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political, economic, social and cultural rights,
including the right to development**

Report of the Special Rapporteur on the right to food on her visit to Zimbabwe


Comments by the State*

* The present document is being issued without formal editing.

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List of Abbreviations

| | |
|--------|---|
| DDRC | District Drought Relief Committee |
| FPR | Fidelity Printers and Refiners |
| GDP | Gross Domestic Product |
| IMF | International Monetary Fund |
| IPC | Integrated Food Security Phase Classification |
| IPP | Independent Power Producers |
| NGO | Non-Governmental Organisation |
| RBZ | Reserve Bank of Zimbabwe |
| RDDC | Rural District Development Committee |
| TSP | Transitional Stabilisation Programme |
| UN | United Nations |
| ZACC | Zimbabwe Anti-Corruption Commission |
| ZCDC | Zimbabwe Consolidated Diamond Company |
| ZIDERA | Zimbabwe Democracy and Economic Recovery Act |
| ZimVAC | Zimbabwe Vulnerability Assessment Committee |

I. Introduction

1. The Government of Zimbabwe expresses its profound gratitude to the UN Special Rapporteur on the right to food, Ms. Hilal Elver, for accepting the Government of Zimbabwe's invitation to visit the country to assess the state of the application of this right in Zimbabwe. The Government's invitation demonstrates Zimbabwe's commitment to the promotion, protection and fulfilment of fundamental rights and is a clear expression of the Government's willingness to constructively engage with international human rights mechanisms.
2. The Government of Zimbabwe hereby provides responses to the issues raised by the Special Rapporteur in her report, which covers the food security situation in terms of the legal and policy frameworks, normative context, structural obstacles and the population groups requiring special attention, among others.

II. General Overview

3. In the summary of her report, the Special Rapporteur noted that the difficult economic situation in Zimbabwe, which was compounded by the sanctions on the country, successive droughts and Tropical Cyclone Idai, had led to an escalating food crisis affecting the majority of the population, rendering them seriously food insecure.
4. While the Government acknowledges that there is need for food aid, it is, however, of the view that the population sampled by the Special Rapporteur was limited and less reflective of the broader context of the food and agricultural context in Zimbabwe. Her findings were limited to a few field visits, which at a minimum, are at the extreme end of the food situational spectrum as well as the ZimVAC report, whose findings she may have misinterpreted. The report by the Special Rapporteur does not take into account the interventions, safety nets and measures being implemented by the Government and how they are impacting on the food situation.
5. The Government considers the view that 60% of the population is now suffering from food insecurity as less reflective of the situation obtaining in the country.
6. Furthermore, the report does not take into account the agricultural policy interventions and initiatives aimed at responding to climate and global market shocks, the diversification of the agricultural sector as the economic backbone, and the empowering of small scale farmers, who are critical contributors to the food and economic security of the country.
7. In order to alleviate the projected levels of food insecurity, the Government has financed the importation of 900 000 metric tonnes of grain from Brazil. In the same vein, the Government has also liberalised the importation of grain by private players, who are also importing grain from countries such as Tanzania and South Africa to improve the food situation. The arrangement has seen the private players recently importing 100 000 metric tonnes of maize.
8. Furthermore, the Government continues to implement its targeted food hand-out scheme for the elderly and vulnerable food insecure households country wide, including in urban areas. The selection of the beneficiaries is transparently conducted by Government officials and traditional or community leaders.
9. The Government has initiated irrigation development programmes aimed at creating highly productive green belts. These include the construction of the biggest inland dam in Zimbabwe, Tugwi-Mukosi, which is designed to irrigate about 25 000 hectares of arable land. In addition, the Government is working on building, reviving and resuscitating other water reservoirs and small holder irrigation schemes across the country. These efforts are aimed at reducing reliance on rainfall fed agriculture and alleviating water shortages, whilst at the same time enhancing climate adaptation measures.
10. The Government has also adopted various policies designed to ensure that no Zimbabwean will die of hunger, including the distribution of subsidised maize meal and other

basic commodities to cushion the citizens. The Government also took the positive aforementioned step to liberalise the importation of grains by private players. We are grateful that some development partners are complementing Government efforts with drought relief programmes in some of the worst food insecure districts.

11. Other renowned organisations that have also carried out similar surveys in Zimbabwe, like the Integrated Food Security Phase Classification (IPC), have painted a different picture. In its analysis, IPC noted that 25% of the population was estimated to be in a crisis and faced moderate to large food consumption gaps. It also projected that despite the humanitarian assistance already provided, between October and December 2019, an estimated 3,58 million people, about 38% of the population, would be in need of food aid, with nine districts classified as emergency cases.

12. Furthermore, Zimbabwe is an ecologically diverse country with five distinct regions, which in turn influences the humanitarian and economic situation of each region and consequently, bears on the realisation of food sufficiency. The district of Mwenezi, which was sampled by the Special Rapporteur, lies in region 5, which is the driest region in the country. As a consequence, any slight climate shock will be amplified and the resulting responses will command greater engagement and resources. This is notwithstanding the fact that the largest inland dam, Tugwi-Mukosi, was commissioned in the same district and is set to offer agricultural opportunities to thousands of households through irrigation and other downstream jobs. The assertions that the food crisis is man-made is therefore erroneous. However, the Government remains committed to cooperating and engaging with the international community in addressing these challenges, including on the need for the removal of all forms of sanctions imposed on Zimbabwe, which have predominantly thrown the country into economic meltdown.

A. Historical and Political Context

13. The Government notes and acknowledges the appreciation by the Special Rapporteur regarding the history of the country, from the time of the British occupation to the peaceful transfer of power from the late former President Robert Gabriel Mugabe to President E.D Mnangagwa in November 2017, which ushered in the 2nd Republic, and to the subsequent harmonised elections of 31 July 2018 that were resoundingly won by ZANU(PF).

1. Land Reform

14. Zimbabwe inherited a skewed land tenure system from the colonial era, whereby a minority 4 500 white farmers owned a total of 12.5 million hectares arable land, while 7.4 million indigenous people owned only 2.5 million hectares of the total 15 million hectares of arable land in the country. As part of the Lancaster House Agreement of December 1979 that ushered in Zimbabwean independence, the then Conservative Government in Britain and the United States Government pledged to provide full funding for land reform in Zimbabwe. However, in 1997, the new British Government unilaterally abrogated all provisions that were contained in the Lancaster House Agreement and cut all funding previously directed at land reform. To this end, the Government was compelled to enact legislation to launch the fast track land reform programme in 2000, which has to date seen 360 000 families being resettled.

B. Economic and Financial Situation

15. Regrettably, the land reform programme attracted the ire of some Western countries, which imposed illegal sanctions on the country. These sanctions have had the effect of strangling the country's economy. Measures such as the US's Zimbabwe Democracy and Economic Recovery Act (ZIDERA), have led to a drying up of lines of credit to Zimbabwe from the International Financial Institutions and other sources. In this regard, the Government acknowledges the Special Rapporteur's apt observations regarding the adverse impact of the illegal sanctions and restrictive measures on the livelihoods of Zimbabweans. The impact of

the sanctions includes severe foreign currency shortages, increased inflation, shortages and sharp prices of basic commodities, such as fuel and the staple maize grain.

16. The allegations that proceeds from the sale of minerals rarely reach Treasury are inaccurate. On the contrary, the Government took a policy position to consolidate all mining companies in the Chiadzwa area under a State owned entity, namely, the Zimbabwe Consolidated Diamond Company (ZCDC), in order for the country to fully benefit from its diamond proceeds. Zimbabwe also realises significant revenue inflows from other minerals such as gold, platinum and chrome. Furthermore, Fidelity Printers Refiners (FPR), a wholly owned subsidiary of the Reserve Bank of Zimbabwe (RBZ), took delivery of gold in the following quantities in the past few years:

| | |
|----------------|---------------|
| 2017 | 24.8 tonnes |
| 2018 | 33.2 tonnes |
| 2019 | 27.660 tonnes |
| 2020 (January) | 1,761 tonnes |

17. The assertion that the Government of Zimbabwe is insolvent and has failed to pay civil servants salaries on time are not a true representation of the state of affairs. The Government has never missed payments of any salary obligations. In fact, during the Special Rapporteur's visit in November 2019, all civil servants were granted a 13thth cheque on the back of some salary adjustments and cost of living allowances of over 100%.

18. Whilst noting the liquidity constraints, the Government does not subscribe to the conclusion by the Special Rapporteur that there is a cash crisis in the country. The country is pursuing a policy of promoting the usage of plastic money and electronic modes of payment, which have been widely subscribed to by the citizenry.

III. Legal and Policy Frameworks on the right to food

A. International and Regional Level

19. The Government of Zimbabwe welcomes the observations by the Special Rapporteur on Zimbabwe's commitment to safeguard fundamental human rights and freedoms, in particular, the right to food, as well as the robustness of the existing Constitutional, legislative and administrative measures in this regard. The Government also welcomes the commendations for its active and dedicated participation in Regional and International human rights bodies to which Zimbabwe is a party.

20. The Government has taken note and will consider the ratification of the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights.

B. Programmes Supporting the Agricultural Sector

21. The losses due to price differentials raised in the report arise from the fact that the Government has adopted a different subsidy model whereby it subsidises the producer price, with the financial implications being borne by the Government.

22. Regarding the observations relating to the Command Agriculture Programme, it is noted that this programme has been very effective in increasing productivity levels, in particular, for maize. It is also important to note that this programme was introduced in the 2016-2017 seasons. Below are the maize production figures, for the past five seasons:

| | |
|------------|------------------|
| 2014-2015 | 742 226 tonnes |
| 2015-2016 | 511 816 tonnes |
| 2016-2017 | 2 155 526 tonnes |
| 2017- 2018 | 1 722 718 tonnes |

2018-2019

1 604 850 tonnes

23. The decreases in production during the 2017 to 2019 period are attributed to recurrent droughts. It is patently clear that Command Agriculture has contributed to a significant increase in productivity and if implemented well, it can lead to a grain surplus every season.

IV. Normative content of the right to food

A. Availability

24. The Government considers the comments relating to the causes of food insecurity as sweeping statements and wishes to highlight some of the ongoing efforts aimed at ensuring sufficient food production. A smart agriculture concept to anchor agricultural development and climate responsiveness has been adopted by the Government through, among other initiatives, broadening access to agricultural finance and inputs, promoting productivity, enhancing extension services and infrastructure and developing markets for value added products.

25. Combating corruption is also being accelerated with a view to ensuring the rights of ordinary citizens are safeguarded. In this regard, the Government has taken steps to restructure the Zimbabwe Anti-Corruption Commission (ZACC) and to establish new anti-corruption courts in all the ten Provinces in the country.

26. Notwithstanding the impact of the adverse weather shocks, as aforementioned, the Government has expanded dam construction programmes and the construction and resuscitation of irrigation infrastructure in the country.

27. The Government wishes to point out that contrary to perceptions, information on food reserves is readily available, but access to it is restricted due to its sensitive nature and associated national security risks.

B. Accessibility

28. The Special Rapporteur's report aptly captured the sluggishness of the economy due to energy deficits currently facing the Southern African Region. Conscious to the energy challenges and the complexities associated with power generation, the Government has introduced a host of measures to strengthen the energy mix by, among others, removing import duties on solar equipment, rehabilitation of power plants and licensing of Independent Power Producers (IPP) to generate electricity.

29. Regarding the deteriorating livelihoods, the Government has upscaled safety nets to cushion citizens and extend the elasticity of incomes. The Government has also introduced subsidised transport under the Mass Urban Transport System after realising that commuters were being overcharged by private transport operators. Subsidies on maize meal and other basic commodities and continuous costs of living adjustment allowances to civil servants are some of the measures the Government is undertaking to ensure that the people retain their dignity and that their rights and freedoms are safeguarded.

C. Adequacy

30. Contrary to the Special Rapporteur's conclusions based on a visit to only one primary school, the Government continues to implement the Home-Grown Feeding Programme, which is in a phased approach since 2016. Currently, every primary school is required to provide one hot nutritionally balanced meal per school day. In addition, as part of the Social Protection dimension under the current Transitional Stabilisation Programme (TSP), the Government has substantially increased the budget allocation for the procurement of food for learners under the Home-Grown School Feeding Programme.

D. Sustainability

31. The Government is rolling out a climate-proofing agricultural production system through the restructuring of small holder irrigation schemes to ensure that they contribute meaningfully to national food security. Currently, these irrigation schemes account for 20 000 hectares of irrigated land and have the potential to significantly contribute to food security in Zimbabwe. The Government has also gazetted the Control of Irrigable Areas Regulations, which will give Government a greater level of influence in the small holder schemes.

Other measures include farm mechanization programmes that provide access to mechanized farm implements by farmers and irrigation development through the installation of new irrigation infrastructure, such as centre pivots. To date, eighty new centre pivots have been installed, while a US\$50 million dollar tractor facility managed through banks has been established.

V. Structural obstacles to the realization of the right to food

32. The Government wishes to point out that security of land tenure is guaranteed following the conclusion of the structure of bankable 99 Year leases for new commercial farmers and permit documents for small scale farmers.

A. Agriculture and Land Systems

33. The assertion that the land reform programme is a complete failure is misleading. For the record, the major objective of land reform was to restore the dignity of indigenous Zimbabweans by addressing imbalances in access to productive agricultural land. In this regard, the land reform programme has been a resounding success in as far as it has guaranteed access to land by the indigenous people of Zimbabwe.

34. Furthermore, after the land reform programme, tobacco production improved over the years, from 228 million kilograms in 2000 to 258 million kilograms, during the 2018/2019 season. Given proper funding, technical assistance and access to modern farming implements, indigenous farmers can achieve greater levels of productivity and significantly contribute more to the national economy. The effect of illegal sanctions in inhibiting the procurement of the much needed agricultural equipment and implements cannot be over emphasised.

35. The Government's primary focus is now on the maximum utilisation of land. In this regard, a land audit is being carried out by the Lands Commission with a view to coming up with accurate, statistical and scientific realities on the use of land in Zimbabwe.

36. The Government has also taken the initiative to compensate former white commercial farmers for improvements and developments on the acquired farms. To this end, a compensation framework is now in place whereby Treasury allocates budgetary support to the programme annually.

B. Partisan distribution of food

37. According to successive investigations that have been carried out by various stakeholders, the allegations that there is partisan distribution of food aid in favour of ruling party supporters are grossly unfounded. The Government has put in place a structure responsible for the distribution of food relief, namely the District Drought Relief Committee (DDRC). The Committee is chaired by the respective District Administrators who also chair the Rural District Development Committees (RDDC). The Committee comprises the Chief Executive Officers of the respective Local Authorities, representatives of various Government Departments, Councillors, Traditional Leaders, as well as other stakeholders, including representatives of various Non-Governmental Organisations (NGOs) operating within the districts. The representatives of NGOs, Councillors and Village Heads are

responsible for selecting the beneficiaries of food distribution. It is thus clear that the selection and distribution processes are transparent.

VI. Conclusion

38. The Government of Zimbabwe remains committed to discharging its Constitutional responsibility of ensuring and entrenching food security for all the citizens. However, the Government's endeavours are hamstrung by a number of challenges, some of which the Special Rapporteur herself has acknowledged. In this regard, the Government is grateful for the invaluable assistance that it continues to receive from UN Agencies and some development partners.
