

HUMAN RIGHTS IN COUNTRY SOUTH AFRICA

UPR Info Pre-sessions

Introduction

- RWA, CSAAWU, and Coastal Links (EC) promote the protection of rural women's human, civil and labour rights. We seek to initiate transformation projects in a way that acknowledges the importance of transforming gender relations.
- RWA links peasants, small -scale farmers and producers, farm workers, fishers, indigenous communities and rural, dwellers together in defense of the, commons (land, seeds, biodiversity and waters).
- Rural women in South Africa have limited access to land, seeds and access to food since women have a low social position within their community.
- The right to food and the rights of women, peasants and people living in rural areas are all linked especially rural women's right to land



*We are the Guardians of Land,
Life, Seeds and Love*

Situation in South Africa– Issue 1

- This is the first time that the Rural Women's Assembly South Africa (RWA SA), the Commercial Stevedoring Agricultural and Allied Workers Union (CSAAWU) and Coastal Links interact with the Universal Periodic Review (UPR).
- The United Nations Universal Periodic Review (UPR) of South Africa last occurred during the 3rd Cycle (27th Session) in 2018 and the 4th Cycle that is soon approaching. Since then, there have been some significant new developments, amongst these the adoption of the UN Declaration on the Rights of Peasants and People Working in Rural Areas (UNDROP) in 2018.
- However, the world is facing many challenges and because of the Covid-19 pandemic, all countries in our SADC region and many in the Global South are facing a crisis of hunger that needs urgent attention. The current UN Country UPR Cycle is occurring during the UN Decade of Family Farming (2019-2028) when the world promises to eradicate hunger, ensure food security and aim to meet the UN's Sustainable Development Goals 1 and 2.



*We are the Guardians of Land,
Life, Seeds and Love*

Situation in South Africa – Issue 1

- We believe that UNDROP is more than just a declaration. It is an opportunity to implement the human rights of peasants, small-scale farmers and other producers and people working in rural areas, including their right to food sovereignty recognized in UNDROP, and to redress their systematic and historic marginalisation. It is also an opportunity to realise and protect the right to food enshrined in UNDROP, in particular the right to food of rural women, the first victims of exclusion and discrimination
- On 17 December 2019, nine UN special procedure mandate holders, including the UN Special Rapporteur on the Right to Food who played a key role during UNDROP's negotiation, and four members of UN treaty bodies (e.g. the Committee on the Elimination of Discrimination Against Women, the Committee on Migrant workers, the Committee on Economic, Social and Cultural Rights, and the Committee on the Rights of the Child) issued a joint statement in which they committed to integrate UNDROP in their areas of work.



*We are the Guardians of Land,
Life, Seeds and Love*

Challenges

- **The challenges are:**

1. Hunger
 2. The crisis of the pandemic,
 3. the crises Gender based violence and femicide
- These are three major issues that South Africa is facing are all interlinked and cannot be seen in isolation.
 - Women's access to land remains a struggle, yet women bear the brunt of working the land with little and no access to water.
 - We are here as the Rural Women's Assembly with the primary theme of the Rights of peasant women and other women in rural areas; for the implementation of 1. Right to our own seeds, 2. The right to food and food sovereignty, and 3. The right to land and other resources



*We are the Guardians of Land,
Life, Seeds and Love*

Recommendations – Issue 2

➤ **General Recommendation:**

1. UN human rights experts recommended that the monitoring of UNDROP's implementation should be integrated in the UPR
2. UN Human Rights Council should create a new Special Procedure on the rights of peasants and other people working in rural areas.
3. Regional human rights committees and courts (in Africa, Asia, South-East Asia, Arab countries, Europe, and Inter-America - e.g., the African Commission on Human and People's Rights and the African Court on Human Rights) better protect the rights addressed under UNDROP, and that the African Human Rights Commission establishes a working group on the rights of peasants and other people working in rural areas.



*We are the Guardians of Land,
Life, Seeds and Love*

Recommendations – Issue 2

- Our Theme: Socio economic rights-Sub-theme: UNDROP
- **Article 19: The rights to seeds**
- The recommendations: 1. Approve outstanding regulations to PIA, providing for the exemption of farm-managed seeds (FMS) from PIA, allowing for saving, using, exchanging and selling of FMS. 2. A State fund to be created to support the establishment of community-based traditional seed banks; given the crisis of hunger and the pandemic exacerbated the situation and exposed the shortcomings in the different institutions, therefore we want to see seed laws that are supporting small-scale producers and increase and establishment of community based additional seed banks and it must be state funded



*We are the Guardians of Land,
Life, Seeds and Love*

Recommendations – Issue 2

- Our Theme: Socio economic rights-Sub-theme: UNDROP
- **Article 15: The right to food and food sovereignty**
- The recommendations: 1. Freedom from hunger, 2. Speed up land and agrarian reform; 3. Promote and support agroecological smallholder family production units, with access to water 4. put Food sovereignty in SA legislation; Include small-scale producers in agricultural and trade policies that protect and strengthen local livelihoods and food sovereignty. 5, Policy and strategy on agroecology; Finalise the agroecology strategy- DAFF was engaged in consultations with CSOs in 2011-2013, but the strategy was never finalised



*We are the Guardians of Land,
Life, Seeds and Love*

Recommendations – Issue 2

- Our Theme: Socio economic rights-Sub-theme: UNDROP
- **Article 4: Rights of peasant women and other women in rural areas**
- The recommendations: 1. ensuring women are clearly identified as beneficiaries. 2. Strengthening and protecting women's rights to land, Policy on Women owning or accessing their own land ; and support the RWA One Women – One hectare” and ensuring that women's land access is assured as per RWA's campaign for “One woman-one hectare”. 3. Implement a Policy for women to manage land and natural resources i.e., land, seeds, water, forests, fisheries; Approve outstanding regulations to PIA (see under Article 19 recommendations), public consultation towards drafting a relevant policy from the bottom-up and legislation towards for women's land rights.



Rural
Women's
Assembly

*We are the Guardians of Land,
Life, Seeds and Love*

Recommendations – Issue 2

- Our Theme: Socio economic rights-Sub-theme: UNDROP
- **Article 17: The right to land and other resources**
- The recommendations: 1, Strengthen legal rights to land (including tenure security, right to occupy, customary land tenure rights, 99-year leases) and natural resources. 2, Against systemic issues of gender-based violence that is intrinsic to current economic agrarian systems, and ensure resources are allocated towards supporting GVB and femicide victims provide safe houses for rural women affected by GBV.



*We are the Guardians of Land,
Life, Seeds and Love*

Thank You

From all the members of our coalition:

- ❑ Lungisa Huna
- ❑ Norah Mlondobozi

