

Submission to the South African Human Rights Commission (SAHRC)

National Inquiry into the Food Systems of South Africa

Submitted by: **The Union Against Hunger**¹

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1. Preamble

- 1.1. South Africa is a country of contrasts, extremes, and paradoxes. Leafy suburbs sit adjacent to tin-shack townships. Obscene wealth and luxury consumption co-exist with extreme poverty and deprivation, resulting from the world's highest level of income inequality. There is more than enough food to feed everyone, but hunger and malnutrition are widespread. Child stunting is rising, but so is obesity. Supermarkets are making super-profits while millions of consumers remain hungry. South Africa's social protection system is the most comprehensive in Africa, but it is insufficient – most social grant recipients cannot afford a nutritious diet.
- 1.2. Given this context, the Union Against Hunger commends the South African Human Rights Commission (SAHRC) for launching its National Inquiry into the Food Systems of South Africa, under the title 'Politics, Power, and the Right to Food'. The Union Against Hunger concurs that the constitutional right to sufficient food of “everyone” in South Africa is being violated, because of political failures to close the policy-implementation gap and abuses of power, especially corporate power in the food system. This Inquiry is timely, because the unnecessary suffering caused by avoidable hunger and malnutrition is currently receiving a great deal of media attention and public concern, but not yet political or corporate action. This SAHRC Inquiry has the potential to change this, and to contribute to eradicating hunger in South Africa.
- 1.3. This submission is made by the Union Against Hunger (UAH), a South African right to food and nutrition activist movement launched in February 2025, dedicated to addressing hunger and malnutrition as a critical social justice issue. Grounded in a commitment to food equity, human rights, and solidarity, this alliance of over 50 organisations and social movements seeks to transform South Africa's food systems, bridge the gap between rhetoric and tangible action by advocating for the immediate implementation of appropriate policies, empowering communities, and driving systemic change towards ending food insecurity.
- 1.4. This submission addresses four of the seven “issues for investigation” identified by the SAHRC in the Terms of Reference for this Inquiry:
 - 1.4.1. The structural dynamics and economic factors that perpetuate hunger and systemic exclusions, despite national food sufficiency (section 2 below).
 - 1.4.2. The concentration of power in the food value chain and its impact on access, affordability, and nutritional quality (section 3).
 - 1.4.3. Institutional coordination, policy coherence, and legislative adequacy in realising the right to food (section 4).
 - 1.4.4. The role of civic participation, public accountability, and social movements in advancing the right to food (section 5).
 - 1.4.5. Recommendations are collated in the final part of this document (section 6).

2. Structural dynamics and economic factors that perpetuate hunger and systemic exclusions, despite national food sufficiency

- 2.1. Hunger in South Africa has nothing to do with aggregate food availability, in terms of national food production plus food imports minus exports. There is always plenty of food in markets, shops, and supermarkets. Poor people are hungry because most are not growing their food, so they depend on buying food, often using social grants which are essential but wholly inadequate to match the rising cost of a nutritious diet.
- 2.2. Poverty, unemployment and intersecting inequalities are the underlying drivers of hunger in South Africa. Stats SA's most recent poverty lines reveal that a healthy, nutritious diet is unaffordable for a significant proportion of South Africa's population. As of May 2025, the food poverty line – or extreme poverty line, being the amount of money needed to afford only the minimum required daily energy intake – stands at R855 per person per month.²
- 2.3. According to price data collected by the Pietermaritzburg Economic Justice and Dignity (PMBEJD), a basic nutritious diet for a child cost R948.18 in January 2026.³ A healthy diet therefore costs 11% more than the food poverty line, which accounts only for minimum energy requirements to survive.
- 2.4. A survey in 2025 by SALDRU⁴ using the Food Insecurity Experience Scale (FIES) found that 70% of households sampled across South Africa were moderately (45%) or severely (25%) food insecure in the previous year, while less than one-third (30%) were food secure or mildly food insecure. Using the same FIES indicator, Stats SA found figures of 6.4% in 2019, 7.5% in 2022, and 8.0% in 2023.^{5,6} This suggests that severe food insecurity is rising rapidly, and in absolute numbers is affecting more people year on year.
- 2.5. The distribution of food insecurity sheds light on its causes. Prevalence is highest among the unemployed and informally employed; the poorest provinces (Eastern Cape, Limpopo, North West) and low-income urban settlements; and youth-headed households.⁷ Female-headed households are twice as likely to be severely food insecure than male-headed households (10.2% v. 5.1%). The rate in Eastern Cape is triple that in Western Cape (12.3% v. 4.1%). Black African households are ten times more at risk of severe food insecurity than

² Stats SA (2026). **National Poverty Lines 2025**. Pretoria: Republic of South Africa. www.statssa.gov.za/publications/P03101/P031012025.pdf [accessed 6 February 2026].

³ PMBEJD (January 2026). **Household Affordability Index: January 2026**. https://pmbejd.org.za/wp-content/uploads/2026/01/January-2026-Household-Affordability-Index-PMBEJD_28012026.pdf [accessed 6 February 2026].

⁴ Southern Africa Labour and Development Research Unit, University of Cape Town.

⁵ Stats SA (February 2025). **Food security in South Africa in 2019, 2022 and 2023: Evidence from the General Household Survey**. www.statssa.gov.za/publications/03-10-28/03-10-28.pdf [accessed 6 February 2026].

⁶ Food Forward SA and SALDRU (2026). **The State of Household Food Insecurity in South Africa: 2026 Report**. <https://foodforwardsa.org/wp-content/uploads/2026/01/Household-Food-Insecurity-report2026.pdf> [accessed 6 February 2026].

⁷ Food Forward SA and SALDRU (2026). **The State of Household Food Insecurity in South Africa: 2026 Report**.

White households (9.5% v. 0.9%).⁸ Hunger in South Africa is geographically concentrated, gendered, and still highly racialised.

2a. Seasonal hunger

- 2.6. Seasonal workers face hunger because they earn zero income for several months every year, and their wages when they are working are so low that they are unable to save enough to meet their food needs throughout the year. Seasonal hunger affects up to 900,000 farm workers and their families, but it is invisible because it affects people with little political voice who live in isolated areas such as rural farming communities and commercial farms.
- 2.7. Women farm workers are more vulnerable than men, who are more likely to have permanent employment contracts. A survey in Northern Cape found that 88% of seasonal farm workers are severely food insecure in winter, when they have no work, but this falls to 44% in the summer months, when employment is available on commercial farms.⁹
- 2.8. Low-income workers, including those who work in the highly profitable retail food industry, and unemployed social grant recipients also face hunger at the end of the week or the last week of each month, before they get paid. Another spike in hunger affects many South African families in January, because of high spending over Christmas and high expenses such as school-related costs early in the new year.
- 2.9. Farm workers are eligible for the Unemployment Insurance Fund (UIF), but employers don't always register seasonal workers. Also, workers need to accumulate 'credits' before they can claim UIF, and for seasonal workers, it can take 2–3 seasons to build up enough credits. Workers often experience delays in receiving payments.¹⁰
- 2.10. The Expanded Public Works Programme (EPWP) offers temporary work that can alleviate seasonal hunger, but work opportunities are limited, short-term, and low-paid. EPWP is also not accessible for farm workers living on farms, because of their isolated location.

2b. Food systems and the rising prevalence of non-communicable diseases

- 2.11. Along with high rates of food insecurity and stunting, nutrition insecurity is leading to high rates of overweight, obesity, and non-communicable diseases (NCDs) such as diabetes, high blood pressure, cancer, and heart disease, which are the leading cause of death.¹¹ Health conditions related to insufficient and poor quality diets are a major contributor, and Statistics South Africa has described this rise as a "looming health care crisis."¹²

⁸ Food Forward SA and SALDRU (2026). **The State of Household Food Insecurity in South Africa: 2026 Report.**

⁹ S. Devereux and L. Tavener-Smith (2019). *Seasonal food insecurity among farm workers in the Northern Cape, South Africa*. **Nutrients**, 11(7), 1535. www.mdpi.com/2072-6643/11/7/1535 [accessed 6 February 2026].

¹⁰ Food for Mzansi (2022). *Seasonal farmworkers: 'We need our UIF money to survive'*. www.foodformzansi.co.za/seasonal-farmworkers-we-need-our-uif-money-to-survive/ [accessed 6 February 2026].

¹¹ Department of Health (2023). **Annual Health Review: Non-Communicable Diseases**. Pretoria: Government of South Africa.

¹² Statistics South Africa (2022). **South African Demographic and Health Survey**. Pretoria: Statistics South Africa.

- 2.12. One in nine South African adults have diabetes, and the annual public health cost of treatment was already R2.7 billion in 2019.¹³ The increase in diabetes and related NCDs is attributed to changing diets – moving from local, minimally processed food (e.g. fresh vegetables and fruit) to ultra-processed foods that are high in calories and contain industrial ingredients not healthy for human consumption. However, fresh, healthy foods are increasingly expensive and impractical for families with long commutes, far from healthy food outlets on the periphery of the city, and difficult to cook where safe, fresh water and refrigeration are not available.

2c. What is being done, and what gaps remain?

- 2.13. South Africa is actively – but not urgently enough – addressing food and nutrition insecurity through several policy measures. One set of interventions increases access to food through food and cash transfers. **Social grants** raise individual and household incomes, but as already noted, not enough to close the ‘affordability gap’ to a healthy and nutritious diet. Complementing this, certain essential food items are exempt from VAT, to improve their affordability for low-income households. The **National School Nutrition Programme (NSNP)** delivers meals to 9 million learners in 20,000 schools, following Food-Based Dietary Guidelines, with food security and nutrition as well as education objectives. *“Its primary goal is to support learning by ensuring students are fed adequately during school hours.”*¹⁴ International evidence confirms that investments in social grants and school feeding yield substantial positive returns to health, education and, especially if food for school meals is procured locally, to agriculture.^{15,16}
- 2.14. Another set of interventions tries to shift consumer behaviour away from unhealthy foods, to improve the quality of diets. The Health Promotion Levy, introduced in 2018, imposes a tax on sugary beverages to reduce sugar consumption and related health issues. However, current excise taxes on unhealthy products fall short of international benchmarks in terms of coverage and rates, limiting their effectiveness in reducing demand. The government has also proposed draft regulations mandating front-of-pack warning labels on foods high in sugar, salt, and saturated fats, aiming to inform consumers and restrict marketing of unhealthy products, especially to children. These and other initiatives and plans reflect the importance of a multifaceted approach to improving national nutrition and public health, but corporates are pushing back at efforts to regulate their products.
- 2.15. The 2014 National Policy on Food and Nutrition Security proposed the establishment of a National Food and Nutrition Security Advisory Council, to be chaired by the Deputy President, to coordinate these efforts. However, its establishment has been delayed for more than a decade. This failure was a key factor in the failure to implement the first NFNSP,

¹³ Erzse, A., Stacey, N., Chola, L., Tugendhaft, A., Freeman, M. and Hofman, K. *The direct medical cost of type 2 diabetes mellitus in South Africa: a cost of illness study*. **Global Health Action**, 12(1).

¹⁴ South African Government (2026). **What is the National School Nutrition Programme (NSNP)?** www.gov.za/faq/education/what-national-school-nutrition-programme# [accessed 6 February 2026].

¹⁵ Devereux, S. (2026). **Social protection and social investments as a tool for economic transformation**. Paris: UNESCO.

¹⁶ Verguet, S., et al. (2023). *Investing in school systems: conceptualising returns on investment across the health, education and social protection sectors*. **BMJ Global Health**, 8: e012545. doi:10.1136/bmjgh-2023-012545.

and is clear evidence that government is not responding to the food and nutrition crisis with sufficient seriousness and urgency.

- 2.16. Despite efforts to address nutrition insecurity, several policy gaps remain. The Competition Commission has found evidence that supermarkets use anticompetitive practices like long term exclusive leases to block competition, and they fail to pass on falls in producer prices to consumers. The Commission highlights the need for stronger monitoring of food retail prices to prevent price gouging and ensure compliance with the Competition Act.¹⁷
- 2.17. Additionally, limited support for local fresh produce suppliers weakens the availability and affordability of nutritious food. Physical access to fresh food, sanitation, clean water, and cooking facilities remains limited for many households. Non-monetary approaches such as community kitchens, popular/people's restaurants, and public procurement from local markets can complement economic interventions.¹⁸
- 2.18. There is also insufficient regulation around misleading food marketing, especially foods marketed to and for children, leaving consumers vulnerable to deceptive health claims. Stronger policies are needed to mandate clear, front-of-pack labelling and restrict the marketing of unhealthy foods, especially to children. Greater investment in these areas, alongside enhanced regulatory oversight and support for local food systems, is crucial to achieving comprehensive nutrition security across South Africa.

3. Concentration of power in the food value chain and its impact on access, affordability, and nutritional quality

'Big food' and supermarketisation

- 3.1. 'Big food' – corporate producers, processors, advertisers, supermarkets – invest heavily in producing, promoting and selling ultra-processed foods (UPFs), which are a health risk, contributing to non-communicable diseases and rising levels of obesity. Some researchers argue that UPFs should be treated like tobacco rather than food, with public information campaigns and stronger regulation to minimise consumption of UPFs, including bans on child-targeted marketing, effective "sin taxes", warning labels, restricted availability in schools and hospitals, and litigation against non-compliant actors.¹⁹
- 3.2. President Ramaphosa acknowledged the culpability of powerful food system actors in a speech at a Social Justice Summit in Cape Town, in October 2025. *"They're making billions and billions in profits... We want to call on them to look at the prices that they charge for food at the till... and to look at [their] high margins... They are the ones who drive the high food prices, and they are the ones who must join us in taking action to reduce food*

¹⁷ Competition Commission of South Africa (March 2025). **Essential Food Pricing Monitoring Report**. https://www.compcom.co.za/wp-content/uploads/2025/03/EFPM-Report_Mar-2025_publication.pdf [accessed 6 February 2026].

¹⁸ Kesselman, B. (18 June 2019). *South Africa should learn from Brazil about how to tackle 'hidden hunger'*. **The Conversation**. <https://theconversation.com/south-africa-should-learn-from-brazil-about-how-to-tackle-hidden-hunger-118613> [accessed 6 February 2026].]

¹⁹ Gearhardt, A., Brownell, K. and Brandt, A. (2026). *From tobacco to ultra-processed food: how industry engineering fuels the epidemic of preventable disease*. **The Milbank Quarterly**. <https://doi.org/10.1111/1468-0009.70066>.

prices.”²⁰ The President also wrote: “The ‘Big Five’ retail companies²¹ can and must play a far greater role in making nutritious food more affordable for South African households. ... As retailers work to grow their market share among low-income households, they have a responsibility to ensure this includes affordable healthy food choices such as plant and animal proteins, fruits and vegetables.”²²

- 3.3. Importantly, these statements acknowledge that high food prices are a major problem, and that corporates and the government both need to take responsibility for lowering prices. However, the state cannot shift all the responsibility onto the private sector. The role of public intervention is to regulate the private sector towards achieving socially desired outcomes – food security and a healthy population, not unrestrained profit maximisation. This is especially important in the food system, where food has been commodified but remains a basic need for human survival, and access to food is universally acknowledged as a fundamental human right. The ANC’s promulgation of the Marketing of Agricultural Products Act in 1996 made it almost impossible for government to intervene in agricultural markets. This market-led ideology partly explains why the government is failing to regulate the ‘Big Five’ and other powerful actors in the food system, resulting in the paradoxical outcome of highly profitable food producers, processors, wholesalers and retailers operating in a country where close to one in three children have stunted growth, because of chronically inadequate access to nutritious food.
- 3.4. President Ramaphosa acknowledges that powerful South African food system actors engage in behaviours that compromise access to affordable food – cartel formation for price-fixing, profiteering by failing to drop their prices when producer costs fall – and that these practices “are directly contributing to food insecurity for households.” The President commended the Competition Commission for its efforts “to enforce accountability in the food market. In February this year, the Commission facilitated a R1 million settlement with an edible oils producer accused of price fixing. The Commission has also conducted inquiries into bread and milling cartels, into the grocery retail and fresh produce markets – and most recently, into alleged anti-competitive behaviour in the poultry industry.”²³
- 3.5. Large firms dominate South Africa’s food system. In the retail sector, supermarkets are now found even in remote rural areas (‘peripheral supermarketisation’), crowding out small shops and informal traders.²⁴ This increasing concentration brings some benefits to

²⁰ Tamsin Metelerkamp (17 October 2025). *Ramaphosa reaffirms commitments to tackling hunger and food insecurity at Cape Town summit*. **Daily Maverick**. www.dailymaverick.co.za/article/2025-10-17-ramaphosa-reaffirms-commitments-to-tackling-hunger-and-food-insecurity-at-cape-town-summit/ [accessed 6 February 2026].

²¹ Bowman (2025). *The ‘Big Five’ retailers – Shoprite, SPAR, Pick n Pay, SPAR, Woolworths, and Massmart – accounted for two-thirds (67.2%) of formal retail grocery sales in South Africa in 2019*.

²² Cyril Ramaphosa (20 October 2025). *We must work together if we are to ensure that no person goes hungry*. **From the desk of the President**. www.thepresidency.gov.za/node/9459. [accessed 6 February 2026].

²³ Cyril Ramaphosa (20 October 2025). *We must work together if we are to ensure that no person goes hungry*. **From the desk of the President**. www.thepresidency.gov.za/node/9459. [accessed 6 February 2026].

²⁴ Andrew Bowman (2025). *Supermarketisation, agro-industrial concentration and the food system’s shrinking interstices: insights from South African agro-processing*. **Global Networks**, <https://doi.org/10.1111/glob.12521> [accessed 6 February 2026].

consumers – economies of scale, wider choice – but also major risks, specifically reduced competition, more potential for anti-competitive behaviour, supplanting healthy diets with cheaper ultra-processed food, and destroying markets for local producers. Following his mission to South Africa in 2011, the UN Special Rapporteur on the Right to Food recommended that food chains should be made more inclusive, small-scale farmers should be protected against large buyers, and “abuse of buyer power should be addressed by the Competition Commission”.²⁵ Instead, corporate concentration has intensified rather than diminished, and the Special Rapporteur’s recommendations with respect to food systems remain unimplemented.

Informal traders

- 3.6. Informal food retailers – street vendors, spaza shops, fresh produce markets – are often vilified, notably for posing a food safety hazard to consumers. Recent deaths by food poisoning have been blamed on spaza shops selling contaminated food, which also fuelled xenophobia against foreign traders. But the underlying cause of these food poisoning outbreaks is highly hazardous pesticides (HHPs) such as Terbufos.²⁶ Civil society actors such as Women on Farms Project²⁷ and South African People's Tribunal on AgroToxins²⁸ have repeatedly called on government to ban the sale and use of Terbufos in South Africa, along with several other HHPs that are produced by companies like Alzchem and Bayer in Europe and exported to the Global South, despite being banned in the European Union.²⁹
- 3.7. A survey in KwaZulu-Natal found that 77% of 399 street food vendors had no food safety training and 76% had inadequate food safety knowledge. Also, 86% of street food vending sites were non-compliant with food safety regulations, and monitoring and enforcement by local health authorities was inadequate.³⁰ One approach to dealing with such situations is punitive – using licences, permits, inspections and fines to enforce adherence to food safety regulations. However, such top-down imposition is rarely effective, and is likely to undermine the beneficial features of how street traders and micro-businesses operate. Rather, government agents should work with these vendors to support them, understand their ways of dealing with food safety, and provide improved infrastructure such as water, sanitation, and storage facilities that will result in safe and hygienic food environments.

²⁵ Olivier De Schutter (2012). **Report of the Special Rapporteur on the right to food: Mission to South Africa**. UN Human Rights Council. www.refworld.org/reference/countryrep/unhrc/2012/en/85351 [accessed 6 February 2026].

²⁶ Philile Ntuli and Thenjiswa Jonas (January 2025). *Poison is for the poor: The colonial way of handling the food poisoning crisis*. **SAHRC Opinion Piece**. www.sahrc.org.za/index.php/sahrc-media/opinion-pieces/item/4229-poison-is-for-the-poor-the-colonial-way-of-handling-the-food-poisoning-crisis#:~:text= [accessed 6 February 2026].

²⁷ <https://wfp.org.za/>

²⁸ <https://agrotoxinstribunalsa.co.za/>.

²⁹ Nicola Daniels (12 May 2025). *Women on Farms Project calls for urgent ban on cyanamide pesticide*. **Cape Times**. <https://capetimes.co.za/news/2025-05-12-women-on-farms-project-calls-for-urgent-ban-on-cyanamide-pesticide/> [accessed 6 February 2026].

³⁰ Nelly Virginia Nkosi and Frederick Tawi Tabit (2021). *The food safety knowledge of street food vendors and the sanitary conditions of their street food vending environment in the Zululand District, South Africa*. **Heliyon**, 7(7). www.sciencedirect.com/science/article/pii/S2405844021017436.

- 3.8. Informal food retailers perform vital roles in local food systems, by making food accessible through substantially lower prices and by selling in small quantities near where people live or work. Trolley traders, for instance, sell fruits and vegetables door to door in townships or at traffic intersections. *“Informal traders make nutritious food accessible to poor and working-class populations [who are] often excluded from formal markets.”*³¹ The state has consistently undervalued and undermined informal retailers, *“to the detriment of the traders themselves, their suppliers, and their customers.”*³² Informal food traders should be recognised and supported, particularly at local government level, as positive contributors to local food systems.

Food waste

- 3.9. An estimated ten million tons of safe, edible food is wasted every year in South Africa.³³ This amounts to one-third of total food production and is equivalent to 40 billion meals, where 20 billion meals would feed all South Africa’s hungry people three meals a day for a year.³⁴ The amount of food waste has not reduced for the last 15-20 years. Lack of will by the state to reduce food waste has played a significant role in not reducing hunger, as well as damage to the environment. Food that is wasted is not eaten. Food going to landfill emits methane gas into the atmosphere. Water and energy costs, together with the costs of waste disposal, means that food wastage comes at a high price to the South African economy. Up to date research on the nature and causes of food waste along the food supply chain is lacking.
- 3.10. Several NGOs (such as Food Forward SA and SA Harvest) are dedicated to rescuing edible food that would have gone to landfill, and redistributing it to organisations that feed hungry people daily. It is estimated that up to 60 million tonnes per annum is rescued in this way. In 2024/25, Food Forward SA delivered 83 million meals to 935,000 beneficiaries, at a cost of just R0.50 per meal, thereby avoiding 107,000 tonnes of CO₂ emissions.³⁵ SA Harvest has rescued more than 24 million kilograms of food and delivered 99 million meals through 200+ beneficiary organisations since 2019.³⁶ Many supermarkets and other food supply chain actors help to prevent food from going to landfill by working with food rescue organisations and dedicated logistic companies, but more needs to be done.
- 3.11. South Africa has a Waste Act (2008) and a draft Strategy for Reducing Food Losses and Waste (2023), but these are clearly inadequate. Current legislation actively discourages food donations, as companies seek to avoid liability for the costs of storage and distribution

³¹ Oscar Sithole, quoted in Koopman, E. (June 2025). *Food, power, and inequality: Vision for a fairer food system*. **CoE Articles**. Centre of Excellence in Food Security. <https://foodsecurity.ac.za/news/food-power-and-inequality-vision-for-a-fairer-food-system/> [accessed 6 February 2026].

³² Marc Wegerif (2021). *“Informal” food traders, food security, and the Covid-19 crisis*. **Opinion piece**. University of Pretoria. <https://repository.up.ac.za/server/api/core/bitstreams/af342c98-1bcc-45c4-bfe3-72e0ee39083a/content> [accessed 6 February 2026].

³³ WWF (2017). **Food Loss and Waste: Facts and Futures**. www.wwf.org.za/?21641/Food-Loss-and-Waste-Facts-and-Futures-Report [accessed 6 February 2026].

³⁴ Alan Browde and Andy du Plessis (2025). *Ending hunger: A call for legislative action on food waste in South Africa*. **Daily Maverick**. www.dailymaverick.co.za/article/2025-05-08-ending-hunger-a-call-for-legislative-action-on-food-waste-in-south-africa/ [accessed 6 February 2026].

³⁵ <https://foodforwardsa.org/> [accessed 6 February 2026].

³⁶ <https://saharvest.org/> [accessed 6 February 2026].

of donated food. Food waste must be made illegal, by prohibiting the dumping of food in landfills and legislating for its diversion to hungry people, even, if appropriate, through enforced collaboration between supermarkets and food rescue organisations. One model for this is France's Garot Law of 2016,³⁷ which, by mandating food rescue and penalising waste, reduced food waste in the retail sector by 30% in just 18 months. The Garot Law includes a host of rewards (tax breaks) and penalties (fines) to incentivise efficient and successful food rescue. The law has food security and environmental benefits, and redistributes not only food but moral responsibility, by making both food waste and hunger socially unacceptable.

4. Institutional coordination, policy coherence, and legislative adequacy in realising the right to food

4a. Institutional coordination

- 4.1. Unlike a famine, where starvation deaths mostly follow from generalised shortages of food, individual deaths by starvation (or severe acute malnutrition) in South Africa are due to challenges at the household level, where caregivers are struggling against poverty and personal issues such as mental illness and alcohol or drug dependency.³⁸ Rather than simply treating a malnourished child and returning them to the home, a coordinated approach is needed involving a combination of caregivers, extended family members, community leaders (ward councillor, church leader), local Department of Health workers and social workers from the Department of Social Development. Working together using a case management approach, this team should devise a plan to support the family and address the underlying causes that led to each child becoming severely malnourished. If this not done, the child will most likely be readmitted.³⁹

Ministry of Food, National Food Commission, and/or local Food Councils?

- 4.2. South Africa lacks a dedicated, politically accountable institution to lead, coordinate and evaluate national efforts to end hunger and ensure healthy food consumption – such as a Ministry of Food, National Food Commission, and/or local Food Councils. As noted above, the National Food and Nutrition Security Advisory Council proposed in 2014 was never established. Despite multiple departments being involved in food production and access, no single body is responsible for mapping vulnerability, monitoring outcomes, or ensuring policy effectiveness. The current situation is fragmented policies, lack of coordination, and weak accountability, ultimately preventing an effective, focused response.
- 4.3. Four national departments, each with their own organisational structures, oversee the implementation of interventions related to food and nutrition security across South Africa's

³⁷ Zero Waste Europe (2020). *France's law for fighting food waste*. https://zerowasteurope.eu/wp-content/uploads/2020/11/zwe_11_2020_factsheet_france_en.pdf# [accessed 6 February 2026].

³⁸ Estelle Ellis and Hoseya Jubase (7 August 2023). *Desperate Eastern Cape mom kills starving children and hangs herself*. **Daily Maverick**. www.dailymaverick.co.za/article/2023-08-07-desperate-eastern-cape-mom-kills-starving-children-and-hangs-herself/ [accessed 6 February 2026].

³⁹ Dave Martin (8 October 2025). *A positive attitude from all can fix child hunger issues*. **Daily Dispatch**. www.pressreader.com/south-africa/daily-dispatch/20251008/281784225288437?srsId= [accessed 6 February 2026].

nine provinces: the Department of Agriculture, the Department of Health, the Department of Social Development, and the Department of Basic Education. Together with 11 other departments and many government agencies, they manage more than 50 programmes that address food insecurity and malnutrition.⁴⁰ Blurred mandates have resulted in overlaps, duplication of roles and responsibilities, leading sometimes to competition among leading departments for budget allocation and implementation on the ground. Together with insufficient coordination and limited monitoring, this explains persistent poor performance concerning policy objectives. This systemic failure was highlighted by the Eastern Cape emergency, that triggered a Provincial Inquiry into the Right to Food and Child Malnutrition by the Human Rights Commission in 2022, but found no improvement three years later.⁴¹

- 4.4. The National Policy on Food and Nutrition Security (2013)⁴² included the Fetsa Tlala ('End Hunger') programme. The policy was poorly implemented and is currently being updated after lengthy delays. In effect, South Africa has been without an overarching food policy for the last five years. Data systems for tracking hunger remain limited. Local-level food governance structures are needed, and cross-departmental budgets must be aligned for food security goals and interventions. Civil society and private sector efforts are valuable, but at present are not formally integrated into national strategies. To end hunger sustainably, South Africa needs a focused, accountable body, updated policies, better data, and a coordinated approach that addresses both immediate needs and the root causes of hunger and malnutrition.

4b. Policy coherence

- 4.5. A wide range of policy and legislative measures are designed to achieve the rights to sufficient food and basic nutrition; however, they seem to be uncoordinated. Examples include (a) the National Food and Nutrition Security Plan (2018-2023), which ended over two years ago and has not yet been superseded by a revised Plan; (b) the International Covenant on Economic, Social and Cultural Rights, which it ratified in 2015, but monitoring and accountability mechanisms envisaged by that ratification with respect to food have not yet been established; and (c) financial support to vulnerable persons in the form of social grants, such as the Child Support Grant and the Social Relief of Distress (SRD) grant, which are set at levels far below the food poverty line and even further below what is required for recipients to afford nutritious, diversified, healthy diets.
- 4.6. The NFNSP and the National Dialogue must be concluded with the identification of relevant actions to end hunger being a priority; the state must immediately collaborate with hungry people and civil society organisations to ensure implementation of such actions; food

⁴⁰ FAO, European Union, CIRAD and DSI-NRF Centre of Excellence in Food Security (CoE-FS). 2022. **Food Systems Profile – South Africa: Catalysing the sustainable and inclusive transformation of food systems**. Rome, Italy; Brussels, Belgium; Montpellier, France; and Bellville, South Africa. <https://doi.org/10.4060/cc0071en> [accessed 6 February 2026].

⁴¹ Scott Drimie and Marna Lourens (12 October 2025). *Confronting SA's hunger emergency — from constitutional rights to empty plates*. **Daily Maverick**. www.dailymaverick.co.za/opinionista/2025-10-12-hunger-crisis-in-sa-from-constitutional-rights-to-empty-plates/ [accessed 6 February 2026].

⁴² Department of Agriculture, Forestry and Fisheries (August 2013). **National Food and Nutrition Security Policy**. www.gov.za/sites/default/files/gcis_document/201409/37915gon637.pdf [accessed 6 February 2026].

waste must be made illegal; hungry people must be made conscious of their right to have access to enough nutritious food. Policy coherence requires implementing not one action but a suite of actions in a coordinated manner, all focused on the goal of eradicating hunger.

Child stunting

- 4.7. Stunting affects 29% of children under 5 years old (1.5 million) in South Africa, up from 27% in 2016, with 35% of children under two affected. Stunting results from poor nutrition and care in the first 1,000 days and leads to permanent damage to brain and body development. Stunted children are more likely to fall ill and to struggle in school. Adults who were stunted as children earn up to 20% less income. Stunting costs South Africa an estimated R62 billion annually in lost productivity and earnings.
- 4.8. Despite major investments in social grants and health services, stunting has plateaued or worsened since the 1990s. South Africa's stunting rate is the highest among its economic peers and now exceeds several lower-middle-income countries. Global examples show what works: Brazil (7%), Peru (11%), Thailand (10%), Kenya (18%) and others halved stunting with strong political mandates, universal primary health care, targeted nutrition, and early learning support. Stunting now stands at 17% in Ghana and 18% in Senegal, after both countries made child growth monitoring results a Cabinet performance indicator and scaled community health and food fortification programmes. South African data show that some drivers of stunting are intergenerational (short maternal height and low birth weight), compounded by poverty and poor diets.
- 4.9. Higher breastfeeding rates and children with access to vitamin A, deworming, diversified diets, clean sanitation, and maternal mental health support are measurably less likely to be stunted, even when born small. Breast milk is the most nutritious food children can have in their first six months. Many infants are denied this by the hunger of their mother (and family), which contributes to inability to produce breast milk – a powerful motivation for introducing a maternal support grant (MSG) – ill health of the mother, low birth weight of the child. However, the food system also plays a negative role in terms of breastfeeding. The milk substitutes industry generates disinformation and misleading advertising to promote infant formula and deter breastfeeding, thereby prioritising profits over child health. For its part, government is not doing enough to promote and enable breastfeeding, and to regulate the milk substitutes industry.
- 4.10. Some progress has been made. The Child Support Grant and the National School Nutrition Programme (NSNP) alleviate child hunger, but the NSNP misses the crucial first 5 years, so it has no impact on under-5 stunting. A Maternal Support Grant (MSG) has been proposed since 2012, but it is not yet implemented. The National Food and Nutrition Security Plan (2018–2023) underperformed due to weak implementation and lack of coordination. The National Strategy for Accelerated Action for Children (NSAAC) (2024) supports action on stunting, but it has only just been approved by Cabinet (December 2025). R10 billion has been allocated to expand ECD subsidies, and an Early Nutrition Pilot is being designed but not yet implemented. Civil society actors, including the Maternal Support Grant advocacy coalition, a UAH member, have provided models and evidence and are pushing for urgent implementation of the MSG, and for stunting to be placed on the national political agenda.

- 4.11. Critical gaps remain. The first 1,000 days are still not protected. The CSG is received too late. The MSG is not yet in place. CHW and parental support models are proven but unfunded at scale. The National Food and Nutrition Security Plan 2025–2030 is yet to be approved. Department of Social Development food parcel services are weakest where they are most needed in informal settlements and rural areas. National stunting surveys are rare (the last two were eight years apart), and stunting is not a routinely collected health statistic. Key gaps exist in data on environmental health, micronutrients, breastfeeding, air pollution, and early stimulation.

Social grants

- 4.12. South Africa has a comprehensive social assistance system that provides access to food to poor children, older persons, persons with disability and other vulnerable categories, on a means-tested basis. Social grants play a vital role in securing access to food for millions of South Africans, in a context of extremely high levels of poverty and unemployment. However, if social grants are intended to eradicate hunger in low-income households, they are wholly inadequate.
- 4.13. As of January 2026, the Child Support Grant of R560 per month is 34% below the food poverty (R855 per month) and 41% below the average cost of a basic nutritious diet for a child (R948.18).⁴³ Even if the Child Support Grant is spent only on food for the designated child – on nothing else and on nobody else – it could buy only two-thirds of the child’s minimum energy needs. In reality, social grants are used to meet the whole family’s needs for cash – for food and other necessities. One study in Limpopo found that, because the CSG value is so low, 80% of food purchased with this cash is maize-meal,⁴⁴ which partly explains why child stunting in South Africa has not fallen below 25% since the CSG was introduced in 1998 – and stunting largely explains why the average South African child achieves only 43% of their productive potential in adult life.
- 4.14. Mothers also need social assistance. Mother’s nutritional status is a key determinant of a baby’s birthweight. The Department of Social Development (DSD) is advocating within government for a Maternal Support Grant to improve the nutrition of both mothers and newborns, with lifelong benefits for both. This grant would cost up to R3.3 billion annually, but it could save the healthcare sector up to R13.8-billion.⁴⁵
- 4.15. Campaigns to raise the coverage and payment rates of social grants have been ongoing ever since they were introduced. For several years, CSOs such as Black Sash, Studies in Poverty and Inequality Institute (SPII) and the Institute for Economic Justice (IEJ) have been leading

⁴³ Pietermaritzburg Economic Justice & Dignity Group (January 2026). **Household Affordability Index: January 2026**. https://pmbejd.org.za/wp-content/uploads/2026/01/January-2026-Household-Affordability-Index-PMBEJD_28012026.pdf [accessed 6 February 2026].

⁴⁴ M. Kekanal, N. Mabapall and X. Mbhenyane (2020). *Impact of the child support grant on the diet and nutritional status of children under 5 years old in Mogalakwena Municipality, Limpopo Province, South Africa*. **South African Journal of Child Health**, 14(1). <https://doi.org/10.7196.SAJCH.2020.v14.i1.1598> [accessed 6 February 2026].

⁴⁵ R. Essop and L. Engelbrecht (8 April 2025). *Healthy beginnings, hopeful futures: Tackling South Africa’s stunting crisis through maternal support grants*. **Daily Maverick**. www.dailymaverick.co.za/article/2025-04-08-healthy-beginnings-hopeful-futures-tackling-south-africas-stunting-crisis-through-maternal-support-grants/ [accessed 6 February 2026].

a campaign for a national Basic Income Grant (BIG) or Universal Basic Income (UBI).⁴⁶ One argument in support of this campaign is that existing social grants targeting individuals are inadequate, because they are ‘diluted’ among other family members and are spent on non-food needs as well as food. A BIG or UBI would allow each recipient to spend more of their grant on meeting their own needs, rather than diverting this support to other people and other uses.

- 4.16. In 2020, the Department of Social Development commissioned an Expert Panel to produce a ‘Report into the Appropriateness and Feasibility of a System of Basic Income Support for South Africa’. The Panel recommended institutionalising the Special COVID-19 Social Relief of Distress Grant as the foundation for a comprehensive income support system, to be improved over time.⁴⁷
- 4.17. Coverage gaps in social grants must be closed, and benefits must be raised to meaningful levels. Specifically, the Child Support Grant must be raised to a level that allows the constitutional right of children to basic nutrition to be realised. Similarly, although the SRD grant has been renewed every year since COVID-19, it is not yet permanent and guaranteed. At R370 per month, it is also wholly inadequate to procure adequate food, at a value of less than half the food poverty line.

ECD and school nutrition

- 4.18. South Africa faces a child malnutrition crisis, with more than 1 in 4 children being stunted and 1 in 8 being overweight or obese. Programmes are needed that protect and support breastfeeding and ensure access to nutritionally adequate food to children, for healthy growth, cognitive development, and long-term well-being. Feeding children adequately at ECD centres is an entry point to breaking cycles of poverty and poor health, while enabling learners to fully benefit from educational opportunities.
- 4.19. The National School Nutrition Programme (NSNP) is a flagship government initiative that feeds over 9.6 million school attending children in South Africa. It provides meals at over 20,000 schools, across all nine provinces with a fairly modest and cost-effective budget of just over R10 billion. According to the Department of Basic Education, “the programme has shown to improve punctuality, regular school attendance, concentration and the general wellbeing of participating learners.”⁴⁸ This expertise and success should be expanded and extended to the ECD sector as well.
- 4.20. However, the NSNP is underfunded. A larger budget allocation is needed, sufficient to pay not only for school meals but also for school food gardens and nutrition education – the other components of the NSNP – being mindful that food is not the only cost. Labour (food handlers), water, electricity, storage and infrastructure must also be paid for. Adjustments to the budget should be aware that food inflation often differs from general inflation. Meals

⁴⁶ Institute for Economic Justice (IEJ) (2024). **South Africa’s fight for a Basic Income**. <https://iej.org.za/blogs/south-africas-fight-for-a-basic-income/> [accessed 6 February 2026].

⁴⁷ Department of Social Development (2021). **Report into the appropriateness and feasibility of a system of Basic Income Support for South Africa**. Expert Panel on Basic Income Support.

⁴⁸ Department of Basic Education (2026). **National School Nutrition Programme**. www.education.gov.za/Programmes/CareandSupport/NationalSchoolNutritionProgramme.aspx [accessed 6 February 2026].

should be provided at weekends and during school holidays in vulnerable communities. No national evaluation of the NSNP has ever been conducted; this is long overdue.⁴⁹

- 4.21. The NSNP needs to be extended to early-childhood development (ECD) centres, with mechanisms to address the challenge of reaching non-registered centres.⁵⁰ Learning environments need to be conducive to nutrition literacy. Unhealthy food should not be sold or advertised on or near school premises. Food handlers should be given minimum wage protection and less precarious work conditions. Tender corruption needs to be curtailed through transparent procurement and heavy sanctions. Also, procurement criteria and assessments should give preference to local, agroecological supply chains. This would support local farmers and counteract the disproportionate power of large commercial buyers.

Wealth taxes

- 4.22. Eradicating hunger in South Africa requires increased government spending on pro-poor services such as social grants, early childhood nutrition and school feeding programmes. There is more than enough money in South Africa to eradicate hunger, but it is extremely unequally distributed. One way for government to access the finances it needs for a concerted attack on hunger and malnutrition is by increasing taxes – not taxes like VAT that hurt the poor and increase hunger, but taxes that target those who have more wealth than they need. A wealth tax is defined as a levy on an individual's net wealth, which includes income, savings, financial investments, real estate and high-value items such as vehicles.⁵¹
- 4.23. South Africa is an upper-middle-income country, with a GDP per capita above US\$6,250,⁵² or around R100,000 a year. But South Africa has the highest levels of income and wealth inequality in the world,⁵³ and this concentration of economic power has increased since 1994.⁵⁴ Wealth inequality (Gini >0.9) in South Africa is higher than income inequality (Gini =0.67).⁵⁵ The richest 10% of the population own approximately 90% of personal wealth, and the top 1% own 55%.⁵⁶ This means there is substantial scope for fiscal redistribution –

⁴⁹ Wegerif, M., Msimango, T., and Vilakazi, N. (2022). *School food and the promotion of a more just and equitable food system in South Africa*. In D. Ruge, I. Torres and D. Powell (eds.), **School Food, Equity and Social Justice: Critical Reflections and Perspectives**. Abingdon: Routledge.

⁵⁰ Roos, T. (October 2024). *Prioritising school nutrition secures children's right to education*. **Sowetan**. www.sowetan.co.za/opinion/2024-10-14-opinion-prioritising-school-nutrition-secures-childrens-right-to-education/ [accessed 6 February 2026].

⁵¹ Davis Tax Committee (2018: 28). **Feasibility of a wealth tax in South Africa**. Report for the Minister of Finance.

⁵² World Bank Group (2026). **Data: South Africa**. <https://data.worldbank.org/country/south-africa> [accessed 6 February 2026].

⁵³ Chatterjee, A., Czajka, L. and Gethin, A. (2020: 18). *Estimating the distribution of household wealth in South Africa*. **WID.world Working Paper**, 2020/06. "[W]ealth inequality in South Africa appears to be substantially larger than in any other country for which relatively reliable data is available".

⁵⁴ Chatterjee, et al. (2020: 1): "despite the end of the apartheid regime and the multiple reforms that followed, wealth inequality has not declined since 1994, and has even increased after the 2008 crisis".

⁵⁵ Davis Tax Committee (2018: 4). "In South Africa, wealth inequality (with a Gini coefficient above 0.9) is extremely high and is, in fact, not just higher than income inequality (which has a Gini coefficient of 0.67) but also higher than global wealth inequality."

⁵⁶ Chatterjee, et al. (2020b).

taxing the rich more to release funds for government to spend more on social services and income support programmes.

- 4.24. A study in 2020 estimated that a moderate wealth tax of 5% on ‘excess wealth’ above R3.6m owned by the richest 1% of South Africans would raise R134 billion, assuming a 30% evasion rate.⁵⁷ This would be enough to cover 60% of all government spending on social protection. Another analyst argued for a seven-year 2.5% tax on individuals with a net worth exceeding R25m could raise between R70 billion and R160 billion every year.⁵⁸
- 4.25. In 2024, National Treasury advised Parliament that it was exploring the feasibility of a wealth tax targeting the top 1% (about 100,000) of South African taxpayers, using data collected by the South African Revenue Service’s (SARS) ‘High Wealth Individual’ Unit.”⁵⁹ South Africa implements several so-called “stealth wealth taxes”, including Capital Gains Tax; Transfer Duty on properties; Municipal Rates based on the value of property; Dividend Tax; Estate Duty and Donations Tax; and Securities Transfer Tax; and Luxury Car Tax. SARS Commissioner Edward Kieswetter, has described all these as “forms of wealth tax”.⁶⁰ The Davis Tax Committee concluded that “better administration of these taxes is needed”.⁶¹
- 4.26. SARS should also be empowered to collect more taxes that are owed but not paid. Tax collection has significantly improved in recent years, but the SARS Commissioner believes that another R800 billion in unpaid taxes could be collected every year.⁶² Some argue that this is a viable alternative to a wealth tax: “*strengthening existing tax collection measures and broadening the tax base through improved compliance and economic growth initiatives may offer a more sustainable path to revenue generation*”.⁶³ “SARS should continue to focus on tax compliance rather than implementing new taxes.”⁶⁴ The UAH argues that these are complementary. South Africa needs both a wealth tax and improved tax compliance, to finance comprehensive and effective anti-hunger interventions.
- 4.27. One argument against raising tax rates for the rich is that it creates incentives for them to legally avoid or illegally evade paying taxes, or even to leave the country, taking all their wealth with them. However, a survey in 2025 found that a majority of 543 South African

⁵⁷ Chatterjee, et al. (2020b).

⁵⁸ Pitso, K. (October 2024). *Implement a seven-year 2.5% tax on R25m net worth individuals*. **Mail & Guardian**. <https://mg.co.za/thought-leader/2024-10-17-implement-a-seven-year-2-5-tax-on-r25m-net-worth-individuals/> [accessed 6 February 2026].

⁵⁹ Jacobs, S. (March 2025). *South Africa’s hidden wealth taxes*. **Daily Investor**. <https://dailyinvestor.com/finance/83055/south-africas-hidden-wealth-taxes/>. [accessed 6 February 2026].

⁶⁰ Moonstone (2025b). *South Africa already has wealth taxes, says Kieswetter*. **Moonstone Information Refinery**. www.moonstone.co.za/south-africa-already-has-wealth-taxes-says-kieswetter/ [accessed 6 February 2026].

⁶¹ Investec (2025). *Wealth taxes: are they coming to South Africa?* **Investec Tax and Fiduciary team**. www.investec.com/en_za/focus/money/wealth-taxes-are-they-coming-to-south-africa.html [accessed 6 February 2026].

⁶² Moonstone (March 2025a). *How SARS arrives at R800bn in uncollected tax*. **Moonstone Information Refinery**. www.moonstone.co.za/how-sars-arrives-at-r800bn-in-uncollected-tax/ [accessed 6 February 2026].

⁶³ Brink, J. and Greenstone, D. (2025). **Understanding wealth tax: Viability and implications in South Africa**. Johannesburg: Cliffe Dekker Hofmeyr.

⁶⁴ Investec (2025). *Wealth taxes: are they coming to South Africa?* **Investec Tax and Fiduciary team**.

dollar millionaires “are willing to pay a 2% wealth tax to better fund social protection, education or the energy transition”.⁶⁵ Wealthy South Africans might also be persuaded if the wealth tax is framed as a ‘Patriot Investment Contribution’, by hypothecating the money it raises to finance specific social investments such as anti-hunger programmes. There is also an ‘enlightened self-interest’ argument: a healthier, better-educated, and better-fed population will result in higher economic returns and social stability (reduced crime). High-income individuals could be offered partial rebates against their wealth tax liabilities, if they invest in community kitchens, school nutrition, or early childhood nutrition initiatives.

4c. Legislative adequacy

- 4.28. The right to sufficient food is enshrined in sections 27(1)(b) and 28(1)(c) of the South African Constitution.⁶⁶ The state has a constitutional obligation to “respect, protect, promote and fulfil” the right to sufficient food and basic nutrition for all in South Africa, but it has failed to do this. The state’s neglect to end child malnutrition is particularly egregious – arguably a crime⁶⁷ – as the right to basic nutrition for every child (Section 28) requires immediate implementation.
- 4.29. In 2012, the UN Special Rapporteur on the Right to Food recommended that South Africa should adopt a framework law for the realisation of the right to food. *“In other countries I visit, this is the one single initiative that ensures coherence across policies and consistency across time.”*⁶⁸ A framework law would enshrine accountability mechanisms, define institutional responsibilities, and create a legal architecture for independent monitoring. This recommendation has not been acted upon. Such a framework law is now essential. It would provide the legal backbone for a coordinated national response, establish justiciable obligations for each sphere of government, create monitoring and complaint mechanisms accessible to rights-holders, and ensure that the constitutional promises of Sections 27 and 28 are translated into enforceable, measurable duties.
- 4.30. The President announced in his State of the Nation Address (SONA) on 12 February 2026: *“This year, we will embark on a mission to end child stunting by 2030.”*⁶⁹ The government should be held accountable to deliver on that promise, and it must urgently elaborate on what specific actions it intends to take, to reduce child stunting significantly by 2030, and how those actions will be funded.

⁶⁵ Ferial Haffajee (11 November 2025). *Majority of SA’s US dollar millionaires back a 2% wealth tax, survey finds.* **Daily Maverick.** www.dailymaverick.co.za/article/2025-11-11-majority-of-sas-dollar-millionaires-back-a-2-wealth-tax-survey-finds/ [accessed 6 February 2026].

⁶⁶ Republic of South Africa (1996). **Constitution of the Republic of South Africa, No. 108 of 1996.** Sections 27(1)(b) and 28(1)(c). www.gov.za/sites/default/files/images/a108-96.pdf [accessed 6 February 2026].

⁶⁷ Stephen Devereux and Mark Heywood (14 October 2025). *Hunger is a crime. Who are the criminals?* **Daily Maverick.** www.dailymaverick.co.za/opinionista/2025-10-14-hunger-is-a-crime-in-sa-who-are-the-criminals/ [accessed 6 February 2026].

⁶⁸ Office of the UN High Commission on Human Rights (15 July 2011). *South Africa can move beyond the ‘two economies’ to deliver one inclusive food system, says UN food expert.* www.ohchr.org/en/press-releases/2011/07/south-africa-can-move-beyond-two-economies-deliver-one-inclusive-food-system [accessed 6 February 2026].

⁶⁹ President Cyril Ramaphosa (12 February 2026). **State of the Nation Address.** www.gov.za/news/speeches/2026StateOfTheNation [accessed 6 February 2026].

5. The role of civic participation, public accountability, and social movements in advancing the right to food

- 5.1. The Constitution makes South Africa a participatory democracy in which citizens have justiciable rights, including to protest, petition, participate in policy and law-making and access to the courts.
- 5.2. Access to sufficient food is a human right. It is also a determinant of many other socio-economic rights, including to health, basic education, children's rights and equality. Hunger and food insecurity exacerbate many other social injustices, and are documented factors in gender-based violence (GBV), mental illness and safety and security (crime).
- 5.3. As a result, civil society works in a plethora of areas to alleviate hunger and advance the rights to sufficient food and basic nutrition. Civil society organisations work:
 - a) as service providers in hundreds of soup kitchens, community food gardens, nutritional support programmes;
 - b) in think-tanks and research projects that analyse policy issues, causes of hunger and seek solutions to hunger and malnutrition;
 - c) in welfarist NGOs such as Gift of the Givers, that deliver food directly to people in humanitarian emergencies;
 - d) in NGOs like Food Forward SA and SA Harvest rescue millions of tonnes of edible food, preventing it from going to waste, and redistribute it to hungry people;
 - e) in activist organisations like the Union Against Hunger and the Food Sovereignty Campaign that pressurise the state and the corporate sector to take measures that would alleviate hunger, including initiating litigation to hold government accountable for failing to realise the rights to food in section 27 and section 28 of the constitution.
- 5.4. The role of civil society ought to be better recognised and supported by the government. Civil society strives to fill the gaps left by state failure in regulating the food system. Without civil society the human costs of hunger and malnutrition would be far greater. Many more children would be dying and experiencing malnutrition. Civil society saves lives.
- 5.5. However, the stakeholders in the food system do not take civil society seriously. There is limited public consultation about or participation in policies that impact on access to food, including budgetary and fiscal decision-making.
- 5.6. Bodies like NEDLAC have failed to advance serious proposals, such as the Ten Best Buys proposed by the DG Murray Trust and Grow Great. Corporate umbrellas such as the Consumer Goods Council have stymied bona fide proposals. In 2026 Shoprite invented spurious reasons to cancel a meeting with the UAH over its food pricing.
- 5.7. Further indicative of the problem is the fact that a National Food and Nutrition Security Council (NFNSC) is still not in place, more than ten years after it was supposed to be established. The failure to establish this Council was identified as a key factor in failure to implement the first NFNSP.

- 5.8. Civil society must be meaningfully involved in the Food and Nutrition Security Council that must be set up as part of the new NFNSP. Also, civil society must be present in provincial and district Councils that must be set up. A model for this can be found in the SA National AIDS Council (SANAC), which acts as both a consultative and an implementation structure for the National Strategic Plan on HIV, TB and STIs.
- 5.9. Another issue of great concern are the violent attacks on civil society activists who are campaigning on issues directly related to access to food, particularly access to land and housing, water and against environmental destruction and pollution. In rural areas and urban informal areas there have been a significant number of killings of and threats against activists. For example, Abahlali baseMjondolo has had 26 of its community leaders assassinated. If these killings continue with impunity, it will have a chilling effect on local organisations campaigning for fundamental rights such as the right to food.
- 5.10. Finally, many civil society initiatives are struggling to sustain the vital lifelines that they provide.⁷⁰ Funding is declining. The Department of Social Development (DSD) has a combined annual budget of close to five billion rand for NGOs and CSOs in the provinces. This includes support to civil society groups that ensure food access to vulnerable groups, including children, the elderly and people living with disabilities. But funding and the smooth administration of funding has been severely hampered by corruption, patronage and mismanagement, something that journalists have documented in Gauteng.⁷¹ This is costing lives and health. It needs to be urgently addressed.

⁷⁰ Deon Snyman (5 February 2026). *When the world turns inward, SA's social fabric begins to fray*. **Daily Maverick**. www.dailymaverick.co.za/article/2026-02-05-when-the-world-turns-inward-sas-social-fabric-begins-to-fray/?utm_source=dm-app&utm_medium=link [accessed 6 February 2026].

⁷¹ Wendy Orr and Mark Heywood (22 December 2024). Forensic reports reveal mismanagement, fraud and corruption in Gauteng Department of Social Development. **Daily Maverick**. www.dailymaverick.co.za/article/2024-12-22-forensic-reports-reveal-mismanagement-fraud-and-corruption-in-gauteng-department-of-social-development/ [accessed 6 February 2026].

6. UAH Demands

6.1. Legislative adequacy

- 6.1.1. **Enact framework legislation for the right to food**, to define accountability mechanisms, institutional responsibilities, and a legal architecture for independent monitoring.
- 6.1.2. **Regulate food system actors** to improve affordability, consumer protection, and diet quality. Childhood obesity is rising because poverty makes healthy food unaffordable while ultra-processed products like formula, sweetened porridges and baby snacks are cheap, heavily marketed and weakly regulated. (a) Strengthen food price monitoring and anti-competitive enforcement. (b) Prohibit child-targeted marketing of unhealthy products. (c) Support informal food retailers to improve safety, infrastructure and access to fresh food. (d) Favour public procurement to support local, agroecological producers to increase supply of nutritious, lower cost foods.

6.2. Make nutritious food accessible for all

- 6.2.1. **Increase taxes on unhealthy food products** (UPFs) to align with international best practices.
- 6.2.2. **Regulate infant formula marketing** to protect vulnerable infants, while promoting exclusive breastfeeding.
- 6.2.3. **Support and incentivise informal food traders and local markets**, that make nutritious foods accessible to poor households.
- 6.2.4. **Investigate and penalise actors in the food system that engage in price gouging** or deceptive practices such as misleading advertising.
- 6.2.5. **Implement food subsidies, vouchers, and price controls for nutritious foods**, to improve economic access.
- 6.2.6. **Enhance social infrastructure for access**, particularly at local government level: sanitation, water, waste management, and community food distribution initiatives.
- 6.2.7. **Strengthen front-of-pack labelling** and marketing regulations, to protect consumers and children from misleading claims and unhealthy foods.

6.3. Substantially reduce food waste and incentivise food rescue

- 6.3.1. **Make food waste illegal**, by implementing a version of France's Garot Law: unsold edible food cannot be destroyed; food chain actors must donate food that would have gone to waste; enforce with tax breaks for compliance and penalties for non-compliance.
- 6.3.2. **Incentivise corporates to work with food rescue NGOs**, to divert food to hungry people.
- 6.3.3. **Develop a Food Donations Bill** that relaxes the over-strict safety liability of food donors and redistribution organisations and clarifies date marking ('best by', 'sell by', 'use by' dates), which can be misleading and damaging to preventing food waste.

6.4. Establish a National Food Commission alongside local Food Councils

- 6.4.1. **Set up a dedicated, politically mandated national food and nutrition coordinating body** with strong accountability, such as a National Food Council or Food Commission, alongside provincial or local Food Councils. This will ensure unified national leadership; integrated planning across government sectors; standardised monitoring systems; and accountability for fulfilling the right to food by reducing hunger and child malnutrition.
- 6.4.2. **Embed grassroots structures into formal governance structures**, to ensure there is food democracy in South Africa. This will help to create a coordinated, multi-level governance system where food policy is shaped from the ground up, informed by lived realities, and guided by principles of equity, justice, and food sovereignty.
- 6.4.3. **Introduce ‘right to food’ information campaigns** throughout the national education and training infrastructure, to ensure the people of South Africa understand their rights as expressed in Sections 27 and 28 of the constitution.

6.5. Halve child stunting

- 6.5.1. **Make child stunting a political priority:** implement the National Strategy to Accelerate Action for Children (NSAAC), with presidential oversight and interministerial stunting scorecards.
- 6.5.2. **Strengthen maternal and child nutrition:** support breastfeeding, provide maternal multiple micro supplements, distribute small-quantity lipid-based nutrient supplements to at risk children. Early nutrition interventions yield lifelong returns in health, education, and earnings.
- 6.5.3. **Provide complementary food vouchers**, especially to infants in the first 1,000 days.
- 6.5.4. **Expand the National School Nutrition Programme to early learning programmes**, for all CSG-registered children aged 6–36 months; provide age-appropriate nutritious meals daily; extend coverage to non-school days (weekends and school holidays) in vulnerable communities and ECD centres (including unregistered); pay food handlers fair wages. Under-5 malnutrition cannot be solved without dedicated early nutrition provision.
- 6.5.5. **Make food systems nutrition-sensitive:** subsidise protein-rich foods “ten best buys”; rigorously monitor food fortification; strengthen food redistribution, linked to households with growth faltering children; support household and community food gardens.
- 6.5.6. **Create a healthy food environment:** regulate marketing of formula and junk food; expand WASH infrastructure; deliver public nutrition education.
- 6.5.7. **Track progress:** conduct regular national stunting surveys; strengthen data systems.

6.6. Introduce wealth taxes to finance anti-hunger interventions

- 6.6.1. **Impose a wealth tax on high wealth individuals**, at a progressive rate high enough to raise substantial revenue, but not so high that it incentivises tax avoidance or tax evasion.
- 6.6.2. **Strengthen tax collection and tax compliance**, raising ~R800 billion in unpaid taxes.

- 6.6.3. **Introduce a financial transaction tax** on all trading of financial assets.
- 6.6.4. **Deposit additional tax revenues in an investment fund** or trust fund and administer them independently, to ensure they are hypothecated exclusively to ending hunger.

6.7. Address seasonal hunger

- 6.7.1. **Monitor and enforce national minimum wage and labour legislation**, such as working conditions on farms and UIF registration and contributions for all workers, including low-income employees and seasonal farm workers.
- 6.7.2. **Increase the national minimum wage to provide a ‘living wage’ for all workers**, so that a basic nutritious diet is affordable for all, at all times. It is unacceptable that people who are working for a living – including in the food system – are unable to feed their families.
- 6.7.3. **Review and adapt eligibility and payout rules for UIF** to the situation faced by seasonal and casual workers, so that unemployment insurance is equitable.

6.8. Strengthen the adequacy of social grants

- 6.8.1. **Raise social grant payments**, especially the Child Support Grant and the Social Relief of Distress grant (SRD), initially to the food poverty line to cover the cost of a basic food basket, but as soon as possible to a level that can buy a nutritious diet.
- 6.8.2. **Introduce a Maternal Support Grant**, equal in value to the CSG for pregnant women from 12 weeks, to reduce low birthweight babies and improve nutrition outcomes for mothers and children. Child malnutrition cannot be reduced without adequate maternity protection and income support to households caring for infants and young children.
- 6.8.3. **Index-link all social grants** against inflation every year, to retain their purchasing power as food prices rise.

6.9. Build localised nutrition support systems

- 6.9.1. **Support community-based nutrition systems**, including food rescue and local procurement.
- 6.9.2. **Establish community kitchens and ‘people’s restaurants’** in food insecure districts, to increase low-cost access to nutritious foods for families and young children.

ANNEXURE. NATIONAL HUNGER DOCKET (WORK IN PROGRESS)

Narrative Synopsis of Community Engagements conducted by the Union Against Hunger in 2025

Submitted in support of representations to the SA Human Rights Commission National Inquiry into the Food Systems of South Africa.

Introduction: A Living Docket

The UAH's development of a National Hunger Docket remains an evolving process, continually refined through successive iterations as we strive to identify more effective solutions and to ground the struggle against hunger and food insecurity in South Africa in a more humane and justice-centred approach.

Throughout 2025, the UAH convened Hunger Hearings, public meetings, workshops, mobilisations and indabas in a number of communities in different parts of South Africa, directly engaging more than **1,700 people**. These platforms brought together farm women, shack dwellers, ECD practitioners, students, informal settlement residents, trade unionists and community activists.

This Docket does not claim completeness. Rather, it offers a glimpse into the first phase of systematic documentation of lived experience. In 2026, the UAH intends to expand the Hunger Docket nationally, deepening provincial reach, strengthening thematic analysis, and consolidating testimonies into a structured body of evidence for advocacy, public accountability and food systems reform.

What has already emerged so far is unmistakable: hunger in South Africa is structured, political and preventable. It manifests differently across contexts, but its roots are systemic. Our engagements will continue to form a central pillar of our work to:

- Document lived experiences of hunger
- Amplify community voices
- Build a National Hunger Docket
- Strengthen advocacy for systemic food systems reform

We extend our deep gratitude to all partners, organisations and community members whose participation made this work possible. The breadth of participation demonstrates both the scale of the crisis and the willingness of communities to organise around the right to sufficient food.

Geographic and Thematic Spread

The 2025 community engagements reflect a deliberate strategy to engage diverse constituencies across several provinces.

Gauteng Province

- **21 March** – Nelson Mandela Children's Hospital – 50 community members

- **27 May** – Vosloorus, Zama Zama informal settlement – 150+ community members
- **28 May** – Lenasia – 300 community members
- **07 June** – Tembisa – Community engagement
- **26 August** – Mamelodi (Pretoria) – 100 community members
- **25 September** – Soweto – 160 community members
- **20 November** – People’s Summit (Johannesburg) – 50 engaged activists and attendees
- **21 November** – People’s Summit (Johannesburg) – 120 community members and activists

Gauteng engagements consistently surfaced concerns about rising food prices, unemployment, social grant insufficiency, and the concentration of power in food retail and distribution chains.

Notably, the People’s Summit engagement offered a regional lens to constitutional rights to food. Across South Africa, Kenya and Nigeria, constitutional frameworks provide a foundation for claiming the right to food and nutrition. Yet hunger and malnutrition persist on a mass scale in all these countries. The decisive missing factor remains organised citizen power to enforce rights.

Western Cape

- **28 May (World Hunger Day)** – Cape Town: 80 community members and activists
- **20 August** – University of the Western Cape: 50 students
- **04 September** – Cape Town (Women on Farms): 30+ farm women
- **13 & 15 October** – Khayelitsha & Strand: 250 community members

Western Cape hearings foregrounded student hunger, seasonal farm worker hunger, and urban township food insecurity. The student hearings at UWC proved particularly catalytic, contributing to strengthened engagement with university leadership in response to student food insecurity. This effort has resulted in UWC launching the **“Feed the Need”** campaign, a focused call for assistance to ensure that hunger does not undermine students’ chances of success.

North West

- **10 July** – Mahikeng – 50 community members
- **11 July** – Rustenburg – 70 community members

Engagements in the North West highlighted mining-community vulnerabilities, high transport costs, and the relationship between informal settlements and food access.

KwaZulu-Natal

- **26 July** – Enkanini – 120 community members
- **28 May (World Hunger Day)** - Abahlali baseMjondolo Engagement – 80 ABM branch leaders

These hearings with the leadership and communities in shack-dwellings linked hunger to land access, housing precarity, and the political economy of food systems.

Eastern Cape

- **14 November** – Xhora Village – 83 ECD practitioners

This engagement provided powerful testimonies from frontline educators confronting child hunger daily in under-resourced rural settings.

Participation and Documentation - Key Patterns Emerging Across Provinces

Across all engagements:

- Hundreds of testimonies were given.
- Every hearing resulted in a written report.
- Themes were consolidated into the evolving National Hunger Docket.
- Findings informed the development of policy demands and public campaigns.

The hearings fed directly into UAH's World Food Day mobilisation efforts and broader advocacy messaging. While hunger manifests differently across local contexts, common patterns have emerged:

- The insufficiency of social grants relative to rising food prices.
- Unemployment and precarious labour as primary drivers of food insecurity.
- Gendered dimensions of hunger, particularly among women on farms.
- Child malnutrition and the strain on ECD and school systems.
- Anger at food waste amidst widespread deprivation.
- Deep concern about accountability in public nutrition programmes.
- A demand for food to be treated as a right, not merely a commodity.

Across all engagements, participants consistently affirmed that structured listening spaces matter. Hunger is often experienced privately and silently. The Hearings made it public.

We learned that:

- Hunger manifests differently in rural villages, farms, informal settlements and universities.
- Testimony transforms hunger from an abstract statistic into political urgency.
- Community-level dialogue builds trust and strengthens collective agency.
- Evidence alone does not determine policy outcomes; power and political framing matter.

The Docket therefore treats lived experience as **primary evidence**.

Towards a Hunger Docket: Union Against Hunger Launch

On the 26th of February 2025, the UAH was launched at The People's Pantry (TPP) in Lorentzville, Johannesburg. The choice of venue was deeply symbolic: TPP itself was born in crisis during the 2020 hard lockdown, when hunger surged across Makers Valley (Bertrams, Lorentzville, Bez Valley, Troyeville, Judith's Paarl). Our social movement was launched not in a boardroom, but in a

pantry where hunger is lived and resisted daily. This community has lived with the daily reality of food insecurity, unemployment, and systemic neglect.

Today, TPP supports five community kitchens, feeding around 500 people each week. It runs a Recycling Swap Shop where women and men exchange recyclables for food and hygiene items, removing the need for cash. About 140 people use the shop weekly. Yet, despite its impact, the Pantry has faced ongoing funding insecurity, compounded by donor preferences that exclude migrants.

The testimonies of community members reveal the lived reality behind these numbers.

Select Community Testimonies

On survival strategies: *“The church plays a big role in assisting us, and piece-jobs such as washing and doing yard-work for owners who want to help, plus recycling for revenue.”*

On health impacts: *“There’s a serious un-healthiness that comes with hunger – our bodies are heavy and weak and cheap commodities at spaza-shops are also tricky for our health.”*

On dignity and shame: *“Sometimes we feel like failures in this world. Our bodies themselves put us to shame and in-turn we are prone to depression.”*

On hustling for survival: *“I would rather hustle than do crime. The goal is R10 a daily – you can buy something... hunger can lead you to make bad decisions, it’s like an addiction but for survival.”*

On informality risks: *“Vendors sometimes disguise rotten produce and by the time you get home it’s too late.”*

On exclusion: *“Because of the presence of foreigners in our community, government does not want to assist. Although the church makes exceptions for the elderly.”*

On xenophobia: *“In South Africa, you can’t keep asking for food as a foreigner because of xenophobic stigma, so you end-up just suffering in silence.”*

On anger and children: *“When I get hungry, I get angry – but I’ve been forced not to take-out my anger on others. And even when we are lucky what about the children?”*

On government neglect: *“But if we are to be honest, when it comes to government, we don’t even know these people. Even when we reach-out to them they don’t respond. Who are we meant to be talking to? For us it’s as if there’s no government.”*

The launch of the Union Against Hunger at The People’s Pantry was therefore more than symbolic. It was a declaration that hunger is not just about empty stomachs - it is about dignity, exclusion, and survival. By rooting itself in Lorentzville, the UAH acknowledges that the fight for food justice must begin where hunger is most acute, and where resilience has already been forged.

Early Childhood Development: Hunger at the Frontline

In Xhora Village in the Eastern Cape, Early Childhood Development (ECD) practitioners gathered to speak candidly about hunger in their classrooms.

They described children arriving hungry, infrastructure that is unsafe or without clean water, and funding systems that are inconsistent and opaque.

“Many of the children in our ECD centres come from homes that are impoverished.”

They called for direct and regular salary payments, parity with Grade R teachers, and permanent employment recognition with funding allocations described as misaligned with enrolment realities:

“Practitioners must be recognised like Grade R teachers and be paid monthly.”

“Some centres have 40 children but only get funding for 14 children.”

The Child Support Grant was repeatedly described as insufficient. Practitioners asked for support for food gardens – tools, seeds and water – to supplement nutrition. These testimonies underscore that ECD centres are frontline sites of constitutional obligations, where Section 28 rights of every child to “basic nutrition” are tested daily.

Food, Land and Power

Participants in KZN co-convened by Abahlali baseMjondolo linked food waste, corruption in school nutrition programmes, and rural-urban divides to broader structural injustice. Shack dwellers asked:

“Who does the Constitution serve?”

This question was framed not as rejection, but as lived critique - a demand that constitutional rights translate into material reality.

The discussion converged on a central proposition: food must be de-commodified. Treating food primarily as a market good entrenches exclusion and profiteering. Participants argued that food must be protected and governed as a public good and enforceable human right.

The engagements reinforced that hunger cannot be separated from struggles for land, decent housing and democratic participation.

Seasonal Hunger

Women living and working on farms described hunger as cyclical and predictable. Seasonal employment patterns mean that April to August becomes a “hungry season.” Many farm labourers (women and men) are employed for only three to four months per year. Piece-work systems were described as punishing and inequitable:

“Party boere gee ’n emmer, wat bedoel julle moet daai swaar emmer op en af haal totdat jy genoeg geld kry om vanaand kos op die tafel te sit.”

“Some farmers give you a bucket, which means you must carry that heavy bucket up and down until you earn enough money to put food on the table tonight.”

Access to unemployment insurance is administratively burdensome:

“Ons sukkel om die UIF fonds te kry.”

Women proposed reforms across government departments, farm management practices, retail pricing, and social grants. They emphasised collective solidarity:

“Community members must stand together to change our circumstances.”

These testimonies demonstrate that hunger is embedded within labour systems, land relations and gender inequality.

Student Hunger Hearings: University of the Western Cape

One of the most significant 2025 milestones has been the Student Hunger Hearings at the University of the Western Cape.

What began as a focused engagement within the Institute for Social Development expanded – due to strong interest – to a campus-wide forum hosted in the Library Amphitheatre. Participants consistently described the sharing of lived experience as the most powerful aspect of the Hearing.

An academic reflected:

“This Hunger Hearing is so important. It’s not just this one space. It’s about how we connect to the broader society, and I’m sure Union Against Hunger is making those connections, also by trying to create awareness, so we can make the government accountable, and make ourselves accountable for the fact that so many people are hungry, and our children are stunted.”

A student participant said:

“I really appreciate that you have created this space for this issue, because when we as students speak about this issue we are sometimes seen as ridiculous and just demanding.”

Written evaluations reinforced the value of testimony. The Hearing went beyond experience to interrogate root causes, impacts on academic performance, and coping strategies. Students proposed practical solutions: cost-friendly meals, budgeting education, and even a university garden.

Importantly, calls were made for university leadership to attend:

“Have management in power to hear and take note of all said by participating students.”

“Invite UWC Executive to hear and engage students on the topic.”

The Hearings have since contributed to hands-on intervention by university leadership, strengthening campus-level responses to student food insecurity and reinforcing institutional accountability. Hunger at UWC has moved from private struggle to a formal agenda item.

The Student Hunger Hearings stand as an example of how structured testimony can catalyse institutional response.

2026: Expansion

The National Hunger Docket is not complete.

In 2026, UAH seeks to:

- Expand hearings to additional provinces and sectors
- Consolidate testimonies into thematic briefs
- Strengthen quantitative and qualitative documentation
- Deepen partnerships with civil society, academia and labour movements
- Ensure our evidence-informed findings feed into policy processes and public platforms

The Docket will evolve into a consolidated evidence base that links lived experience with structural analysis and reform proposals.

Reflecting on our work in 2025 – hunger in South Africa is predictable, structural and politically mediated. Communities are not passive victims. They are analysts, organisers and rights-claimants. This Hunger Docket, still in formation, seeks to ensure that their testimonies are neither episodic nor forgotten - but systematically documented, amplified and translated into transformative food systems change. The SAHRC investigation is urged to recognise this Docket as an emerging body of evidence and to support processes that centre democratic participation, accountability and the realisation of the right to food.

Closing Note

UAH community engagements in 2025 demonstrate both the scale of hunger in South Africa and the readiness of communities to engage constructively in shaping solutions.

We remain grateful to every participant and partner who contributed their voice. The National Hunger Docket is growing - and in the years ahead, we aim to deepen, expand and consolidate this work in pursuit of justice and the realisation of the right to sufficient food and nutrition for all.

END