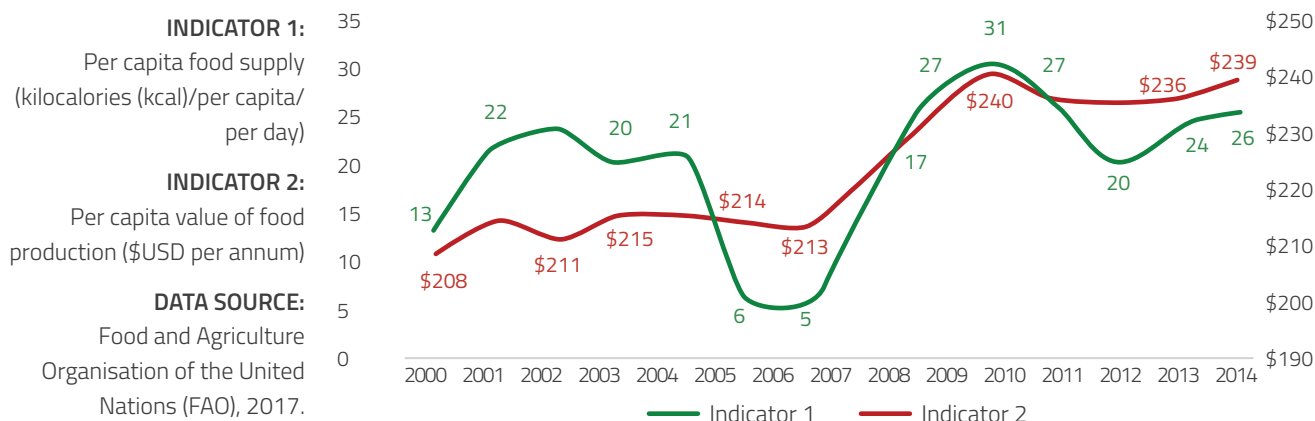
ACCESS	ADEQUACY	QUALITY
Availability: Sufficiency of food supply to meet needs at national, provincial and household level	Utilisation: Food safety and consumer protection Prevalence of food insecurity Nutritional adequacy	Utilisation: Health and nutritional outcomes
Access (physical and economic): Households' physical and economic ability to acquire or produce sufficient food	NATIONAL MEASURES	ANTHROPOCENTRIC MEASURES
Stability (cross-cutting measure): The stability of food availability and access over time, including in the face of national, local or household-level shocks and stressors	Utilisation: food safety 13a. Number of imported food consignments and local food products inspected for food safety standards 13b. Number of vessels, factories and retail stores inspected for food safety standards	Utilisation: health and nutrition outcomes (adults) 15. Percentage of underweight male (BMI<20) and female (BMI<19) adults 16. Percentage of overweight male and female adults (BMI>25)
NATIONAL MEASURES	ANTHROPOCENTRIC MEASURES	Utilisation: health and nutrition outcomes (children) 17. Percentage of children under 4 years with stunting and severe stunting 18. Percentage of children under 4 years wasting or extreme wasting
Availability 1. Per capita food supply 2. Per capita value of food production	Utilisation: prevalence of food insecurity 14a. Percentage of population who are experiencing hunger 14b. Percentage of population who are at risk of experiencing hunger	
Stability 3. Per capita food supply variability 4. Per capita food production variability 5. Food trade balance (value of food imports over exports for primary and processed agricultural products)	<i>Source: McLaren et al 2015¹⁷⁵</i>	
Economic Access: Stability 6. Annual food price inflation		
HOUSEHOLD MEASURES		
Economic access: affordability and vulnerability 7. Proportion of total household consumption expenditure spent on food, bottom 3 income deciles 8. Percentage of population below upper-bound poverty line		
Physical access: access to land for food production 9. Percentage of households who report land degradation in their communities or on their own or neighbouring farms 10. Percentage of households producing food crops		
NATIONAL MEASURES		
Physical access: coverage of state nutrition programmes 11. Percentage of children accessing school nutrition programme 12. Percentage of children 6-11 months and 12-60 months receiving Vitamin A supplements		

FOOTNOTES:

175 McLaren et al. See note 26.

4.3.1 ACCESS INDICATORS

4.3.1.1 AVAILABILITY - INDICATOR 1 AND 2



INDICATOR 1:

Per capita food supply (kilocalories (kcal)/per capita/per day)

INDICATOR 2:

Per capita value of food production (\$USD per annum)

DATA SOURCE:

Food and Agriculture Organisation of the United Nations (FAO), 2017.

INDICATOR 1 DESCRIPTION: This indicator measures the supply of food in South Africa. It shows how much food (measured in kilocalories) would be available per person/per day if all the food available in the country were shared equally among the population. This is calculated by adding the total quantity of foodstuffs produced for human consumption to the total quantity of foodstuffs imported, minus the total quantity of exported foodstuffs, divided by the total population. The Food and Agriculture Organisation of the United Nations (FAO) recommends that each person consumes a minimum of 1 800 kcal per day.

INDICATOR 2 DESCRIPTION: This indicator measures the supply of food in South Africa in terms of the value of the food produced. It is calculated by dividing the total value of annual food production by the total population.

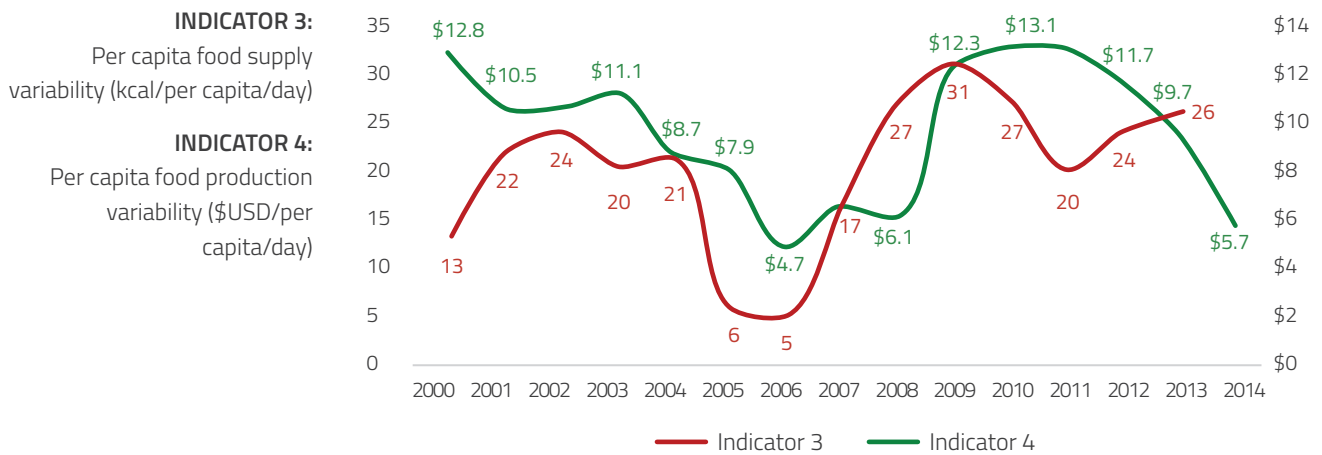
South Africa is considered a food secure country because it produces and imports enough food to feed its entire population, but food insecurity remains prevalent. Therefore, poor food access in South Africa is not the outcome of there not being enough food, but rather is an outcome of inequitable and uneven distribution of available food.¹⁷⁷ The graph above shows that per capita food supply and per capita value of food production in South Africa follow an upward trajectory, albeit at different levels, until 2006. In subsequent years, per capita value of food production exceeded per capita supply of food until 2010, which was attributed to the 2007/08 world food price crisis and 2008/09 global financial downturn.

From 2010 to 2014, per capita value of food production was surpassed by per capita food supply from 2010, resuming the same pattern as per capita food supply. Although per capita supplies are a good indicator of average supply available for individuals in the population as a whole, they do not indicate what is actually consumed by individuals.¹⁷⁸ As pointed out in SPII's Right to Food in South Africa Report 2015, food insecurity in South Africa manifests at the household level. We reiterate that food security measured in terms of food availability yields a different representation of the level of food insecurity than when it is measured in terms of nutrient intake or precise food consumption patterns.

FOOTNOTES:

176 The descriptions of all the indicators were retrieved from the SPII's The Right to Food in South Africa Report 2015.
 177 Ledger, T., "Working paper: Power and governance in agri-food systems: key issues for policymakers," Trade and Industrial Policy Strategies, 2016, Available at: <http://www.tips.org.za/research-archives/trade-and-industry/item/3175-power-and-governance-in-agri-food-systems-key-issues-for-policymakers>. Accessed 23 July 2018.
 178 Food and Agriculture of the United Nations, "Food Supply Data," Food Balance Sheets: A Handbook, Rome, Italy, Available at: <http://www.fao.org/docrep/003/X9892E/X9892e00.HTM>. Accessed 20 July 2018.

4.3.1.2 STABILITY -
INDICATOR 3 AND 4



INDICATOR 3 DESCRIPTION: This indicator shows how *stable* the supply of food available to South Africans has been. It shows the average number of kilocalories by which the daily food supply fluctuated during the course of each year. A higher number means a less stable food supply.

INDICATOR 4 DESCRIPTION: This shows how *stable* the value of food produced in South Africa has been. It shows the average amount by which the value of food produced fluctuated during each year. A higher number means less stability in the value of food production.

Per capita food supply variability can be understood as changes in food supply per day, which can result from a combination of instability and responses in production of food, trade, taxes and subsidies, value chain shocks and broader changes in the domestic and international policy or economic environment.¹⁷⁹

Indicator 3 in the graph illustrates per capita food supply variability shows fluctuations over time. The sharp constant decline between 2004 and 2005, extending into 2006, was reversed entirely with a constant increase between 2006 and 2009, reaching the largest variability at 31 (kcal/capita/day) in 2009. While this was followed by a favourable period shown in the constant decline between 2009 and 2011, food supply variability began to rise again reaching 26 (kcal/capita/day) in 2014, demonstrating a turn for the worse. Similarly, per capita food production variability showed steady positive decline in the years preceding the onset of the global food crisis in 2006, reaching \$USD 4.7 (capita/day). This was reversed by a fluctuating

negative rise, peaking at \$USD 13.1 (capita/day) in 2010 and 2011. There was a constant positive decline recorded in per capita food production variability between 2012 and 2014 almost reaching pre-crisis levels at \$USD 5.7 (capita/day) in 2014. The data provided in indicators 3 and 4 show that although per capita food supply variability improved quicker than per food production variability (the latter continued to rise until 2011), this improvement was short-lived and per capita food production variability in South Africa has been more stable in the post-crisis environment. However, in more recent years, there has been an improvement in food production variability, while there seems to be growing volatility in food supply variability. At the time of drafting this report, data on 2015–2018 food supply and food production variability were not yet available. However, it is likely that the El Niño-induced dry spells between 2015 and 2016 and flash floods attributed to the El Niño’s counter-phenomenon, La Niña, have significantly influenced per capita food production variability in South Africa.¹⁸⁰

FOOTNOTES:

179 Food and Agriculture Organisation of the United States, “Race against time in drought-ravaged Southern Africa to ensure 23 million people receive farming support,” Rome, Italy, 2016, Available at <http://www.fao.org/emergencies/fao-in-action/stories/stories-detail/en/c/427358/>. Accessed 22 July 2018.

180 Food and Agriculture Organisation of the United Nations, “Race against time in drought-ravaged Southern Africa to ensure 23 million people receive farming support,” Rome, Italy, 2016, Available at: <http://www.fao.org/emergencies/fao-in-action/stories/stories-detail/en/c/427358/>. Accessed

As highlighted in SPII's Right to Food in South Africa Working Paper 2015, the stability of food in South Africa does not only vary across income levels, but it also varies significantly between urban formal and informal areas and rural areas. South Africans are net food buyers.¹⁸¹ However, with the rapid rise of corporate retail chains as supermarkets expand into townships and rural town and further pushing informal food retailers to the periphery, more and more people across urban and rural landscapes are purchasing food from supermarkets. The supermarket sector's share of food retail grew from about 55% in 2000 to 68% in 2010.¹⁸² As corporations seek to maximise their profits in these markets, a key strategy by food production and distribution corporations has been to provide food that is produced at low cost in large quantities, what Cousins¹⁸³ described as 'cheap and nasty' food – at the expense of nutrient value.¹⁸⁴ Therefore, food stability in South Africa is improving across urban-rural and formal-informal divides, but the quality of the food remains an issue. On 3 September 2018, Minister of Health, Dr Aaron Motsoaledi announced the end of the recent Listeria outbreak in South Africa.¹⁸⁵ Described as the worst Listeria crisis in recorded global history, the foodborne public health crisis was first announced on 5 December 2017.¹⁸⁶ The source of the outbreak was identified as Ready-to-eat (RTE) processed meat products, manufactured at Enterprise Foods' Polokwane production facility, a plant owned by Tiger Brands.¹⁸⁷ At the time of the announcement of the recall on 4 March 2018 by the Department of Health, Enterprise Foods had a 35.7% market share in South Africa's processed meats industry, making it the largest producer of processed meats.¹⁸⁸ Rising income levels in the past three decades have been accompanied by significant increases in per capita meat consumption, with poultry meat being the cheapest and most consumed meat protein in the country.¹⁸⁹ In addition, consumption of processed meat increased significantly since 1994, with data showing that consumption of frozen processed poultry doubled between 1994 and 2012.¹⁹⁰

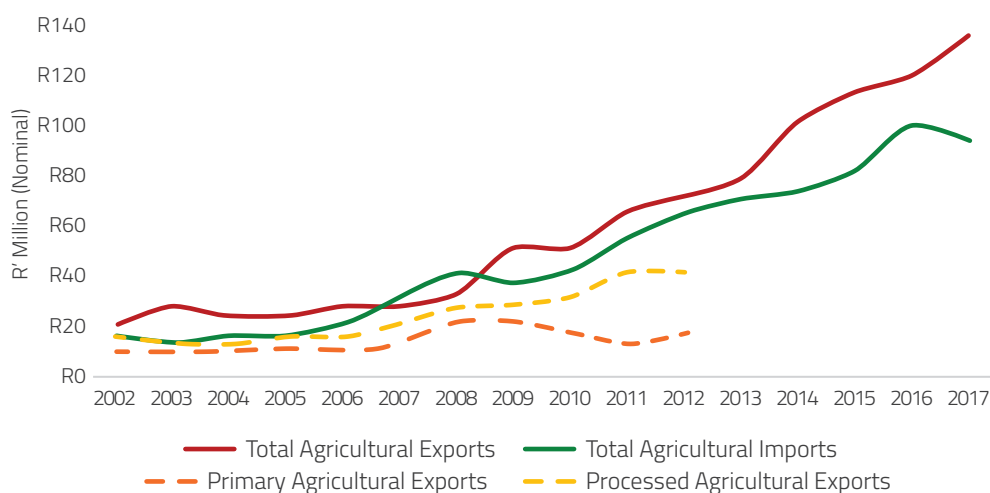
FOOTNOTES:

- 181 Smith, J., Abrahams, M., and Chiya, N., "PACSA Food Price Barometer Annual Report," Pietermaritzburg Agency for Community Social Action, Pietermaritzburg, South Africa, 2017, Available at: http://www.pacsa.org.za/images/food_barometer/2017/2017%20PACSA%20Food%20Price%20Barometer%20Annual%20report.pdf. Accessed 20 June 2018.
- 182 Greenberg, S., "Contesting the Food System in South Africa: Issues and Opportunities," PLAAS Research Report 42, 2010, Available at: https://www.researchgate.net/publication/261411894_Contesting_the_Food_System_in_South_Africa_Issues_and_Oportunities
- 183 Cousins, B., " 'Cheap and nasty': The contradictions of capitalist food systems," Another Countryside, 16 September 2016, Available at: <http://www.plaas.org.za/blog/cheap-and-nasty-contradictions-capitalist-food-systems>. Accessed 20 July 2018.
- 184 Greenberg, S., du Toit, A., Claassen, N., and Kroll, F., "Corporate dominance threatens South Africa's food and nutrition security," Another Countryside, 5 August 2016, Available at: <http://www.plaas.org.za/blog/corporate-dominance-threatens-south-africas-food-and-nutrition-security>. Accessed 29 July 2018.
- 185 Whitworth, J., "South Africa declares end to largest ever Listeria outbreak," Food Safety News, 4 September 2018, Available at: <https://www.foodsafetynews.com/2018/09/south-africa-declares-end-to-largest-ever-listeria-outbreak/>. Accessed 18 September 2018.
- 186 Africa Check, "SA's current listeriosis outbreak worst worldwide – on record," 16 January 2018, Available at: <https://africacheck.org/spot-check/sas-current-listeriosis-outbreak-worst-worldwide-record/>. Accessed 18 September 2018.
- 187 Centre for Enteric Diseases and Division of Public Health Surveillance and Response, "Situation Update on Listeriosis Outbreak, South Africa," National Institute for Communicable Diseases, 6 April 2018, Available at: http://www.nicd.ac.za/wp-content/uploads/2018/04/NICD-Situation-update-on-listeriosis-outbreak-South-Africa_06-April-2018.pdf. Accessed 19 September 2018
- 188 Foodstuff South Africa, "What to Do with Millions of Dodgy Polonies?" 19 June 2018, Available at: <https://www.foodstuffs.co.za/what-to-do-with-millions-of-dodgy-polonies/> Accessed 20 September 2018
- 189 Department of Trade and Industry, "Summary of Challenges Facing The SA Poultry Sector: Presentation to the Portfolio Committee on Trade and Industry," 23 March 2017. Available at: https://www.thedti.gov.za/parliament/2017/SA_Poultry_Sector.pdf. Accessed 27 October 2018.
- 190 Ronquest-Ross, L.C., Vink, N., and Sigge, G.O., "Food consumption changes in South Africa since 1994," South African Journal of Science, Vol 111(9/10). 2015. Available at: <https://www.sajs.co.za/article/view/3761>. Accessed 11 November 2018

4.3.1.2 STABILITY -
INDICATOR 5

INDICATOR 5:
Food Trade Balance: value of food imports over exports for primary and processed agricultural products (R' million, nominal).

DATA SOURCE:
DAFF website (Abstract of Agricultural Statistics 2018)¹⁹¹



INDICATOR 5 DESCRIPTION: This indicator shows trends in the total value and the kinds of foods that South Africa imports and exports. If the value of exported goods is higher than the value of imported goods, this indicates a positive food trade balance. The reverse would indicate a negative food trade balance.

South Africa's market-oriented agricultural economy is highly diversified. Its three broad groups of production include grain, livestock production and horticulture, which make up the grain-livestock complex (GLC) that is at the heart of the agro-food system.¹⁹² The agricultural sector contributed around 12% to South Africa's total export earnings in 2016 with a value of 9.2 billion USD.¹⁹³ After severe droughts across the country in 2015, field crop production volumes increased by 50.8% in the 2016/17 financial year. Citrus, fruit, wine apples, pears, quinces, wool and nuts accounted for the largest exports by value. Agro-processing is the largest single manufacturing branch in South Africa and accounted for 29% of total manufacturing value on average between 2006 and 2010. With regards to agricultural imports, maize; rice; meat, wheat and meslin; and palm oil were the five major products in terms of value. South Africa's five largest trading partners in 2016 were the Netherlands, United Kingdom, Zimbabwe, Mozambique and China. The five top countries from whom South Africa imported agricultural products in 2016 were Argentina, Brazil, the Netherlands, United Kingdom and the United States.¹⁹⁴

FOOTNOTES:

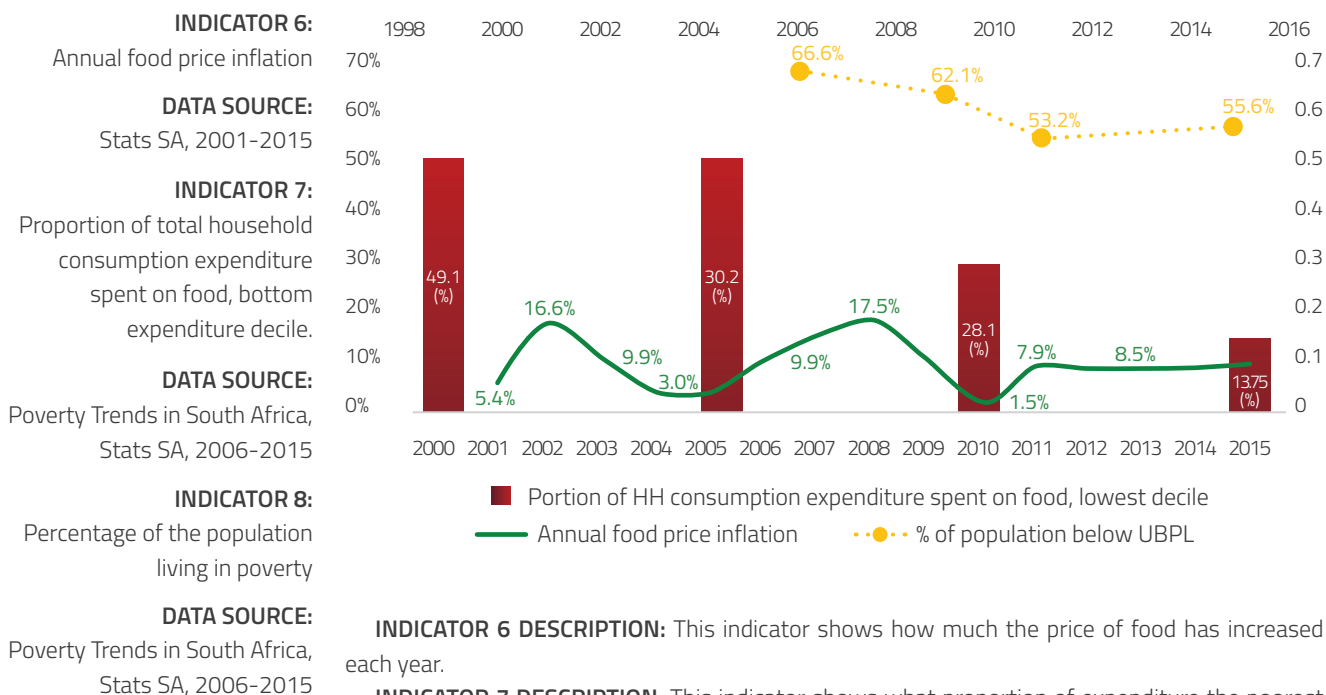
191 Directorate Statistics and Economic Analysis, 2017, "Abstract of Agricultural Statistics 2017," Department of Agriculture, Forestry and Fisheries, Available at: <http://www.daff.gov.za/Daffweb3/Portals/0/Statistics%20and%20Economic%20Analysis/Statistical%20Information/Abstract%202017.pdf>

192 Greenberg, S., "Working Paper 32: Corporate power in the agro-food system and South Africa's consumer food environment," PLAAS, UWC and Centre of Excellence on Food Security, 2016. Available at: http://foodsecurity.ac.za/Media/Default/Publications/Partner%20Publications/PlaasWP32_S.Greenberg.Corporate%20power%20in%20the%20agrofood%20system%20and%20South%20Africa's%20consumer%20food%20environment%2023%20May.pdf. Accessed 19 July 2018.

193 Export.gov, "South Africa - Agricultural Sector," 2017, Available at: <https://www.export.gov/article?id=South-Africa-agricultural-equipment>. Accessed 19 July 2018.

194 DAFF, "Trends in the Agricultural Sector 2017," Pretoria, South Africa, 2018, Available at: <http://www.daff.gov.za/Daffweb3/Portals/0/Statistics%20and%20Economic%20Analysis/Statistical%20Information/Trends%20in%20the%20Agricultural%20Sector%202017.pdf>. Accessed 22 June 2018.

**4.3.1.4 ECONOMIC ACCESS:
AFFORDABILITY AND
VULNERABILITY -
INDICATOR 6,7 AND 8**



INDICATOR 6 DESCRIPTION: This indicator shows how much the price of food has increased each year.

INDICATOR 7 DESCRIPTION: This indicator shows what proportion of expenditure the poorest spend on food in real terms.

INDICATOR 8 DESCRIPTION: This indicator uses the monetary based upper-bound poverty line (R753 per person/month in 2014 prices) to show what percentage of South Africans cannot afford an absolute minimum level of essential goods and foodstuffs.

According to the 2014/15 Living Conditions Survey (LCS), a typical household in South Africa between October 2014 and October 2015 had an annual average consumption expenditure of R103 293 while the median was R42 522. This average is however influenced by the very high levels of inequality in South Africa. Indicator 7 shows that food accounted for 13.75% of total household consumption expenditure, with an average household spending of R13 292 for the whole year on food, non-alcoholic beverages tobacco in 2015. Furthermore, estimates from the LCS show that on average, about 40% or more of the total consumption expenditure of poor households (or households in lower deciles) went to food in 2015. Households in the lowest decile spent 33.3% or R3 303 of total household consumption expenditure on food. The LCS groups and ranks households into per capita deciles, based on income and expenditure.¹⁹⁵ Expenditure on food tended to decrease among

households with higher on average total consumption expenditure. Food expenditure only accounted for about 8% of the total expenditure of households in the top decile. While the proportion of the total consumption expenditure that went to food was considerably less for high-income households with higher expenditure, these households spent significantly more on food than households in lower deciles as the Rand-value of poor households is far less.¹⁹⁶ It is important to note that on average expenditure on food was lower in 2015 compared to 2011. Stats SA reported that Consumer Price Inflation levels showed fluctuating food inflation patterns between 2014 and 2016 with food prices peaking at 9.4% in August 2014.¹⁹⁷ Given the relatively high share of food expenditure among poor households, lower income households are disproportionately affected by food price increases and are generally forced to underspend on food.¹⁹⁸

FOOTNOTES:

195 Statistics South Africa, "Living conditions of households in South Africa: An analysis of household expenditure and income data using the LCS 2014/2015," Stats SA statistical release P0310, Pretoria, South Africa, 2017, Available at: <http://www.statssa.gov.za/publications/P0310/P03102014.pdf>

196 Decile 2 is R5 914 per annum (R492.83), decile 3 is R7 891 per annum (R657.58), decile 4 is R9 873 per annum (R822.75), decile 5 is R11 587 (R965.58), decile 6 is R13 513 (R1 126.08), decile 7 is R15 776 per annum (R1 314.67), decile 8 is R17 431 per annum (R1 452.58), and decile 9 is R19 486 per annum (R1 623.83). See Statistics South Africa (2017). The proportion of food expenditure appears lower because of the high expenditure on housing and transportation.

197 Stats SA, 2017. See note 8.

198 Smith et al, 2017. See note 180.

When applying the poverty lines developed by Stats SA, the decline in food consumption expenditure between 2011 and 2015 is explained by the notable increase in the number of people living in poverty. The upper-bound poverty level takes into consideration the cost of basic food as well as the cost of other basic living needs including costs related to shelter, clothing and transportation. Between 2006 and 2011 there was an overall headcount decline of 13.4% for the population living below the upper-bound poverty line, however, there was a negative increase of 4.3% between 2011 and 2015. In 2015, the upper-bound poverty level was adjusted to R991 per month (in 2018, this was adjusted up to R1 183), while the lower-bound poverty line was set at R738 per month (in 2018, this was adjusted up to R785).¹⁹⁹ As mentioned in the first section of this report on the right to food policy and jurisprudence, the third poverty line, which is the food poverty line, is used to capture extreme poverty and was adjusted to R441 in 2015 and R547 in 2018.²⁰⁰ According to Stats SA, "the lower-bound poverty line has emerged as the preferred threshold" in policy-making and monitoring.²⁰¹ Although the lower-bound poverty line does not provide estimates of a 'decent living level,' but rather austere subsistence measures, food security policies and programmes provisions do not reflect the poverty lines. As indicated in

the budget analysis, the Child Support Grant is currently below the food poverty line. It is clear that given the high food prices, food security programmes play a critical role in supporting the proportion of people living in poverty, more specifically those households in the LCS's bottom three income and expenditure deciles as these households rely more on social wages and family allowance than income from wage employment.

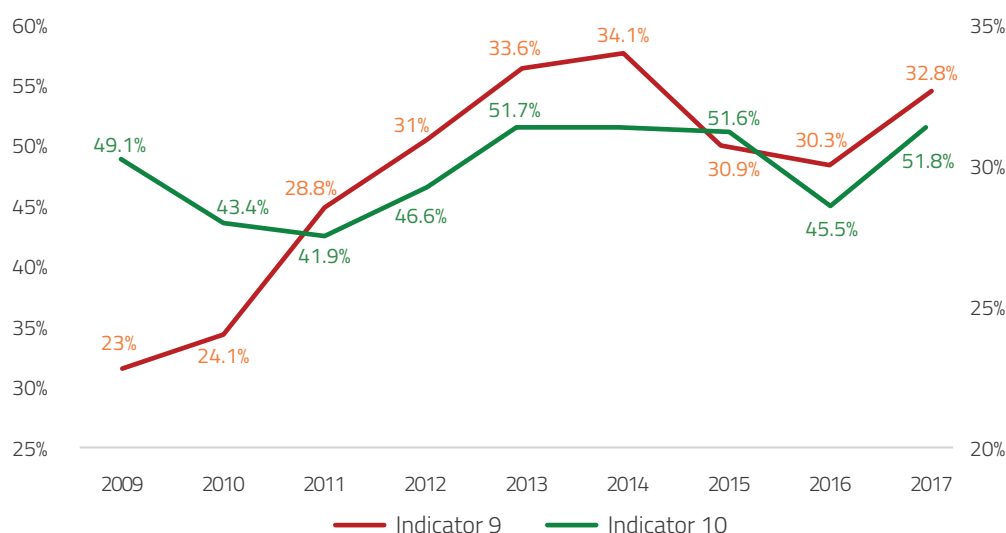
SPII's Right to Food in South Africa Working Paper 2015 noted that the zero-rating VAT programmes on food and non-food items by National Treasury have benefitted poor and vulnerable households despite lack of compliance by some food retailers. However, the list of the 19 zero-rating food items is limited and shifts in consumption patterns necessitate reviews of consumer subsidies.²⁰² The implementation of the VAT increase on 1 May 2018 has worsened access to adequate food for the poor in general, and multiple negative economic factors including fluctuating food prices and high fuel prices mean that those living in poverty will be especially hard hit. This increase cannot but be seen as being a regressive measure by the state with regard to the right of access to adequate food. As such, only a radical adjustment of the zero-rating VAT for food and non-food items will be able to cushion the blow for poor and vulnerable households.

**4.3.1.5 PHYSICAL ACCESS:
ACCESS TO LAND FOR FOOD
PRODUCTION -
INDICATOR 9 AND 10**

INDICATOR 9:
Percentage of households who report land degradation in their communities or on their own or neighbouring farms

INDICATOR 10:
Percentage of households producing food crops

DATA SOURCE:
General Household Survey (GHS), Stats SA, 2002-2013.



FOOTNOTES:

199 Statistics South Africa, "Methodological report on rebasing of national poverty lines and development on pilot provincial poverty Lines: Technical Report," 2015, Available at: <http://beta2.statssa.gov.za/publications/Report-03-10-11/Report-03-10-11.pdf>

200 Statistics South Africa, "National Poverty Lines 2018," Pretoria, South Africa, 2018. Available at: <http://www.statssa.gov.za/publications/P03101/P031012018.pdf>. Accessed 12 September 2018.

201 Individuals at the LBPL do not have command over enough resources to consume or purchase both adequate food and non-food items and are therefore forced to sacrifice food to obtain essential non-food items. Individuals at the UBPL on the other hand can purchase both adequate food and non-food items.

202 See note 1.

INDICATOR 9 DESCRIPTION: Land degradation includes over-utilisation of natural resources and soil erosion.

INDICATOR 10 DESCRIPTION: Food crops include field crops and grains such as maize, wheat, beans, sorghum etc.

South Africa's unresolved land question is once again top of the agenda for government and in public discourse as government explores the option of land expropriation without compensation due to the failings of the land reform process. The slow pace of delivery through the land redistribution process has been compounded by growing tenure insecurity on land acquired by claimants and beneficiaries.²⁰³ In February 2018, the National Assembly passed a resolution to amend the Constitution to allow for land expropriation without compensation, even though the state already provides for this in the Constitution.²⁰⁴ On 31 July 2018, President Cyril Ramaphosa announced the ANC national executive committee's decision to move to amend section 25 of the Constitution to explicitly allow for expropriation of land without compensation. This was done ahead of the conclusion of Parliament's Joint Constitutional Review Committee's public hearings on 4 August 2018, held to establish whether there is a need to amend Section 25 of the Constitution.²⁰⁵ With the review of the 28 August 2018, The Portfolio Committee on Public Works withdrew the Expropriation Bill to give an opportunity to the Joint Constitutional Review Committee, which is reviewing whether section 25 of the Constitution should be amended to allow expropriation of land without compensation.²⁰⁶ According to the Constitution, the state has the power to legally expropriate in the interest of the public as part of the land reform process, and compensation should be 'just and equitable'. Legally, the state can expropriate land without compensation. The main issues of

contention among stakeholders is the absence of a clear strategy for determining what 'just and equitable' compensation amounts to in any particular case.²⁰⁷ Estimates indicate that a total of slightly over 4 701 000 hectares of agricultural land and 5.46% in relation to total land area has been transferred under the land redistribution programme.²⁰⁸ However, the Department of Rural Development and Land Reform (DRDLR) reported that only around 8% of commercial farmland have been transferred through all²⁰⁹ aspects of land reform together.²¹⁰

As highlighted in SPII's Right to Food in South Africa Working Paper 2015, most studies that focus on the effects of land degradation have only been able to demonstrate the effects of land degradation. The true cost of degradation remains unknown as most studies tend to focus on the cost of soil erosion, which is far lower than the actual cost of land degradation because it does not consider costs related to loss of biomass, water or biodiversity. Very broadly, land degradation refers to any process that temporarily or permanently lowers the capability of the land to produce (quantitatively or qualitatively) thereby reducing the land's biological and/or economic productive capacity of the land resource base. Land degradation means more than the degradation of the land or soil.²¹¹ According to the Department of Environmental Affairs, "land degradation and desertification are among South Africa's most critical environmental issues, and are intricately linked to food security, poverty, urbanisation, climate change, and biodiversity."²¹²

FOOTNOTES:

- 203 Parliament of South Africa, "Report of the High Level Panel on the assessment of key legislation and the acceleration of fundamental change," Available at: <https://www.parliament.gov.za/high-level-panel>
- 204 Mokoena, S., "National Assembly Debates Motion on Land Expropriation," RSA Parliament, 28 February 2018, Available at: <https://www.parliament.gov.za/news/national-assembly-debates-motion-land-expropriation>
- 205 Parliament of South Africa, "Public Works Committee Resolves to Reject Expropriation," Cape Town, South Africa, 28 August 2018, Available at: <https://www.parliament.gov.za/press-releases/public-works-committee-resolves-reject-expropriation-bill>. Accessed 20 September 2018.
- 206 Ibid
- 207 Institute of Poverty, Land and Agrarian Studies, "Submission to the Constitutional Review Committee from Institute of Poverty, Land and Agrarian Studies," 15 June 2018, Available at: <http://pmg-assets.s3-website-eu-west-1.amazonaws.com/180629PLAAS.pdf>. Accessed 12 September 2018.
- 208 Hall, R., and Kepe, T., 2017, "Elite capture and state neglect: new evidence on South Africa's land reform," Review of African Political Economy, Available at: <https://www.plaas.org.za/sites/default/files/publications-landpdf/2017%20-%20Hall%20%26%20Kepe%20-%20Elite%20capture%20%26%20state%20neglect%20new%20evidence%20on%20South%20Africa%27s%20land%20reform%20-%20ROAPE.pdf>
- 209 Cousins, B., 2018 "You are here Land debate in South Africa is clouded by misrepresentation and lack of data," Another Countryside, 8 March 2018, Available at: <https://www.plaas.org.za/blog/land-debate-south-africa-clouded-misrepresentation-and-lack-data>
- 210 The three pillars of South Africa's land policy include land restitution, redistribution and tenure reform. See: Department of Land Affairs, 1997, "White Paper on South African Land Policy April 1997," Pretoria, South Africa, Available at: <http://www.ruraldevelopment.gov.za/legislation-and-policies/category/6-white-papers>. Accessed 18 July 2018.
- 211 Bunning, S., McDonag, J., and Rioux, J., "Manual for Local Level Assessment of Land Degradation and Sustainable Land Management," FAO, Rome, Italy, 2016, Available at: <http://www.fao.org/3/a-i6362e.pdf>. Accessed 12 September 2018.
- 212 Department of Environmental Affairs, "State of the Environment," Pretoria, South Africa, 2017, Available at: <http://soer.deat.gov.za/47.html>. Accessed 30 July 2018.

Indicator 10 shows a slight decrease in the levels of land degradation between 2014 and 2016, following a constant rise between 2009 and 2013. There is currently no reliable data on land use patterns in South Africa that captures changing patterns of land use and ownership across rural and urban landscapes at the cadastral level. However, there have been several studies exploring land use patterns, using traditional remote sensing techniques which show substantial reduction of cultivated land in some parts of the country. For instance, remote sensing studies have shown a correlation between socio-economic factors and land use patterns, and how mapping land-cover and land-use allows one to quantify areas of degradation. In addition, remote sensing data has shown growth and development of informal settlements in areas where there is commercial activity.²¹³

Data from the 2016 Stats SA General Household Survey indicated that land degradation and soil erosion were the second largest environmental concerns among households after waste removal problems. The proportion of households that considered land degradation and soil erosion a problem increased from 15.6% in 2003 to 34.1% in 2014, followed by a very small decline of 1.3% in 2017.²¹⁴ In 2017, Stats SA reported that only 15.6% of South African households were involved in agricultural production and crop production predominantly took place in backyard gardens, and that households involved in agricultural activities were mostly engaged in the production of food. While there has been a decline in the number of rural households that rely on smallholder agricultural production as the main source of food and income, there has been an increase in the number of rural and urban households engaging in agriculture primarily as an additional source of food. Indicator 10 shows that there was a constant increase of the proportion of households producing food crops between 2011 and 2015. This was followed by a 6% decline from 51.6% to 45.5% in 2016, followed by a rapid positive recovery in 2017, peaking at 51.8%. The sudden drop in the proportion of households engaged in food production between 2015 and 2016 can be attributed to the drought crisis that hit Mpumalanga, Limpopo, KwaZulu-Natal, North West and the Free State and some parts of the Eastern Cape, Northern Cape, and Western Cape.²¹⁵

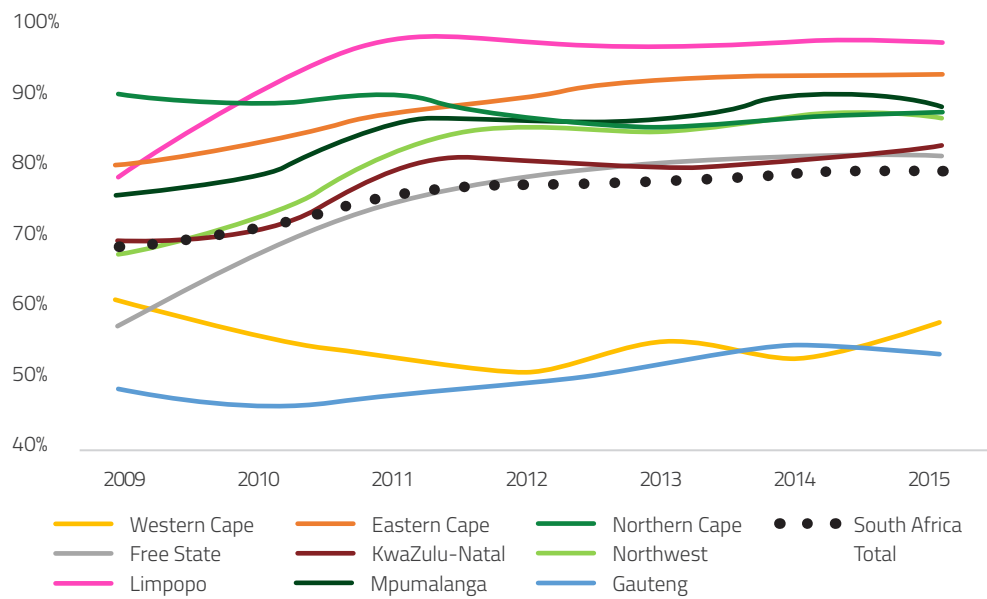
FOOTNOTES:

- 213 Martin, S., "Quantifying land use change in South Africa," Geomatics Indaba Proceedings 2015 – Stream 2, Available at: <http://www.ee.co.za/wp-content/uploads/2015/08/Stuart-Martin.pdf>. Accessed 20 July 2018.
- 214 Statistics South Africa, "General Household Survey 2017," Statistical Release P0318, Pretoria, South Africa, 2018, Available at: <http://www.statssa.gov.za/publications/P0318/P03182017.pdf>
- 215 Africa Check, "Frequently asked questions about South Africa's drought," 3 February 2016, Available at: <https://africacheck.org/2016/02/03/frequently-asked-questions-about-south-africas-drought/>

**4.3.1.6 PHYSICAL ACCESS:
COVERAGE OF STATE
NUTRITION PROGRAMMES -
INDICATOR 11**

INDICATOR 11:
Percentage of learners
accessing National School
Nutrition Programme, by
province

DATA SOURCE:
Department of Basic
Education, 2004-2017



The National School Nutrition Programme (NSNP) is one of government's largest and longest-running food security programmes.²¹⁶ While the programme consists of three pillars, namely school feeding, nutrition education and the establishment and maintenance of food gardens in schools, the school feeding accounts for the largest proportion of the NSNP budget, which delivers meals to over 9 million learners across the country daily.²¹⁷ Several evaluations of the programme have been conducted since the transfer of the programme in 2004 from the DoH to the Department of Basic Education (DBE) and the expansion of the coverage of the programme in 2006, which resulted in the current programme design and implementation plan of the NSNP. However, evaluations have focused primarily on the implementation of programmes across different provinces, with scant attention paid to learners' education and nutrition outcomes, and no baseline survey was administered during any of the programme reforms to ensure a 'control group'.²¹⁸ A 2014 study commissioned by one of the DBE's private

sector partners, Tiger Brands Foundation, found that school feeding has the potential of reducing stunting and addressing short-term malnutrition.²¹⁹

Indicator 11 on learners receiving NSNP meals across all nine provinces shows that there was a rapid increase in the number of learners receiving NSNP meals in KwaZulu-Natal, from 71.1% in 2012 to 94% in 2017. The Western Cape and Gauteng continue to have the least number of learners receiving NSNP meals with 47.8% and 67.2% learners that benefitted from the programme in 2016/17, despite being two of the four provinces that provided learners in fee-paying (quintile 4 and 5) public schools with NSNP meals. In view of the NSNP's overarching goal, which is to improve the educational experience of needy learners, the expansion of the NSNP coverage to fee-paying schools marks an important step forward in improving the nutritional status of school-going children from poor and marginalised households.

FOOTNOTES:

216 Rendall-Mkosi, K., Wenhold, F., and Sibanda, N.B., "Case Study of the National School Nutrition Programme in South Africa," Department of Basic and New Partnership for Africa's Development, Partnership for Child Development, Pretoria, South Africa, 2016, Available at: https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=0ahUKEwintPKIjvLbAhXrAMAKHXD5AZoQFggo-MAA&url=https%3A%2F%2Fhgsf-global.org%2Fen%2Fbank%2Fdownloads%2Fdoc_download%2F404-case-study-of-the-national-school-nutrition-programme-in-south-afri. Accessed 27 July 2018.

217 Department of Basic Education, "VOTE NO 14: ANNUAL REPORT 2016/2017," 2017, Available at: <https://www.education.gov.za/Portals/0/Documents/Reports/DBE%20Annual%20Report%202017.pdf?ver=2017-09-26-090956-673>

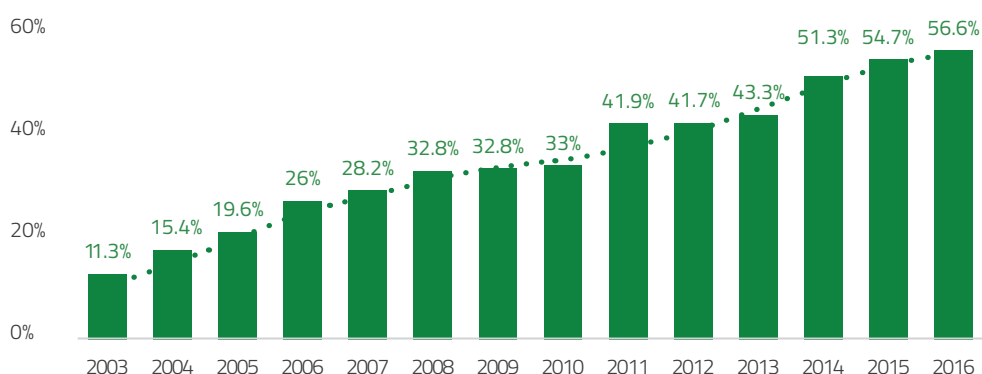
218 Devereux et al, "School Feeding in South Africa: What we know, what we don't know, what we need to know, what we need to do," Food Security SA Working Paper Series No. 004. DST-NRF Centre of Excellence in Food Security, South Africa, 2018, Available at: [http://food-security.ac.za/Media/Default/Publications/CoE-FS%20WP4%20-%20School%20Feeding%20in%20South%20Africa%20\[11-jun-18\].pdf](http://food-security.ac.za/Media/Default/Publications/CoE-FS%20WP4%20-%20School%20Feeding%20in%20South%20Africa%20[11-jun-18].pdf). Accessed 28 July 2018.

219 Ibid

**4.3.1.7 PHYSICAL ACCESS:
COVERAGE OF STATE
NUTRITION PROGRAMMES -
INDICATOR 12**

INDICATOR 12:
Percentage of infants
6-11 months and 12-59
months receiving Vitamin A
supplements

DATA SOURCE:
Provincial Departments
of Health Annual Reports
2003-2016



In this working paper, we only provide an update on the national coverage of the Vitamin A Supplementation for children aged 12-59 months as the data on the level of coverage among 6-11 month children were not available. The graph above shows annualised data for the Vitamin A 12-59 months coverage to provide an indication of the proportion of children aged 12-59 months who have received two doses of 200 000IU Vitamin A supplementation within a period of 12 months at 6-month intervals. Hence the denominator (children aged 12-59 months targeted) is multiplied by 2 because each child must receive supplementation twice a year. Because Vitamin A supplementation requires two doses that must be administered at 4 to 6-month intervals, the DoH has not been able to reach its national coverage targets. According to the 2016 South Africa Demographic and Health Survey (SADHS), 27% of children under the age of five in South Africa suffer from stunted growth. Approximately 6% of children under the age of 5 were underweight in 2016, compared to 9.3% of children between the ages of 1-9, which was captured in the 2005

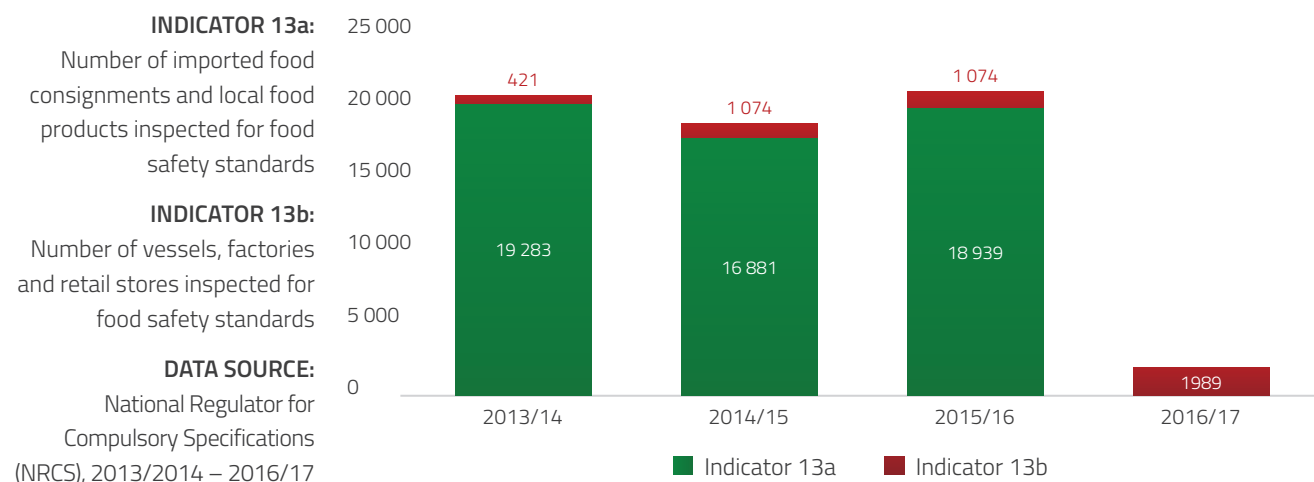
National Food Consumption Survey. Due to the substantial difference in age between the two cohorts of children captured in the 2016 SADHS and 2005 National Food Consumption Survey,²²⁰ the findings indicate significant variability in the prevalence of stunting for children younger than 10 years old. What is clear based on the data reported in these surveys is that stunting levels are considerably lower for children between 6 and 9 years old. This could be attributed to improved micronutrient intake for school-going children who benefit from state and privately-sponsored meals at school. With regards to the wasting levels, it is likely that the number of underweight children has not decreased by 2.9% as indicated in the SADHS 2016. Children can be underweight for their age because they are stunted, wasted (when a child is too thin for his or her height), or both. The data show that coverage of children between 12 and 59 months has been rising gradually since 2003, however, despite this increase, coverage remains at only 56.6% of children in this age.

FOOTNOTES:

220 Labadarios, D., Swart, R., Maunder, E.M.W., Kruger, H.S., Gericke G.J., Kuzwayo P.M.N., Ntsie P.R., Steyn, N.P., Schloss I., Dhansay M.A., Jooste, P.L., Dannhauser A., Nel J.H., Molefe D., Kotze T.J.v.W, "The National Food Consumption Survey-Fortification Baseline (NFCS-FB-I): South Africa, 2005," South African Journal of Clinical Nutrition, 21(3), 2008. Available at: <http://www.sajcn.co.za/index.php/SAJCN/article/view/286>. Accessed 27 July 2018

4.3.2 ADEQUACY INDICATORS

4.3.2.1 UTILISATION: FOOD SAFETY - INDICATOR 13



Access to data on food inspection continues to be a challenge owing to the fragmented nature of food safety management and control in South Africa, and inappropriate government approaches to the large informal food sector. There is no single authority responsible for food safety and quality, legislation and functions, instead these responsibilities are divided between the departments of Agriculture, Forestry and Fisheries (DAFF); Health (DoH); and Trade and Industry (DTI). South Africa has been behind when it comes to food safety and food quality legislation. DAFF regulates safety and quality of agriculture and animal products in terms of the Agricultural Product Standards Act, 1990. Issues relating to the manufacture, labelling, sale and importation of foodstuffs are regulated by the DoH in terms of the Foodstuffs, Cosmetics and Disinfectant Act 1972 (FCD Act), while matters relating to hygiene of foodstuffs are regulated in terms of the National Act 2003 and the International Health Regulations Act 1974, which deals with hygiene requirements at ports and airports including vessels and aircraft. The South African Bureau of Standards (SABS) is an agency of the DTI that controls canned meat and frozen and canned fishery products

through the Standards Act, 1993.²²¹ The outbreak of listeriosis (a foodborne disease) in 2017, which tallied a total of 1 060 laboratory-confirmed cases of listeriosis and 216 deaths from all provinces across the country between 1 January and 17 July 2018,²²² has exposed major gaps in South Africa's healthcare and food safety regulation.²²³ Despite ample international guidance on food safety and food quality standards, the DoH specifically has failed to regularly review the different aspects of food safety management including food handling and labelling.²²⁴

Given the vital role of the informal food economy as an important source of food and income for the majority of low-income and poor households across the country, lack of access to data on food quality standards within this sector remains a key challenge.²²⁵ Research findings from a 5-year study that was conducted to analyse the scale and scope of the informal economy of South Africa across eight townships in Cape Town, Johannesburg, Ekurhuleni and Durban reported that out of the 10 049 micro-enterprises that were documented in the study, 3 966 (39% of the total) are engaged in the trade of food.

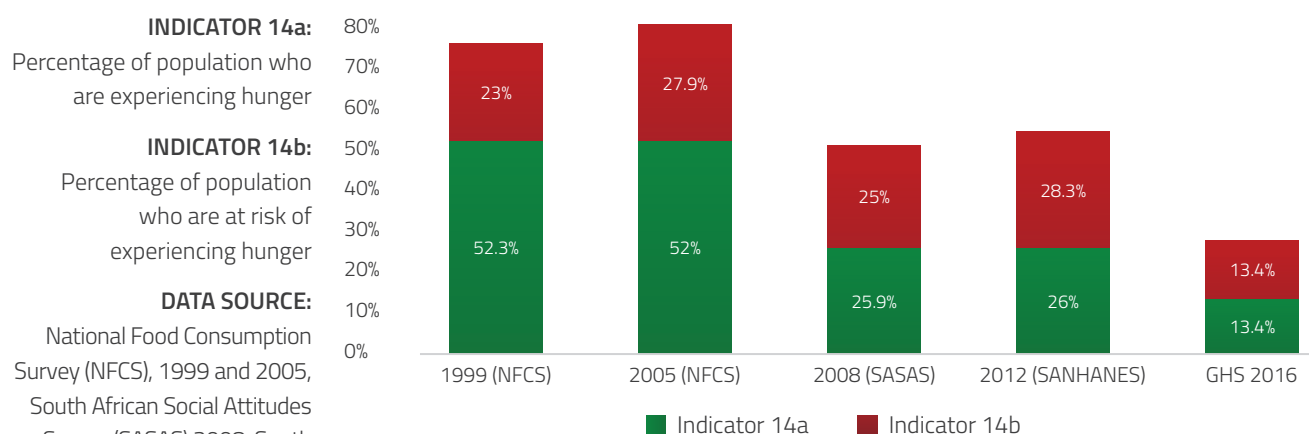
FOOTNOTES:

- 221 WRI, "Regulation of Food Safety and Quality," The Food Advisory Consumer Service, 2016, Available at: <https://foodfacts.org.za/regulation-food-safety-quality/>.
- 222 National Listeria Incident Management Team, "Listeriosis outbreak situation report" Department of Health, 26 July 2018, Available at: http://www.nicd.ac.za/wp-content/uploads/2018/07/Listeriosis-outbreak-situation-report-_26July2018_fordistribution.pdf Accessed 19 September 2018.
- 223 World Health Organisation, "Listeriosis – South Africa: Disease outbreak news," Emergencies, preparedness and responses, 2018, Available at: <http://www.who.int/csr/don/28-march-2018-listeriosis-south-africa/en/>. Accessed 26 July 2018.
- 224 Botha, C., "Op-Ed: Spotlight on food safety in South Africa," Daily Maverick, 8 April 2018, Available at: <https://www.dailymaverick.co.za/article/2018-04-08-op-ed-spotlight-on-food-safety-in-south-africa/#.Wy93AC2Q30Q>. Accessed on 16 September 2018
- 225 Skinner, C., and Haysom, G., "Working paper 44: The informal sector's role in food security: A missing link in policy debates?" PLAAS, UWC and Centre of Excellence on Food Security, 2016, Available at: http://www.plaas.org.za/plaas-publication/wp44_informalsector_skinner-haysom. Accessed 16 September 2016.

However, the vital role of the informal food economy as a means of access to food in South Africa is poorly conceived and supported.²²⁶ Using the data from the National Regulator for Company Specifications within the DTI on the number of vessels, factories and retail stores inspected for food safety standards, Indicators 13a and 13b show that greater attention is paid to imported and locally produced fishery products, canned meat and processed meat, as the number of inspections is significantly higher than the number of inspections carried out for food holding and manufacturing facilities. On this basis, the National Regulator for Company Specifications tends to prioritise the food rather than the conditions under which the food is manufactured and held. This presents a threat to the right to food as it undermines the availability of food, even though South Africa is able to produce and import enough food to feed

its population. That is, food availability becomes a problem if the food that is available is unsafe. While the state is the ultimate duty-bearer for ensuring the progressive realisation of the right to food, the responsibility for safe and nutritious food falls on the multiple actors involved in the food system.²²⁷ In 2017, the National Regulator for Company Specifications did not report disaggregated data for the number of imported food consignments and local food products inspected for food safety standards. Instead, the annual report provides an aggregated number for locally produced and imported fishery products, canned meat and processed meat. According to certificates provided by the DoH on the department's response to Listeria crisis, approximately 4 162 tons of recalled products have been destroyed by thermal treatment or landfill, including products destroyed at exported destinations.²²⁸

4.3.2.2 UTILISATION: PREVALENCE OF FOOD INSECURITY - INDICATOR 14



INDICATOR 14a:
Percentage of population who are experiencing hunger

INDICATOR 14b:
Percentage of population who are at risk of experiencing hunger

DATA SOURCE:
National Food Consumption Survey (NFCS), 1999 and 2005, South African Social Attitudes Survey (SASAS) 2008, South African National Health and Nutrition, 2012 Examination Survey (SANHANES-1), 2016 General Household Survey

While households involved in agricultural activities were mostly engaged in the production of food, mostly in backyard gardens,²²⁹ South Africans remain net food buyers, and the quantity and quality of food depends mostly on household income levels. SPII's Right to Food in South Africa Report 2015 provided an analysis of hunger, drawing from different data sources including the 1999 and 2005 National Food Consumption Survey (NFCS), and the 2008 South African Social Attitudes Survey (SASAS) shows a constant decline in the proportion of

the population who are at risk of experiencing hunger, while the 2012 South African National Health and Nutrition Examination Survey (SANHANES) reported a slight increase. Although the data from Stats SA's annual General Household Survey were omitted from the initial report in 2015,²³⁰ an analysis of the GHS data over a longer time series shows a negligible increase in the proportion of the population who were at risk of experiencing hunger from 11.2% in 2012 to 11.8% in 2016.²³¹

FOOTNOTES:

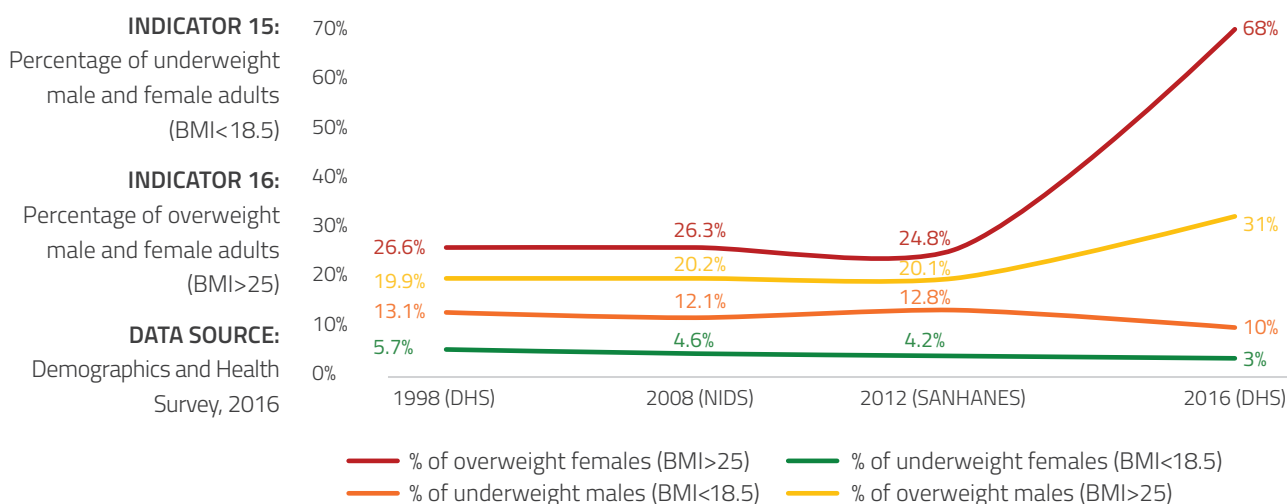
- 226 Even-Zahav, E., "Food security and the urban informal economy in South Africa: The state of knowledge and perspectives from street-food traders in Khayelitsha," Master of Philosophy in Sustainable Development, Stellenbosch University, Thesis by journal articles, Available at: <http://scholar.sun.ac.za/handle/10019.1/98571>
- 227 Food and Agriculture Organisation of the United Nations, "Safe food and nutritious diet for the consumer," World Food Summit: Five Years Later, 10-11 June 2002, Rome, Italy, 2002, Available at: <http://www.fao.org/worldfoodsummit/sideevents/papers/y6656e.htm>. Accessed 29 July 2018.
- 228 National Listeria Incident Management Team, see note 225.
- 229 Statistics South Africa, "General Household Survey 2017," Statistical Release P0318, Pretoria, South Africa, 2018, Available at: <http://www.statssa.gov.za/publications/P0318/P03182017.pdf>. Accessed 28 July 2018.
- 230 The SASAA, NFCS and SANHANES survey studies cover data collected over longer periods of time, while the GHS is an annual survey, covering 11 calendar months.
- 231 Smith, J., Abrahams, M., and Chiya, N. See note 77.

Furthermore, data from the GHS 2016 indicated that the proportion of households that experienced hunger decreased from 24.2% in 2012 to 10.4% in 2017 while the percentage of individuals who experienced hunger decreased from 29.3% to 12.1% respectively. In 2010, Stats SA reinstated the question on hunger, which asks households to indicate whether, and how often, adults and children went hungry because there was not enough food in the household.²³² Despite rising poverty levels and stubbornly high unemployment rates, the prevalence of hunger

in South Africa is decreasing. With half of the population living in poverty and over a quarter living in extreme poverty in 2015, the significant reduction in the number of people experiencing hunger can be partly attributed to the myriad government interventions that are improving people's food access. However, it is important to reiterate that these interventions, including the food security programmes assessed in this working paper and other interventions, such as the social grant programme, are not enabling people to feed themselves.

4.3.3 QUALITY INDICATORS

4.3.3.1 UTILISATION: HEALTH AND NUTRITION OUTCOMES (ADULTS) - INDICATOR 15 AND 16



DESCRIPTION: Body Mass Index (BMI) is a simple method to assess how much an individual's body weight departs from what is normal or desirable for a person of his or her height.

Rising poverty levels in South Africa are showing up in the nutritional status of individuals as levels of overweight and obesity continue to rise due to a combination of poor food choices and lack of affordability, which leads to the consumption of low-quality foods consisting of mostly mealie meal, bread or rice, with very little animal protein or vegetables in order to alleviate hunger and meet minimum daily calorie requirements.²³³ The Body Mass Index (BMI), which takes into consideration

how much someone weighs in relation their height, is used to measure nutrition status of individuals. These indicators assess two broad categories of nutrition, individuals with BMI above 25 kg/m² are classified as being overweight while those with a BMI below 18.5 kg/m² are considered underweight.²³⁴ Although not captured in the graph, individuals with a BMI above 30 kg/m² are considered obese, the WHO classifies three classes of obesity.²³⁵ In 2016, the BMI levels indicate

FOOTNOTES:

232 Statistics South Africa, "General Household Survey 2017," Statistical Release P0318, Pretoria, South Africa, 2018, Available at: <http://www.statssa.gov.za/publications/P0318/P03182017.pdf>. Accessed 28 July 2018.

233 Back to basics nutrition, "Why South Africans are Fat but Hungry," 2016, Available at: <http://backtobasics-nutrition.com/why-south-africans-are-fat-but-hungry/>. Accessed 27 July 2018.

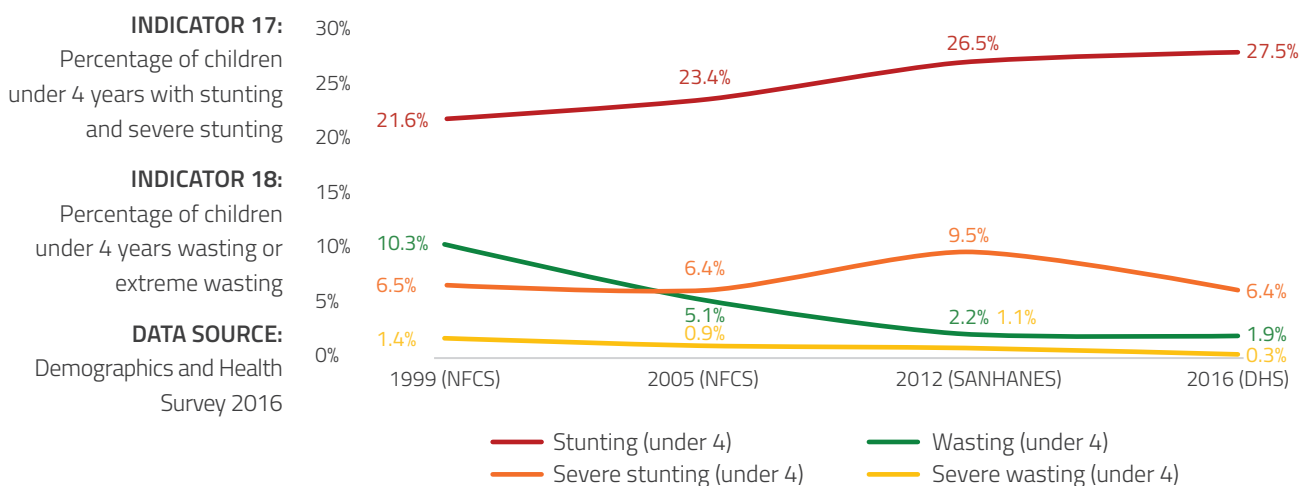
234 World Health Organisation, "Obesity and overweight," WHO Fact Sheet, Geneva, Switzerland, 2017, Available at: <http://www.who.int/news-room/fact-sheets/detail/obesity-and-overweight>. Accessed 28 July 2018.

235 The BMI scores for the three classes of obesity are as follows: 30.0–34.9 (Obesity class I); 35.0–39.9 (Obesity class II) and above 40 (Obesity class III). See: World Health Organisation, "Body mass index - BMI", 2018. Available at: <http://www.euro.who.int/en/health-topics/disease-prevention/nutrition/a-healthy-lifestyle/body-mass-index-bmi>. Accessed 27 October 2018

decreasing proportions of underweight males and females by 2.8% and 1.2% respectively, while the proportions of overweight men and women have been increasing rapidly.²³⁶ While indicators 15 and 16 show data collected through different survey studies, the BMI has been identified as a useful ratio to determine obesity and overweight because it remains the same for men and women. According to

Stats SA's 2016 Demographics and Health Survey, more than two-thirds of women in SA are overweight, and some severely obese compared to one-third of men that are considered overweight. According to the 2017 PACSA Food Barometer,²³⁷ "the types and volumes of food on the plate differs depending on who is eating it and when. Women sacrifice their nutritional needs for their children."

4.3.3.2 UTILISATION: HEALTH AND NUTRITION OUTCOMES (CHILDREN) - INDICATOR 17 AND 18



INDICATOR 17 DESCRIPTION: Stunting, or low height for age, is caused by long-term insufficient nutrient intake and frequent infections, and affects many aspects of physical and cognitive development.

INDICATOR 18 DESCRIPTION: Wasting, or low weight for height, is a strong predictor of mortality among children.

In 2003, the Department of Health of South Africa introduced a mandatory programme to promote the fortification of staple foods, maize meal and wheat flour with Vitamin A, thiamine, riboflavin, niacin, pyridoxine, folic acid, iron and zinc. Certain types of maize meal (four of the now 18 different maize products), excluding crushed wheat, pearled wheat, semolina, self-raising flour and flour with an ash content (<0.60% db) were fortified as part of a nutrition programme to alleviate malnutrition.²³⁸ However, several studies that have been undertaken since the initial assessment of the impact of the fortification programme have shown that mandatory fortification mix has not improved micro-nutrient intake, particularly among low-income and poor

households.²³⁹ Indicator 18 shows an increase in the number of children suffering from severe stunting (which measures chronic malnutrition by height-for-age) from 2005, peaking at 9.5% in 2012, and a positive decline to 6.4% in 2016. However, chronic malnutrition continues to be prevalent as the proportion of children under the age of five being considered too short for their age in 2016 peaked at 27.5%. The levels of acute malnutrition for children under the age of five show a constant decline from 10.3% in 1999 to 1.9% in 2016. Still on a positive note, acute and chronic malnutrition is disappearing among children under the age of five, with only 0.3% of children in this age group considered severely wasted.

FOOTNOTES:

236 Statistics South Africa, "South Africa Demographic and Health Survey 2016: Key Indicator Report," Pretoria, South Africa, 2017, Available at: <http://www.statssa.gov.za/publications/Report%2003-00-09/Report%2003-00-092016.pdf>. Accessed 27 July 2018

237 Smith et al, 2017. See note 180.

238 Food facts, "Food Fortification," Food Advisory Consumer Service, 17 October 2017, Available at: <https://foodfacts.org.za/food-fortification/>. Accessed 26 July 2018.

239 Claasen, N., van der Hoeven, M., and Covic, N., "Working Paper 34: Food environments, health and nutrition in South Africa," PLAAS, UWC and Centre of Excellence on Food Security, 2016, Available at: https://www.plaas.org.za/sites/default/files/publications-pdf/WP34%20Claasen%20etal_final_0.pdf. Accessed 27 July 2018.

With poverty levels on the rise in South Africa, people's right to food is increasingly under threat and more and more people are relying on some form of government assistance in order to access food. Given that food insecurity in South Africa is not the outcome of there not being enough food, but rather the outcome of vast inequality and structural factors that limit people's ability to feed themselves and their family, the government faces a difficult challenge in mobilising available resources to ensure people are free from hunger and progressively realise the right to food.

While the South African Constitution explicitly recognises the right to food, this right is the only right that has not been legislated or been interpreted in case law. As such, there are no mechanisms available to citizens to hold the state accountable on its obligations and seek recourse when their right to food is violated. Furthermore, government's failure to enact the right to food has resulted in worryingly slow progress of the realisation of this right, owing to policy incoherence on food security and poor coordination and implementation of food security programmes.

Even though the current NPFNS is based on a right to food approach to food security, the various programmes that have been developed to guarantee food security do not reference the right to food explicitly. The current NPFNS places a lot of emphasis on food availability even though South Africa produces and imports enough food to feed its population, the scope for promoting food access is limited as it mainly involves the direct provision of food instead of creating conditions for people to be able to feed themselves. Food adequacy does not receive enough attention in policy frameworks that are informing the programmatic efforts on food security at the national level as evidenced by increasing levels of malnutrition and undernutrition among children and adults.

Our analysis of food security-related programmatic expenditure across the various departments at national and provincial levels reveals a mixed bag of trends with regards to the implementation of the right to food. Starting with the NSNP, the increase in the real budget for the programme over time, and the expansion of the programme in some provinces suggests progress in government's effort to prioritise the provision of daily meals to learners. The NSNP has contributed significantly to the progressive realisation of the right to food by ensuring that

learners are free from hunger on a daily basis during school terms. As a result, the prevalence of stunting and other nutrition-related conditions has been significantly reduced among learners in no-fee-paying schools (quintiles 1 to 3) nationwide. We encourage the Department of Basic Education to seriously explore options for scaling up the programme and providing daily NSNP meals to needy children in fee-paying schools (quintiles 4 to 5), as the increasing number of applications for partial and full fee exemptions demonstrates that poverty and inequality are traceable in these schools as well. The combination of high unemployment and inflation levels in South Africa put a lot of pressure on family income and affordability of food and non-food basic needs leading to compromises on food spending in low-income, and even middle-income households. Better coordination of data and information and collaboration in project activities between DBE and DSD can help with the processes of identifying needy learners in fee paying schools.

When we look at the DAFF's CASP and the RADP of DRDLR, both of which are aimed at improving the food security levels for the rural poor, the implementation strategies adopted in these overlapping programmes do not prioritise food security and instead focus on supporting farmers involved in commercial agriculture, with little focus on food security at the household level or linkages to adequacy of food. The performance reports on the various food security-related programmes at departmental level reveal an overemphasis either on the number of people reached or food produced, without any detail on the type of support farmers received and the impact on livelihoods and food security directly. There has been little progress on the impact of the CASP and RADP on food security and job creation, mainly owing to significant reductions in the area of land cultivated on land reform farms under these programmes. As such the contribution of the CASP and RADP to the enjoyment of the right to food has been considerably limited. We would like to recommend that government considers the consolidation of these two programmes, and articulates clear and measurable food security targets to ensure that this programme contributes to the progressive realisation of the right to food.

The DSD's HFNSP plays a critical role in ensuring that people are free from hunger by providing meals and food parcels to poor and vulnerable individuals and households, thus contributing immensely to the progressive realisation of

the right to food by relieving temporary hunger. However, it is difficult to measure the impact of the HFNSP on the right to food because the performance reporting on what the programme has achieved and its targets for the future are not contextualised to give a clear picture of the existing need for the meals and food parcels distributed through the programme. Direct provision of food to increasing numbers of people without linking beneficiaries to access to resources and opportunities that will allow them to feed themselves does not address the socio-economic factors that impede people's access to food. We would encourage DSD to allocate more resources not only to the better coordination of its sub-programmes, and collaboration with other departments in order to continue to ensure that poor and vulnerable individuals and households are free from hunger, but also to contribute to improving their food security situation beyond just a single meal. While government has taken direct steps to improve nutritional levels in South Africa through programmes such as the VAS programme of the DoH and the DBE's NSNP, current malnutrition levels among adults and young children indicate gaps in current interventions. Furthermore, economic policies aimed at driving growth and attracting investment are often at odds with nutrition-related policies that aim to reduce the consumption of unhealthy, highly processed (and often highly profitable) foods. For instance, in the agriculture sector, the promotion of food processing, and growth of service and retail are leading to loss of livelihoods and increasing availability and affordability of processed food. In addition, new land policies, which impose rent for land reform beneficiaries pose a threat to rural people's right to food as the introduction of new expenses reduce disposable household income.

The South African government has implemented a range of programmes to address food insecurity and ensure the right to food for all people. However, the mobilisation of resources in the fight against hunger and malnutrition by the government are skewed towards ensuring people are free from hunger, and to an extent, protecting vulnerable people's right to food through the direct provision of food. This is demonstrated in our evaluation of the right to food indicators, which show food availability remains high as food variability decreased and food per capita supply increased. Food access declined as poor and low-income households are spending less despite rising inflation. Physical access is improving on the one hand as more and more households are engaging in agricultural activities particularly as an extra source of

food. On the other hand, production output among land reform beneficiaries has decreased significantly due to lack of support. Increasing food availability and decreasing access explain the increasing reliance on government support for accessing food. The recent Listeriosis outbreak highlighted the massive gaps in South Africa's food sector regulations in the face of an increasing proportion of affordable highly processed food, with long shelf-life and poor nutritional value. Nutrition remains a problem as levels of malnutrition among young children continue to rise even though the reach of the VAS programme has increased. Furthermore, hunger levels have decreased in the midst of rising poverty levels. The evaluation of the right to food indicators paints a mixed picture of the progressive realisation of the right to food. Enjoyment of the right to food is currently largely driven by government programmes that offer direct access to food and various forms of support for ensuring access to food.

We encourage government to invest more resources in efforts that enable people to feed themselves. Given that poverty remains at the core of hunger, addressing poverty should be at the centre of strategies for the realisation of the right to food in South Africa. Better coordination of programmes that address poverty such as DAFF's CASP that links farmers to markets, and the DRDLR's RADP that provides production support and infrastructure, need to be reviewed in order to clarify the food security targets of these programmes and redesign the operational frameworks. Through DAFF's Ilima/Letsema conditional grants, opportunities for multi-pronged approaches that enable people to feed themselves and improve household incomes are presented. To create more coherence and improve the impact of current programmatic expenditure, the state must legislate the right to food and provide a clear legal framework in order to guide policy efforts and help integrate a right to food approach to food security and policy thinking on development. We also build on the recommendations of SPII's Right to Food in South Africa Working Paper 2015 to call for the adoption of the Optional Protocol on CESCR, and better transparency and reporting systems to facilitate better coordination of government programmes and citizens' access to information.

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NOTES



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Studies in Poverty and Inequality Institute (SPII)

31 Quinn Street, Newtown
Johannesburg
South Africa
2000

Phone: + 27 11 833 0161
Fax: + 27 11 832 3085
www.spii.org.za

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