

Resolution on the Right to Food and Food Insecurity in Africa - ACHPR/Res. 374 (LX) 2017

The African Commission on Human and Peoples' Rights (the Commission) meeting at its 60th Ordinary session held from 8th to 22nd May 2017 in Niamey, Niger:

Recalling its mandate to promote and protect human and peoples' rights in Africa under the African Charter on Human and Peoples' Rights (the African Charter)

Recalling that the African Charter enshrines Economic, Social and Cultural Rights, in particular in Articles 14, 15, 16, 17, 18, 21 and 22.

Recalling its Resolution ACHPR/Res.73(XXXVI)04 on Economic, Social and Cultural Rights in Africa passed at the 36th Ordinary Session of the Commission in Dakar, Senegal, on 7th December 2004; which established the mandate of the Working Group on Economic, Social and Cultural Rights in Africa, and adopted the Declaration of the Pretoria Seminar on Economic, Social and Cultural Rights in Africa (the Declaration);

Further Recalling the Principles and Guidelines on the Implementation of Economic, Social and Cultural Rights in the African Charter on Human and Peoples' Rights (the Nairobi Guidelines) adopted by the Commission at its 48th Ordinary Session held from 10 to 24 November 2010 in Banjul, The Gambia; which assist State Parties to comply with their obligations;

Cognisant that, as underscored in the Nairobi Guidelines and the Declaration, the right to food is inherent in the Charter's protection of the rights to life, health and the right to economic, social and cultural development; and that this right is realized when everyone alone or in community with others has physical and economic access at all times to adequate food or means of its procurement and is free from hunger even in times of natural or other disasters;

Noting that the said Resolution, Guidelines and Declaration have affirmed that regional and international human rights instruments stress the indivisibility, interdependence and universality of all human rights, including the African Charter, the African Charter on the Rights and Welfare of the Child, the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa, the Universal Declaration of Human Rights, the Declaration on the Right to Development, the International Covenant on Economic, Social and Cultural Rights and the Convention for the Elimination of All Forms of Discrimination Against Women and the United Nations Convention on the Rights of Persons with Disabilities.;

Noting with appreciation the on-going efforts to guarantee the right to food in a number of countries and in particular the experience of Niger which presented its "3 N" initiative during the 60th Ordinary Session;

Concerned that food insecurity is currently gravely threatening the right to food of more than 20 million people across the world including in some African countries, in particular parts of South Sudan, Somalia and Nigeria and in other countries on the continent;

Further concerned that most vulnerable groups, including children, women, older persons, persons with disabilities, refugees, migrants and internally displaced persons are those mostly affected by food insecurity;

Noting that food insecurity, starvation and famine in these countries are due to political crises, conflicts, increase in food prices, environmental degradation, and natural phenomenon prompted by climate change which is again the result of human deeds;

The Commission:

1. Urges State Parties to:

- a. Adopt legislative, administrative and other necessary measures to guarantee the right of everyone to be free from hunger and to mitigate and alleviate hunger even in times of natural or other disasters;
- b. Immediately halt situations of insecurity and conflicts in concerned countries gravely affecting the fundamental human rights of their populations in particular the right to food ;
- c. Guarantee unhindered access for the distribution of humanitarian assistance to those most vulnerable due to the precariousness of the security conditions they live in;
- d. Ensure the accessibility of food to members of vulnerable and disadvantaged groups through special programmes;
- e. Prioritize and support the most sustainable management and use of natural and other resources for food at the national, local and household levels;
- f. Participate in international and regional cooperation efforts and projects aimed at ensuring the right of everyone to be free from hunger in particular through equitable distribution of food supplies in relation to need and to those affected in situations of insecurity;

2. **Urges** States Parties, the African Union and Regional Economic Communities, to operationalize and implement without delay all strategies and plans aimed at responding to emergencies and humanitarian needs of the populations affected by food insecurity, famine and starvation; including the Malabo Declaration on Accelerated Agricultural Growth and Transformation for Shared Prosperity and Improved Livelihoods, its Implementation Strategy and Road Map as well as the African Union Centre of Best Practices for Food Security;
3. **Urges** the International Community, in particular the United Nations System to continue its efforts to provide assistance to populations affected by food insecurity; and
4. Calls on non-state actors involved in conflicts to allow unhindered access to humanitarian organisations to provide relief food and assistance to affected populations.

Done in Niamey, Republic of Niger, on 22 May 2017